

Part One – The Council and Local People

I. THE COUNCIL, COUNCILLORS AND ELECTIONS

- I.01 The Borough is situated in inner west London. It was created in 1965 with the merging of the Metropolitan Borough of Chelsea and the Royal Borough of Kensington. It is bordered to the north by the London Borough of Brent, to the west by the London Borough of Hammersmith & Fulham, to the east by the City of Westminster and to the south, across the River Thames, by the London Borough of Wandsworth.
- I.02 The Borough is divided into 18 electoral wards – please see map at Appendix A (on page 9). At the Borough Elections every four years, registered electors in each ward choose who will represent them for the coming four years. The Borough Elections are usually held on the first Thursday in May every four years. The most recent Borough Election was on 3 May 2018 and the next will be on 5 May 2022. The terms of office of Councillors start on the fourth day after being elected and finish on the fourth day after the date of the next regular election.
- I.03 To be able to stand as a candidate at a local government election in England and Wales* a person must be at least 18 years old; be a British citizen, an eligible Commonwealth citizen or a citizen of any member state of the European Union; and meet at least one of the following four qualifications:
- (i) That person is, and will continue to be, registered as a local government elector for the local authority area in which they wish to stand from the day of their nomination onwards.
 - (ii) That person has occupied, as owner or tenant, any land or other premises in the local authority area during the whole of the 12 months before the day of their nomination and the day of election.
 - (iii) That person's main or only place of work during the 12 months prior to the day of their nomination and the day of election has been in the local authority area.
 - (iv) That person has lived in the local authority area during the whole of the 12 months before the day of their nomination and the day of election.

* For the latest guidance on elections matters please see the Electoral Commission website - www.electoralcommission.org.uk

- I.04 The Borough has 50 Councillors in total and each electoral ward returns two or three Councillors – please find a list of wards and serving Councillors at Appendix B (on page 10). Each Councillor is required by law to sign an Acceptance of Office declaration, following their election, before they can act as a Councillor.
- I.05 Every Councillor represents the residents of their Ward - including those who may not have voted for them. Councillors are elected to the Council to serve the interests of the entire Borough and all who live or work there or visit it.
- I.06 Councillors, and any other people the Council invites to serve on Council committees, are required to adhere to high ethical standards and these expectations are set out in

the *Councillor Code of Conduct*, the *Code of Conduct on Planning* and the *Protocol on Councillor/Officer Relations* elsewhere in this Constitution, [available on the Council website](#).

1.07 Councillors are entitled to receive allowances under the *Councillors' Allowances Scheme*, which is reviewed and re-adopted each year and the current version of which is set out in full elsewhere [in this Constitution](#). Full details of the current Scheme and payments made under the previous year's Scheme (1 April to 31 March) are published on the Council website.

2. THE ROLE OF COUNCILLORS

2.01 The Council has adopted the following role description which sets out the principal responsibilities of a Ward Councillor.

2.02 Ward Councillors are community leaders and should:

Leadership at Ward and Borough Level

- (i) be the main point of contact with local communities, which includes residents as well as businesses and other organisations
- (ii) develop a deep understanding of the local community - its issues, needs and concerns - so that these can be fully represented
- (iii) support others to empower themselves and find ways to strengthen the capacity of communities to take action on their own behalf to tackle things that are important to them
- (iv) lead and champion the interests of local communities and effectively represent the interests of the ward and its constituents, to deliver outcomes that make a difference
- (v) act as ambassador and advocate for the Council as a whole
- (vi) meet face to face and liaise regularly with local interested individuals and groups to listen and support their involvement in key Council decisions
- (vii) undertake casework for constituents and act as an advocate in resolving concerns or grievances, in a timely way
- (viii) ensure that constituents receive feedback on consultations in which they have participated and help them to understand the reasons why the Council has made its decisions
- (ix) participate constructively in the good governance of the ward and borough
- (x) use influence as a Councillor to develop links between groups and communities in the ward and local area
- (xi) work with communities to help with local service delivery, including encouraging volunteers

