

Constitution



Part 2: Articles of the Constitution

Article 15: Review and Revision of the Constitution

15.1 Duty to Monitor and Review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. This may be undertaken in conjunction with a group of councillors established to assist in the monitoring and review of the Constitution for recommendation on amendments to Council.

15.1.1 Protocol for monitoring and review of the Constitution

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:

- observe meetings of different parts of the member and officer structure;
- undertake an audit trail of a sample of decisions;
- record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
- compare practices in this authority with those in other comparable authorities, or national examples of good practice.

15.2 Changes to the Constitution

Any proposals to change from one form of Cabinet to another require proper consultation, and change from leader/cabinet or alternative arrangements to an elected mayor form, or vice versa, requires a referendum. However, other changes may require limited or no consultation.

15.2.1 Approval

Changes to the Constitution will only be approved by the full Council after consideration of the proposal by The Monitoring Officer.

The Council might appoint the Democratic Services Committee or others to assist in the monitoring and review of the Constitution.

An individual member may propose additions, amendments, suspensions or withdrawals to the Council's Constitution provided that this complies with the Council's Standing Orders regarding notice of motions at full Council meetings (but in doing so would have to declare any interest in obtaining a decision of the full Council). Normally initial consideration of proposals will be by the Democratic Services Committee

Any proposed changes, whether recommended by the Democratic Services Committee or not, will have to be debated by full Council and require a majority vote of those members present and voting to be accepted. At least one half of the whole number of Councillors must be present at the meeting. Any changes would come into immediate effect unless the decision specified otherwise. The Constitution document should be updated regularly to ensure that the most up to date version is always available.

15.2.2 Change from a Leader and Cabinet form of Cabinet to alternative arrangements

The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals.