

Article 15 - Review And Revision Of The Constitution

References:

Sections 30 and 37, Local Government Act 2000

Chapter 7 and 8, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2001

15.01 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.

15.02 Protocol for monitoring and review of constitution by monitoring officer

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:

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

15.03 Change where there is a Cabinet form of Executive.

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

15.04 Change within a mayoral form of executive.

Unless the change relates only to the operation of overview and scrutiny committees, any resolution of the full Council to approve a change will have no effect without the written consent of the mayor.

15.05 Change from a mayoral form of executive to another form of executive or to alternative arrangements, or from alternative arrangements to a mayoral form of executive.

The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals and must hold a binding referendum. The change will not take effect until the end of the mayor's term of office.

15.06 Change from a leader and cabinet form of executive to alternative arrangements, or vice versa.

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

Note that: Significant changes will require the consent of the National Assembly (in accordance with Regulations and guidance in force from time to time).