Representation

- (xii) inform the debate at full Council meetings and contribute to the effectiveness of the Council meeting
- (xiii) contribute to the development of the Council's policies, budget, strategies and service delivery, and to the scrutiny of their implementation and review
- (xiv) develop and maintain knowledge of how the Council works, its objectives and develop working relationships with its officers as appropriate and relevant to their casework
- (xv) keep constituents informed about what they have been doing, using relevant and appropriate communication channels
- (xvi) represent the Council to local communities, and local communities to the Council
- (xvii) participate in the activities of any political group of which the Councillor is a member
- (xviii) represent the Council on outside bodies where so appointed and, where appropriate, represent those bodies within Kensington and Chelsea

Other duties

- (xix) fulfil the legal and local requirements placed on a Councillor (in accordance with the *Councillor Code of Conduct*)
- (xx) take responsibility for their own personal training, development and continuous improvement for any role undertaken
- (xxi) behave in a professional manner towards residents and other stakeholders, officers, and other Councillors

2.03 The Council will provide logistical and clerking support to Ward Councillors to enable them to convene discussions with constituents to identify and address local priorities.

2.04 In addition to these Ward Councillor responsibilities, a number of our Councillors also have leadership roles, for example as a member of the Council's executive (the 'Leadership Team'), as a Committee Chair or within their Party Group on the Council.

3. THE COUNCIL'S VALUES AND BEHAVIOURS, AND THE TWELVE PRINCIPLES OF GOOD GOVERNANCE

Values and Behaviours

3.01 In September 2018 the Council adopted new Values and Behaviours which underpin our approach to public service and drive change and service delivery throughout the organization.

Putting communities first

- We put local people at the heart of decision making in everything we do.
- We seek to include and involve: all voices matter.

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- We provide quality services that are responsive, effective and efficient

Respect

- We listen to everyone and value the personal experiences of people in our communities and of each other
- We adopt a fair, and involving approach regardless of any way in which an individual is different to us

Integrity

- We act with openness, honesty, compassion, responsibility and humility.
- We let people know what we are doing and communicate why and how decisions have been made.

Working together

- We work together and in partnership with everyone that has an impact on the lives of our residents.
- We want to understand, learn from each other and continually adapt.

The Twelve Principles of Good Governance

3.02 These Values and Behaviours above build on the Twelve Principles of Good Governance adopted by the Council in July 2018 as the basis upon which the Council will be run and decisions made. These principles underpin this Constitution and everything the Council and its councillors do in serving, and delivering services to, local people.

- Connecting with residents
- Listening to many voices
- Inviting residents to take part
- Involving before deciding
- Responding fairly to everyone's needs
- Focusing on what matters
- Working as a team
- Managing responsibly
- Having the support we need
- Acting with integrity
- Communicating what we're doing
- Being clearly accountable

4. LOCAL PEOPLE AND THE COUNCIL

[Please note this section of the Constitution is under review and a substantially revised 'Charter for Public Participation' will be adopted, following consultation, in late 2019.]

People's Rights

4.01 People's rights to information and to participate are explained in more detail in the Access to Information Rules in Part 8 of this Constitution. Local people have the following rights:

(a) **Voting and Petitions**

People on the Borough's Electoral Register have the right to vote and to sign a petition to request a referendum for a form of Constitution with an elected mayor. All residents have the right to sign a petition on any matter for which the Council is responsible and for any such petition to be considered by the Council.

(b) **Information**

- Local people have the right to:
 - attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting (or part of it) is therefore held in private;
 - attend meetings of the Leadership Team when key decisions are being considered;
 - find out from the Leadership Team's Forward Plan what key decisions will be made by whom and when;
 - see reports and background papers, and any records of decisions made by the Council and the Leadership Team;
 - inspect the Council's accounts and make their views known to the external auditor;
 - know how to contact all Councillors; and
 - the name and telephone number of the Council officer responsible for the provision of any Council service.
- (c) Local people can, with the permission of the chairman, speak at committee meetings, including meetings of the Leadership Team.
- (d) The Council is committed to conducting good quality, co-ordinated consultation with its key stakeholders. The Council has a detailed set of good practice guidelines for consulting with the public. Any consultation carried out by the Council, or in partnership with any other organisation, will be conducted within the spirit of these guidelines. The Council will use a variety of methods to hear the voice of residents including the Citizens' Panel.

