

# Article 13 - Review and Revision of the Constitution

## 13.01 Duty to monitor and review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and the Council remains able to act lawfully, with probity and in accordance with the rules of natural justice.

The Monitoring Officer will be responsible for maintaining an up-to-date Constitution.

## 13.02 Protocol for monitoring and review of 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 may:

1. observe meetings of different parts of the Member and officer structure;
2. undertake an audit trail of a sample of decisions;
3. record and analyse issues raised with her by Members, officers, the public and other relevant stakeholders; and
4. compare practices in West Devon Borough Council with those in other comparable authorities or national examples of best practice.

## 13.03 Changes to the Constitution

(a) Approval.

The Constitution will be formally adopted by the Council at the Annual Meeting. Changes may be made to the Constitution and may be approved by the Council after consideration of a proposal from the Monitoring Officer, a recommendation from a Committee, a report to Council from the Political Structures Working Group, or by way of Members proposing a motion on notice in accordance with Council Procedure Rule number 15. Changes to the Constitution are effective

immediately that they are approved by the Council. The Monitoring Officer may make minor amendments to the Constitution at any time.

(b) Changes to governance arrangements

The Council may change the current political structure from alternative arrangements (a modified committee system) to executive arrangements under the Local Government Act 2000 and Localism Act 2011.