

COUNCILLORS – COUNCIL OFFICERS

What is the authority of a Councillor ?

Most councillors operate under a 'collective responsibility' process, in that any decisions they take are as part of a committee, such committee having been given its 'delegated powers' to take decisions by the full Council. There are some councillors, however, who have a more direct authority, namely 'portfolio-holders', who are members of the Cabinet. The Cabinet collectively makes decisions (again, under powers given to them by the full Council) or its members can make what are known as 'delegated decisions', also under powers given to them by the full Council. All of Cabinet's decisions and all portfolio-holder decisions are subject to possible 'call-in' through what is known as a Scrutiny process.

What is the authority of a Council Officer ?

All actions taken by Council officers must relate back to some power delegated by either full Council or a specific committee. This is to allow the Council to function and to ensure decision-making is as quick as possible, but still ensuring proper accountability. Briefly, it is councillors who agree the policies of the authority and officers who carry out their day-to-day actions within that broad policy framework.

Why do councillors not communicate what they authorise on behalf of the community to the community ?

All decisions taken by full Council, its committees, the Cabinet and individual portfolio-holders are published. These are all available on the website and in hard copy, if that is your preferred method. In addition to that, the Council issues press releases on a wide range of topics felt to be of general interest to residents. The Council also issues a local magazine - iLocal - on a quarterly basis to all households and businesses in the Borough, which publicises a great deal of decisions taken.

What is the accountability of a councillor as against the local authority ?

What I hope the above answers have shown is that it is the full Council that has a 'corporate' liability for decision-making, although each councillor has certain legal responsibilities to ensure all of their actions comply with the law and their conduct does not bring the Council into disrepute. All councillors are bound by the terms of a Code of Conduct, which spells out these obligations in precise terms. If they are in any doubt, there is a Monitoring Officer employed by the Council who can advise.

The Council operates under a Constitution, which covers all of the above points in detail and which can be viewed on our website or, again, in hard copy at the Council Offices.

A full review should be undertaken to see what cost it is to the Council Tax payer to have yearly elections? Why can we not have three or four yearly elections?

In 1974, which is when this Council came into existence, the decision was taken to adopt 'election by thirds' ie for a third of the Council to be re-elected each year (with the fourth year being Kent County Council elections).

Recent legislation has provided district councils with the opportunity to review that process. For instance, we could now look at the benefits and disadvantages of moving towards an election every four years, as a large number of district councils currently operate.

When we are in a position to examine the relative merits - including costs - of each system, we will conduct a thorough consultation process. This will include formal consultation with the Town Forum, as well as all other interested groups. At present, there are no immediate plans to carry out this review, but I will contact you again as soon as the authority determines to examine this in detail.