Complaints

4.02 People have the right to complain to:

- (a) the Council itself under its complaints scheme;
- (b) the Ombudsman after using the Council's own complaints scheme;
- (c) the Monitoring Officer and Independent Person about a breach of the *Councillors' Code of Conduct* and the *Code of Conduct on Planning*.
- (d) the Information Commissioner.

Responsibilities

- 4.03 With rights come responsibilities. The Council expects its Council tax payers, and any person who uses a Council service for which there is a charge, to pay promptly. When exercising their rights to attend meetings, local people have the responsibility to ensure that their behaviour does not disrupt the conduct of the meeting and that the business being discussed can be carried out. Local people must not be violent, abusive or threatening to Councillors or officers, and must not wilfully harm property owned by the Council, Councillors or officers.

5. THE CONSTITUTION

- 5.01 This document you are reading, entitled ‘The Council and Local People’, is the introductory Part of the Council’s Constitution. The Constitution is a series of documents outlining how the Council is run, something the Council is required by law to have and to keep up-to-date. The Council must make copies available at its main offices for inspection by members of the public and be prepared to supply copies at a reasonable charge, though in practice most people look at, and can download, the Constitution [here on the Council website](#).
- 5.02 The Constitution sets out how Council decisions are made, and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people.

Review and Revision of the Constitution

- 5.03 The Council is required by law to appoint a ‘Monitoring Officer’ who monitors and reviews to keep it up to date and to ensure that the aims and principles of the Constitution are achieved. He or she will make periodic reports to the Administration Committee.
- 5.04 Changes to this Constitution will only be made by full Council following consideration of the proposal by the Administration Committee, provided that the Monitoring Officer may from time to time make the following changes:
- (a) changes which reflect any decision made by Council, one of its committees, the Leadership Team or any other person or body with the authority to delegate or sub-delegate powers to exercise executive or non-executive functions;
 - (b) changes which reflect any changes made to the allocation of functions or responsibilities to, or between, officers;
 - (c) such changes as may be necessary to comply with or give effect to any legislative requirements; and
 - (d) such other changes of an editorial nature as may seem appropriate to make the Constitution internally consistent, up-to-date and readily understandable.

Suspension and Interpretation of the Constitution

- 5.05 The provisions of this Constitution may not be suspended, except for ‘Limitation on Chairs and Vice-Chairs of Committees in Part 5 of this Constitution. The rules specified

below may be suspended by the full Council to the extent permitted within those rules and the law.

- 5.06 A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution.
- 5.07 The following rules may be suspended:
- (a) Council Standing Orders (in Part 3 of the Constitution);
 - (b) Procurement Procedure Rules (in Part 8 of the Constitution)
- 5.08 The ruling of the Monitoring Officer as to the interpretation of this Constitution, or of the Mayor as to any proceedings of the Council, cannot be challenged at any meeting of the Council. Such interpretation will have regard to the overarching purposes of this Constitution.

6. HOW DECISIONS ARE TAKEN - OVERVIEW

- 6.01 A structure chart of the Council's governance arrangements, showing how Council, the Leadership Team, Scrutiny Committees and other committees relate to each other, is set out at Appendix C on page 12.

Full Council

- 6.02 Full Council meetings, which take place at least eight times each year, provide an opportunity for all 50 of our local councillors to meet together to discuss issues of importance to local people. Full Council meetings are chaired by the Mayor and are run in accordance with Standing Orders, procedures set out in Part 2, Section 3 of the Council's Constitution.
- 6.03 Full Council meetings are a forum to debate policy issues and are also the place where a small number of the Council's most significant decisions are taken such as:
- the Council Budget and Council Tax level;
 - Planning and Licensing policies;
 - changes to the Constitution; and
 - the election of Mayor (each May), the appointment of the Leader of the Council (after the Borough Elections every four years) and, annually, appointments to Council Committees and outside bodies.

- 6.04 Full Council meetings are open to the public and anyone can watch live online from the Council meeting webcasts page. If you live, work or go to school in the Borough you can also register to speak at a Full Council meeting via the Council website.

Leadership Team (the Council's 'executive')

- 6.05 The Leadership Team makes the most significant and sensitive policy, financial and service decisions. The Council gives at least 28 days' notice of such decisions via the Forward Plan of Key Decisions available on the Council website, and the agenda and reports for Leadership Team meetings are published a full week beforehand.

- 6.06 Leadership Team meetings are open to the public and anyone can watch live online from the Council meeting webcasts page. It is also possible to sign-up via the Council website to receive e-alerts via MyRBKC when Key Decisions are added to the Forward Plan.

Planning and Licensing Committees

- 6.07 The Planning Committee and Planning Applications Committee take decisions on the most sensitive planning applications, those which have received objections from several members of the public or where a Councillor has asked for the application to be considered by Committee.
- 6.08 Licensing Sub-Committees take decisions on licensing applications which have received objections from a ward councillor, the public or a Council department (e.g. the Noise and Nuisance Team).
- 6.09 Planning and Licensing Committee meetings are open to the public and the agenda and reports for meetings are published a full week beforehand.

Council Officers

- 6.10 Most of the Council's more routine decisions are delegated to Council officers. These are taken within policy and financial guidelines set by councillors. The Scheme of Delegation (in Part 7 of the Constitution) sets out those matters delegated to officers.

The role of Scrutiny

- 6.11 Scrutiny Committees are made up of councillors not currently serving on the Leadership Team, known as 'non-executive' councillors. Scrutiny Committees do not make decisions, rather they:
- hold decision-makers (including the NHS, Police and utility companies) to account on behalf of local people; and
 - make recommendations to the Leadership Team and senior officers to help develop policies and services.
- 6.12 Scrutiny Committee meetings are open to the public and more information on how to get involved is included in section 5 of the Constitution.
- 6.13 Scrutiny committee activity complements the work of the Leadership Team and provides a 'check and balance' to executive authority (see paragraph 6.5 above). In particular, scrutiny committees are free to inquire into matters of local concern. This could lead to recommendations for changes to policies and services. Scrutiny committees also monitor the decisions of the Leadership Team and can 'call-in' a decision that has been made but not yet implemented and ask that it be reconsidered. They may also be invited by Lead Members or senior officers to input into policy or service review issues well in advance of proposals being developed for consideration by the Leadership Team.

