

## ***Article 14 – Review and Revision of the Constitution***

### **Article 14 - Review and Revision of the Constitution**

#### **14.1 Duty to Monitor and Review the Constitution**

a. The Monitoring Officer

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect.

b. 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.

c. The Section 151 Officer

The Section 151 Officer shall be responsible for keeping under review the Financial Procedure Rules set out in Part 4 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. They shall report any amendments made to Part 4 for the next available Council meeting for noting.

#### **14.2 Changes to the Constitution**

Changes to the constitution will only be approved by Full Council after consideration of the proposal by the Monitoring Officer, the Constitution Review Group and the Governance Committee.

#### **14.3 Constitution Review Group**

The Constitution Review Group comprising the Monitoring Officer and other relevant employees will assist in monitoring, reviewing and proposing changes to the Constitution above for consideration by the Governance Committee and Full Council.

#### **14.4 Minor Changes**

If, in the reasonable opinion of the Monitoring Officer, a change is:

- a. A minor variation; or
- b. Required to be made to remove any inconsistency or ambiguity; or
- c. Required to be made so as to put into effect any decision of the Council or its committees or the Cabinet,

in which case the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect but shall be referred to full Council as soon as is reasonably possible and shall continue to have effect only if full Council agree.

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Where the table of Chief Officers in Article 10 or the delegations (due to a restructure) in Part 3 of the Constitution needs to be updated, the Director of Governance may make the necessary changes upon receipt of notification from the Chief Executive that they have made changes to these structures following Council or relevant committee approval of such changes.

### **14.5 Legislative Change**

Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision. Such amendments shall take effect when the Monitoring Officer so decides or the legislation (where relevant) so provides. Such changes shall be reported to the next Council meeting.