

Part 1 - Summary and Explanation

The Council's Constitution

The Three Rivers District Council has agreed a new constitution which sets out how the Council operates, how decisions are made and the procedures which 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. In June 2014, the Council formally adopted a new Committee system of governance.

The Constitution is divided into 16 articles which 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.

What's in the Constitution?

Article 1 of the Constitution commits the Council to provide informed community leadership in pursuit of the needs and aspirations of the wide diversity of individuals and communities it serves. Articles 2 - 16 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 meeting (Article 4).
- Chairing the Council (Article 5).
- Policy and Resources Committee (Article 6).
- Service Committees (Article 7)
- Regulatory and other committees (Article 8).
- The Standards Regime (Article 9).
- Area Forums (Article 10).
- Joint arrangements (Article 11).
- Officers (Article 12).
- Decision-making (Article 13).
- Finance, contracts and legal matters (Article 14).
- Review and revision of the Constitution (Article 15)
- Suspension, interpretation and publication of the Constitution (Article 16)

How the Council Operates

The Council is composed of 39 Councillors 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 each has a special duty to all those in their Ward.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties.

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 also appoints Committees each year to make all the decisions delegated to them. It will also hold debates on issues which affect the District generally. Members of the public may submit petitions to Council and, on notice, put written questions to Council.

Leader

Every year at Annual Council, the Council appoints the Leader of the Council. The Leader has no formal power but she/he is seen as the Member with the most significant role in the Council and will be in effect the political and elected head and chief ambassador for the district excluding civic and ceremonial duties. The Leader acts as Chair of the Policy and Resources Committee. The Leader may also be a Lead Member for an area of responsibility and will therefore be a Member of that Committee.

Deputy Leader

The Council's Procedure Rules provide for the election of a Deputy Leader which will normally be at the Council's Annual Meeting. The Deputy Leader will exercise the powers and functions of the Leader in his/her absence.

Policy and Resources Committee, Service Committees and other decision-making Committees

These Committees are responsible for taking decisions delegated to them. Any decision taken by them can only be overturned by Full Council, and even then under special circumstances.

The Council's Staff

The Council has people working for it (called 'officers') to give 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.

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 procedures. The Council or local Citizens' Advice Bureau can advise on individuals' legal rights. 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.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- attend meetings of the Council and its Committees which are held in public except where, for example, personal or confidential matters are being discussed;
- petition either electronically or in print to request a referendum on a mayoral form of executive as required by legislation;
- participate in any public question-time sessions introduced by the Council or committees and contribute to investigations by the committees;
- see reports and background papers, and any record of decisions made by the Council and Committees;
- make a compliment, a comment or complaint to the Council about the way we provide our services;
- complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
- complain to the Monitoring Officer if they have evidence which they think shows that a councillor has not followed the Council's Code of Conduct; and
- inspect the Council's accounts and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work. For further information on citizens' rights, please contact the Democratic Services Team. Citizens' rights to inspect agendas and reports and to attend meetings are set out in the Council's Access to Information Procedure Rules in Part 4 of this Constitution.