The overarching principles of local authority decision-making

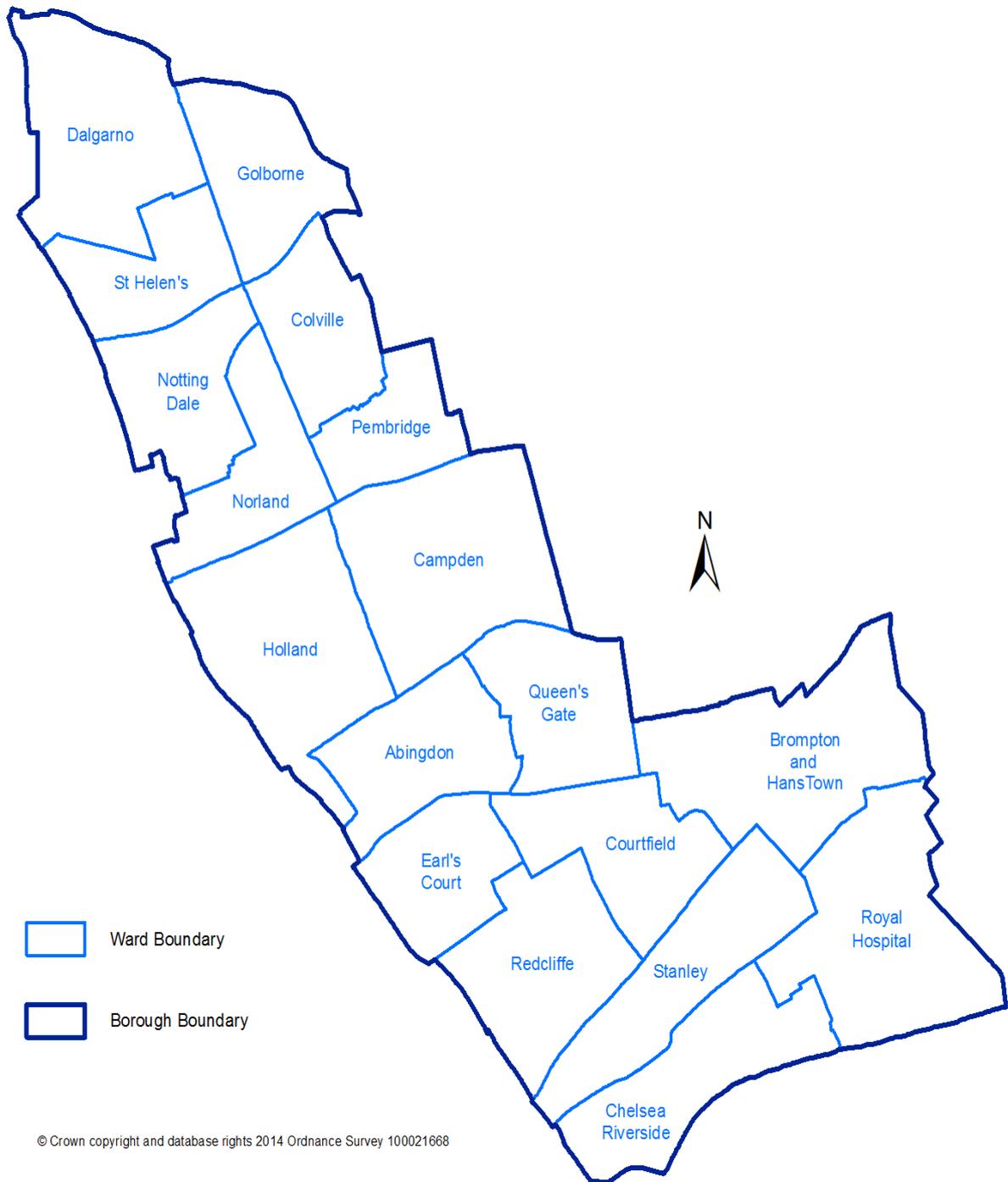
- 6.14 All decisions are made in accordance with the law, taking into account relevant considerations, and following advice from professional officers. Furthermore in taking all decisions there should be:

- (a) clarity of aims and desired outcomes;
- (b) a presumption in favour of openness;
- (c) proportionality - the action to be taken is proportionate to the desired outcome;
and
- (d) clarity about the options considered and rejected, with reasons.

7. COUNCIL STAFF

- 7.01 The Council employs staff (often called ‘officers’) to give advice, implement decisions and manage the day-to-day delivery of its services. Officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely and a *Protocol on Councillor/Officer Relations* elsewhere in this Constitution governs the relationships between officers and Councillors.

The Royal Borough of Kensington and Chelsea – Electoral Ward Boundaries



APPENDIX B

Ward	No. of Cllrs	Councillor names
Abingdon	3	Sarah Addenbrooke, Anne Cyron and James Husband
Brompton & Hans Town	3	Walaa Idris, Sof McVeigh and Mary Weale
Campden	3	Catherine Faulks, Robert Freeman and Ian Wason
Chelsea Riverside	3	Adrian Berrill-Cox, Gerard Hargreaves and Alison Jackson
Colville	3	Ian Henderson, Nadia Nail and Monica Press
Courtfield	3	Janet Evans, Gregory Hammond and Quentin Marshall
Dalgarno	2	Kasim Ali and Pat Healy
Earl's Court	3	Hamish Adourian, Malcolm Spalding and Linda Wade
Golborne	3	Emma Dent Coad, Sina Lari and Pat Mason
Holland	3	Aarien Areti, Charles O'Connor, Johnny Thalassites
Norland	2	David Lindsay and Julie Mills
Notting Dale	3	Robert Atkinson, Judith Blakeman and Marwan Elnaghi
Pembridge	2	Laura Round and Dori Schmetterling
Queen's Gate	3	Max Chauhan, Matthew Palmer and Maxwell Woodger
Redcliffe	3	Tom Bennett, Marie-Therese Rossi and Charles Williams
Royal Hospital	3	Elizabeth Campbell, Cem Kemalhi and Emma Will
Stanley	3	Will Pascall, Josh Rendall and Kim Taylor-Smith
St. Helen's	2	Mohammed Bakhtiar and Portia Thaxter

Councillor-level governance arrangements

