

## **ARTICLE 15 – REVIEW AND REVISION OF THE CONSTITUTION**

### **15.1 Duty to monitor and review the Constitution**

- (a) The Monitoring Officer will monitor and review the operation of the Constitution. The Monitoring Officer will in any event conduct a review 12 months from 1 April 2019 to monitor the effectiveness of the Constitution.
- (b) To the extent that it is not covered by a delegation to an Officer or as otherwise provided for in this Article (or unless Full Council otherwise expressly resolve), any proposed change to the Constitution before it is considered by Full Council shall have had an opportunity to be considered by the Audit and Governance Committee and/or a Sub-Committee appointed by it provided that nothing in this provision shall prevent the Monitoring Officer taking a proposed change of the Constitution to Full Council even if s/he has delegated power to determine such a matter.
- (c) Save to the extent as provided for in this Article changes to the Constitution shall be determined by Full Council to the extent as provided for in Article 4 – Full Council – Part 1 of this Constitution.

### **15.2 Changes to the Constitution by the Monitoring Officer without referral**

- (a) The Monitoring Officer shall have power without referral elsewhere:
  - (i) to make amendments to the Constitution where s/he considers this is necessary and/or expedient to reflect legislative change, secure consistency, and/or address any legal ambiguity;
  - (ii) to make amendments to the Constitution to provide alignment with existing or emerging internal practices and procedures, and/or address any uncertainty in interpretation subject to prior consultation with the Leader, an Executive Member and the Chairman of the Audit and Governance Committee (or in the absence of the Chairman, the Vice-Chairman of the Audit and Governance Committee); and
  - (iii) to take reports direct to Full Council relating to other constitutional changes where s/he considers this appropriate and/or necessary.
- (b) Where any other body of the Council makes a decision pursuant to legislative powers specifically given to that body that necessitate a change to the Constitution then provided the Monitoring Officer considers it appropriate so to do, the Constitution can be changed without referral to any other body of the Council.

### **15.3 Changes to the Constitution relating to certain Member/Officer decisions**

Changes to the Constitution may be made without further approval by Full Council or the Executive/Leader where in the opinion of the Head of Paid Service and/or the Monitoring Officer it is to reflect a change to executive arrangements determined by the Leader, Executive, the Deputy Leader, Executive Member, a Committee, Sub-Committee, Officer or other body or person where they have the statutory and/or delegated power to so do.

### **15.4 Changes to the governance arrangements**

The Council will comply with all legislative requirements regarding consultation with the electorate and otherwise should it wish to change its governance arrangements.

