

Part 2

Articles of the Constitution



Article 13: Review and Revision of the Constitution

13.1 Duty to Monitor and Review the Constitution

- (a) The Monitoring Officer will keep under review the Constitution to ensure that:
 - (i) the aims and principles of the Constitution are given full effect and
 - (ii) the Council remains able to act lawfully, with probity and in accordance with the rules of natural justice.
- (b) The Monitoring Officer will be responsible for maintaining an up-to-date Constitution and will consult with the Audit Committee on matters of concern or where change is proposed.

13.2 Protocol for Monitoring and Review of Constitution by the Monitoring Officer

- (a) 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 to better achieve the purposes set out in Article 1.
- (b) In undertaking this task, the Monitoring Officer may:
 - (i) observe meetings of different parts of the Member and officer structure;
 - (ii) undertake an audit trail of a sample of decisions;
 - (iii) record and analyse issues raised with her by Members, officers, the public and other relevant stakeholders; and
 - (iv) compare practices in this authority with those in other comparable authorities, or national examples of best practice.

13.3 Changes to the Constitution

- a) Approval: Changes to the constitution will only be approved by the Full Council after consideration of either:
- a proposal by the Monitoring Officer;
 - a recommendation from a Committee;
 - a report of the Political Structures Working Group; or
 - a motion on notice submitted by Members in accordance with Council Procedure Rule 10.

The Monitoring Officer may make minor amendments to the Constitution as and when deemed necessary.

- b) Change from a Leader and Cabinet form of Executive to alternative arrangements, or vice versa: The Council must take reasonable steps as prescribed by law to consult with local electors and other interested persons in the area when drawing up proposals.