

Management of the Constitution

2.1 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

2.2 The Constitution

This Constitution, and all its appendices, is the Constitution of the Westminster City Council.

2.3 Purpose of the Constitution

The purpose of the Constitution is to:

1. provide a framework within which the City Council can deliver its agreed policy programme
2. provide a framework within which the City Council can, in accordance with the City Plan, provide clear leadership in the City of Westminster in partnership with local people, businesses and other organisations involved in the well-being of the City of Westminster
3. provide a means for the Council to innovatively deliver services, meet its performance plan targets and maintain a low tax environment
4. help Councillors to represent their constituents effectively
5. enable decisions to be taken efficiently and effectively in line with the Council's agreed priorities
6. support the active involvement of local people in the process of developing and setting City Council and partnership priorities, as well as monitoring the Council and its functions
7. create an effective means of holding decision-makers to account and ensure that no-one reviews or scrutinises a decision in which they are directly involved
8. ensure that those responsible for decision making are clearly identified to local people and that they explain the reasons for decisions

2.4 Interpretation and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above. The Monitoring Officer will monitor and evaluate the operation of the Constitution.

2.5 The General Purposes Committee, supported and advised by 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.

2.6 Changes to the Constitution

(a) **Approval.** Changes to the Executive arrangements referred to in the constitution (other than minor drafting or other consequential amendments) will normally only be approved by the full Council after consideration of a proposal by the General Purposes Committee but may on the advice of the Monitoring Officer be referred by him/her directly to Full Council. Other changes will be approved by the General Purposes Committee or the Monitoring Officer acting under delegated powers.

(b) Delegated Powers of the Monitoring Officer

The Monitoring Officer shall have power to amend the constitution:

i) to correct errors or comply with any legal requirement;

ii) to implement decisions of the Council, Committees, the Leader, Cabinet, Cabinet Member or Officers acting within the scope of their powers in relation to the Constitution.

(c) **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 for such a change.

2.7 Suspension of the Constitution

(a) **Limit to suspension.** The Articles of this Constitution may not be suspended. The Rules specified below may be suspended to the extent permitted within those Rules and the law.

(b) **Rules capable of suspension.** The following Rules may be suspended in accordance with these provisions:

Council Procedure Rules
Contracts Procedure Rules
Budget and Policy Framework Rules
Overview and Scrutiny Procedure Rules

2.8 Interpretation

The ruling of the Lord Mayor (or, as the case may be, person presiding) as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution.

2.9 Publication

- (a) The Chief Executive will provide a summary of this Constitution, which may form part of the Member Induction Programme, to each member of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the member first being elected to the Council, make available a full copy on the Council's Website and provide a full printed copy to any Member upon request.
- (b) The Chief Executive will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.