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## **Article 15 – Review and Revision of the Constitution**

### **1. Duty to monitor and review the Constitution**

- 1.1 The Council will have responsibility for monitoring and reviewing the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- 1.2 Subject to the exceptions set out below, changes to the Constitution will only be effective if approved by the full Council.
- 1.3 Amendments to the Constitution will normally only be considered by the Council following a report and recommendation from the Standards Committee, Audit Committee, General Services Committee or Constitution Working Group and having received the advice of the Executive Director of Corporate Services and Monitoring Officer.

### **2. Change from a Leader and Executive form of Executive**

- 2.1 The law recognises three basic structures for principal authorities, being the authority's current Leader and Executive structure, a directly elected Mayor structure or an Alternative Arrangements structure. The Council may choose to move to a directly elected Mayor structure, or may be required to do so where such a move is supported by a local referendum following a petition from local electors. The Local Government and Public Involvement in Health Act 2007 provides for a strong Leader model which gives greater independence to the Leader ("Executive Leader") to appoint the Cabinet and to arrange for the carrying out of Executive Functions, and provides for the Leader to be elected by Council for a 4-year term of office.
- 2.2 On 24 November 2010, the Council resolved to move to a Leader and Executive (England) structure from the date of the Annual Meeting following the local elections in May 2011.

### **3. Changes to the Constitution**

- 3.1 Subject to paragraph 3.3 below, changes to the Constitution may only be approved by the full Council after consideration of the proposal by an appropriate Member body (see paragraph 1.3 above).
- 3.2 The Council has agreed that there should be a Constitution Working Group appointed by and reporting to the Council to undertake a fundamental review the Constitution and recommend changes to the Council.
- 3.3 The Member body recommending changes to the Constitution whether it is the Constitution Working Group, the Standards Committee, the Audit Committee or the General Services Committee will have regard to advice from the Monitoring Officer on any proposals relating to the Constitution. The Monitoring Officer may submit a report direct to the Council in any case where his/her advice is not accepted by the Member body.
- 3.4 The Monitoring Officer may make changes to the Constitution to give effect to any decisions of the Council and changes in the law and to make minor amendments such as to correct errors and to ensure that the Constitution is maintained up-to-date. Any such changes will be communicated to all Members of the Council.