

Appendix A Article 16 – Review and Revision of the Constitution

16.01 Duty to monitor and review the constitution

The Monitoring Officer shall monitor and review the operation of the constitution to ensure that the aims and principles of the constitution are given full effect.

16.02 Protocol for monitoring and review of the constitution by the 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**, amongst other things, may:

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

16.03 Changes to the constitution

(a) **Approval.** The Governance Committee has a responsibility to maintain an overview of the constitution but only full Council can approve changes to it. Changes should only be made further to a report from the Monitoring Officer. Unless, in the opinion of the Chief Executive or Monitoring Officer, it is not appropriate, all such reports from the Monitoring Officer shall be considered by the Cabinet prior to approval being sought from full Council.

(b) **Change within a Mayoral form of executive.** Unless the change relates only to the operation of the Scrutiny Committee, any resolution of the full Council to approve a change will have no effect without the written consent of the Mayor.

(c) **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. Any change shall not take effect until the end of the Mayor's term of office.

(d) **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.