

## Tunbridge Wells Borough Council

The Borough Council is a public body with statutory and discretionary powers and responsible for a number of local services.

The Council has both a political and officer structure. Very broadly the difference is that 'officers advise, Councillors decide' (and the officers 'do!'). In reality, to ease the day-to-day functioning of the organisation, many decisions are delegated to officers, and at a senior level there is an increasing overlap of responsibility.

Another key difference is that whereas officers are paid, Councillors are not salaried, though they do receive certain allowances and expenses.

### The Political Structure

Together **48** elected Councillors constitute 'Full Council', the Council's decision-making body. Each elected Councillor represents residents in a given geographical area, or 'ward'. A ward may have more than one elected representative.

Full Council delegates a number of its responsibilities to Cabinet and various sub-committees.

### Which Councillors might the Town Forum wish to approach to influence Council decisions?

Depending on the nature of the issue the Town Forum might wish to seek the support of one or more of the following:

- Ward Councillors ie those Councillors representing a given area. They stand for election every four years and may represent a political party or be independent. Approximately half of the Councillors represent parts of Royal Tunbridge Wells with the remaining half covering Southborough and the rural towns and villages.
- Committee members - members of a particular committee dealing with a given issue. Each Committee has a Chairperson, Deputy Chairperson as well as other appointed members. Typically a committee has the same political balance as Full Council.
- Portfolio Holders / Cabinet Members - the Cabinet comprises a Leader and eight Members each with responsibility for a portfolio of services:
  - Procurement, Partnerships & Communications (Leader's portfolio)
  - Economic Development and Transport (Cllr Peter Davies)
  - Housing (Cllr Catherine Mayhew)
  - Leisure and Health and Well-being (Cllr James Scholes)
  - Community Development and Law and Order (Cllr Roy Bullock)
  - Environment (Cllr John Cunningham)
  - Finance, Resources and Administration (Cllr Len Horwood)
  - Organisational Development, Productivity and ICT (Cllr Peter Bulman)
  - Planning (Cllr Elizabeth Thomas)

Cabinet members all represent the ruling political party and are the only Councillors with delegated powers.

- Leader of the Council - elected by the Councillors from the ruling political party each year (Cllr Melvyn Howell).
- Mayor (currently - May 2005 / May 2006 - Cllr Mrs Jennifer Paulson-Ellis) - elected by Full Council each year, this is a non-political post. The Mayor chairs Full Council meetings and has the casting vote. (Note, as a point of interest the difference between a District Council and a Borough Council is that a Borough Council has a Mayor.)

Councillor contact details are on [www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk) and will shortly be distributed to residents in an 'A-Z of Services' with the free newspapers.

## **Contacting the Officers first**

However, in the first instance it may well be more appropriate to contact the relevant officer. Relevant officers should be able to advise you of the facts of a case, and explain whether changes / decisions sought can be authorised by them, or whether budgetary or policy decisions - by Portfolio holders, Cabinet or Full Council - are required. If decisions are budgetary or policy decisions then officers should be able to advise on the process involved in seeking changes. Sometimes matters may be outside the Council's control ie by law or because they are the responsibility of another agency. In these cases the Forum might seek the Council's help in facilitating discussions with the appropriate agency or lobbying for change. Of course the Forum could itself invite representatives of other agencies to attend one of its meetings where appropriate or ask to be represented at a meeting elsewhere.

## **The Officer structure**

The Chief Executive is the 'Head of the Paid Service' comprising over 500 permanent and temporary staff at the Town Hall and other premises. The current structure, which is likely to be reviewed by the new Chief Executive (26.09.2005, Mrs Sheila Wheeler), comprises three departments led by either the Chief Executive or one of the two directors, and each with a number of Heads of Service responsible for the day-to-day running of individual Services. Key officers are listed on [www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk) and the 'A-Z of Services' being distributed shortly will also have details.

## **The Constitution**

The Council's constitution sets out how the organisation operates, how decisions are made and the procedures which are followed. Some of these processes are required by law, while others are a matter for the Council to choose. The aim is for an organisation which is efficient, transparent and accountable to local people.

The Constitution is divided into 16 articles (see below) which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document. The Constitution can be viewed on [www.tunbridgewells.gov.uk](http://www.tunbridgewells.gov.uk).

Some of the practical aspects which I envisage the Forum is interested in are that the Constitution sets out the responsibilities of the different committees (for example, see articles 4, 6 - 10) and who can make decisions. It also covers what sort of proposals the Council should publicise and consult on (budget and policy framework, part 4, page 161) and the right of the public to ask questions at Full Council meetings (Council procedure rules, part 4, page 136 - a leaflet about this is also available).

## **What is in the Constitution?**

**Part 1** - Summary and Explanation (including Index of Terms)

**Part 2** - Articles of the Constitution:

Article 1 of the Constitution commits the Council to the provision of community leadership, environmental and financial stewardship, transparent and efficient decision-making, and to improvement, quality and equality in the delivery of services. Articles 2-16 explain the rights of citizens and how the key parts of the Council operate.

- Article 1 - The Constitution
- Article 2 - Members of the Council
- Article 3 - Citizens and the Council
- Article 4 - The Full Council
- Article 5 - Charing the Council

- Article 6 - Overview and Scrutiny Committees
- Article 7 - The Cabinet
- Article 8 - Regulatory and other Committees
- Article 9 - The Standards Committee
- Article 10 - Area Committees and Forums
- Article 11 - Joint Arrangements
- Article 12- Officers
- Article 13 - Decision-Making
- Article 14 - Finance, Contracts and Legal Matters
- Article 15 - Review and Revision of the Constitution
- Article 16 - Suspension, Interpretation and Publication of the Constitution
- Schedule 1 - Description of Executive Arrangements

**Part 3 - Responsibility for Functions**

**Part 4 - Rules of procedure:**

- Council Procedure Rules (Standing Orders)
- Access to Information Procedure Rules
- Budget and Policy Framework Procedure Rules
- Cabinet Procedure Rules
- Overview and Scrutiny Procedure Rules
- Financial Procedure Rules
- Contracts Procedure Rules
- Officer Employment Procedure Rules

**Part 5 - Codes and Protocols:**

- Code of Conduct for Members
- Officer Code of Conduct
- Proper Officers & Designated Officers
- Protocol on Member/Officer Relations

**Part 6 - Members' Allowances Scheme**

**Part 7 - Management Structure**

Ellie Broughton

Notes for Town Forum September 2005