

# Section 12

## Review and Revision of the Constitution

### 12.1 Duty to Monitor and Review the Constitution

The Monitoring Officer in conjunction with a Working Group of Members will annually monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect, and that the Constitution accurately reflects current law and practice.

### 12.2 Changes to the Constitution

- (a) Subject to (b) below, changes to the Constitution will only be approved by the full Council after consideration of a report by the Monitoring Officer whether this report results from the annual review or the exercise of Council Procedure Rule 24 or following a request by an Officer or Notice of Motion.
- (b) Where the Council has approved a document forming part of the Constitution such as the Members' Allowance Scheme, Procedure Rules, Codes of Conduct or has added to or amended delegations, these will be incorporated into the Constitution without further resort to the Council. Where there are changes to the Management Structure, or legislation, the Council's Monitoring Officer and Solicitor is authorised to make consequential amendments to the Constitution without further resort to the Council.

### 12.3 Interpretation

Where in a meeting of the Council any meaning or application of any part of this Constitution is in question, the ruling of the Chair shall be final and not be challenged.

### 12.4 Suspension

- (a) The only parts of the Constitution which may be suspended are:
  - Council Procedure Rules,
  - Cabinet Procedure Rules,
  - Financial Regulations,
  - Procurement Regulations.
- (b) These may only be suspended in the case of Council or Cabinet Procedure Rules for the duration of the meeting and where at least two-thirds of Members are present and only to the extent proportionate to the result to be achieved taking into account the purposes and principles of this Constitution, and only provided the suspension is lawful.

- (c) Financial Regulations or Procurement Regulations may only be suspended to the extent needed and proportionate to the needs of the particular matter and with the approval of the Chief Financial Officer or Monitoring Officer.

## **12.5 Publication**

- (a) The Chief Executive or person appointed by them for this purpose will ensure that electronic copies of this Constitution are available to each Councillor and are made available on the Council's Website. Printed copies will be made available to Councillors on request.
- (b) Printed copies will be made available for inspection during office hours at the Council's offices and may be purchased on payment of a reasonable fee.