

JULY 2009

PART 1

Summary and Explanation

SUMMARY AND EXPLANATION

1. The Council's Constitution

The Stevenage Borough Council has a Constitution that sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 14 articles that set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

2. What's in the Constitution?

Article 1 of the Constitution commits the Council to providing Community Leadership, supporting the involvement of citizens in decision-making and other essential elements.

Articles 2 – 14 explain the rights of citizens and how the key parts of the Council operate.

These are:

- Members of the Council (Article 2)
- Citizens and the Council (Article 3)
- The Council (Article 4)
- The Mayor (Article 5)
- Scrutiny and Overview (Article 6)
- The Executive (Article 7)
- The Standards Committee, Regulatory and other Committees (Article 8)
- Joint Arrangements and Joint Committees (Article 9)
- Officers (Article 10)
- Decision making (Article 11)
- Finance, contracts and legal matters (Article 12)
- Monitoring and Revision of the Constitution (Article 13)
- Suspension, interpretation and publication of the Constitution (Article 14)

3. How the Council operates

The Council is composed of 39 councillors elected every four years with one third elected three years in four. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee is responsible for training and advising them on the Code of Conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council's overall policies and set the budget each year. The Council appoints the Leader, members of the Executive and other committees at its annual meeting.

The Council meetings incorporate a number of special features:

- Leader of the Council's update
- Petitions and deputations from local people
- Questions from local people
- A main debate on a matter of local interest, with the opportunity for local people to participate

4. How Decisions are Made

The Executive is the part of the Council which is responsible for most day-to-day decisions. The Executive comprises the Leader of the Council, and a number of councillors responsible for various parts of the Council's work. When major decisions are to be discussed or made, these are published in the Executive's forward plan in so far as they can be anticipated.

Decision-making meetings of the Executive will generally be open for the public to attend except where personal or confidential matters are being discussed (matters referred to as 'confidential information' or 'exempt information' under the Local Government Act 1972 and as defined in the Access to Information rules in Part 4 of this Constitution).

The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, then, unless the Council has given the Executive some discretion in this respect, the proposed decision must be referred to the Council as a whole to decide.

Apart from the Executive itself, Executive decisions may also be made by its Committees and Neighbourhood Action Teams in accordance with their terms of reference, individual members and officers where such decisions have been delegated to them.

5. Overview and Scrutiny

There is a Scrutiny Overview Committee that supports the work of the Executive and the Council as a whole. The Committee undertakes policy development and review and also looks closely at decisions the Executive is going to take. This work may lead to reports and

recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery. The Scrutiny Overview Committee also monitors the decisions of the Executive. It can call-in a decision which has been made by the Executive but not yet implemented. This enables it to consider whether the decision is appropriate. It may recommend that the Executive reconsider the decision. It may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

6. Neighbourhood Forums / Action Teams

In order to give local citizens a greater say in Council affairs, there are six Neighbourhood Forums, which meet informally in the community. Local citizens are encouraged to actively participate in the Forums, which are divided into the following areas:

- Old Town, Symonds Green and Woodfield
- Bedwell and Pin Green
- Shephall, Bandle Hill and Poplars
- St Nicholas and Martins Wood
- Chells and Manor
- Broadwater

Issues raised at the Forums are fed back to the six Neighbourhood Action Teams, which mirror the areas of the Forums. These are formal committees of the Council which take decisions on the spend of the area budget.

The Neighbourhood Action Teams' voting membership consists of the Borough Councillors for the Wards within each area. The County Councillor(s) for the County Division(s) within each area are invited to attend meetings. Members of the public may attend, but do not have an automatic right to speak.

7. The Council's Staff

The Council has people working for it (called officers) to give professional advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between officers and members of the Council.

8. Citizens' Rights

Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own process.

Where members of the public use specific council services, for example as a council tenant, they have additional rights. These are not covered in this Constitution.

The Council welcomes participation by its citizens in its work. The Access to Information Rules set out in Part 4 of this Constitution sets out the citizens' rights to access meetings and papers.