

Constitution



Part 1: Introduction to the Council Constitution

Revised at Council: May 2012

Last reviewed: October 2017

1. The Council's Constitution

This is the Constitution of Newport City Council (The Council).

1.1 Purpose of the Constitution

The purpose of the Constitution is to:

- Enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
- Enable the Council to take decisions efficiently and effectively;
- Provide ways of holding decision-makers to public account;
- Ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- Provide a means of improving the delivery of services to the community.

1.2 Decision Making and Scrutiny

The Council comprises 50 councillors elected generally every four years, although this can be extended or reduced by Welsh Government.

Councillors are democratically accountable to residents of their electoral division. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

The Council works under the decision making model described as a Leader and Cabinet. The Council appoints the Leader of the Council. The Leader of the Council makes appointments to the Cabinet and decides on the portfolios within the Cabinet.

Responsibility for decision making rests with the Council, the Cabinet, individual Cabinet Members, Regulatory Committees (Planning and Licensing Committees) and employees, depending on the decision taken.

The Council's scheme of delegation shows who is responsible for decisions. The Scheme of delegation is in Part 5 of this constitution. Part 5 is about the Executive. In Newport the Executive is made up of the Cabinet and Chief Officers.

The Executive is the part of the Council that is responsible for taking most of the major decisions, within the overall Policy Framework and Budget adopted by the Council.

The Executive in Newport is made up of a Cabinet comprising the Leader and no more than 9 other elected members. The Council appoints the Leader. The Leader of the Cabinet appoints individuals to the Cabinet and appoints individual Cabinet Members to individual portfolios.

A forward Work programme will show work to be done by the Cabinet, Scrutiny Committees and the Council.

Meetings of the Cabinet, Scrutiny Committees, the Council and other Committees are open for the public to attend except where personal, exempt or confidential matters, as defined by legislation, are discussed.

The Cabinet, both collectively and individually, has to make decisions that are in line with the Council's agreed overall policies and budget. If it wishes to make a decision that is outside the Budget or Policy Framework, this must be referred to the Council for decision.

There are Scrutiny Committees that support the work of the Cabinet and the Council as a whole. The Committees present reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery. The Committees will be involved in the formulation of all Policy Framework documents.

Scrutiny Committees also monitor the decisions of the Executive.

The Council also has an Audit Committee to review and scrutinise the authority's financial affairs and its risk management, internal control and corporate governance arrangements.

There is also a Democratic Services Committee which makes sure that there are enough resources to ensure the democratic processes of the Council can be discharged adequately.

To find out more about the decision making processes, please consult the Council's website. The Council and Democracy pages provide this information at this link:

<http://www.newport.gov.uk/en/Council-Democracy/Council-and-Democracy.aspx>

1.3 Interpretation and Review of the Constitution

1.3.1 Interpretation

Any disputes about the interpretation of the Constitution will be determined by the Monitoring Officer. In Newport the Monitoring Officer is the Head of Law and Regulation.

1.3.2 Review

Only the Council can agree amendments to this constitution.

The Monitoring Officer is responsible for keeping the Constitution under review and updated and to recommend any amendments to the Council.

Review of the Constitution may involve discussions with elected members, normally the Democratic Services Committee appointed by the Council.

The Democratic Services Committee may recommend any amendments to the Council, subject to the advice of the Monitoring Officer.