

PART 1

SUMMARY AND EXPLANATION

Watford Borough Council has agreed a 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 law, while others are a matter for the Council to choose.

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 make it clear who is accountable for leading and taking decisions about the future of the town, and to involve the community more and respond better to ideas for improving the town.

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)
- Overview and Scrutiny of Decisions (Article 6)
- The Executive (Article 7)
- Regulatory & Other Committees (Article 8)
- The Standards Committee (Article 9)
- Neighbourhood Forums (Article 10)
- Joint Arrangements (Article 11)
- Officers (Article 12)
- Decision Making (Article 13)
- Finance, Contracts and Legal Matters (Article 14)
- Review & Revision of the Constitution (Article 15)
- Suspension, Interpretation & Publication of the Constitution (Article 16)

How the Council Operates

The Council is composed of 37 members, a Mayor elected every four years and 36 Councillors with one-third elected every three years in four. Councillors are democratically accountable to residents in their Ward, with the Mayor being democratically accountable to the whole town. 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 trains and advises 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 meetings will provide an opportunity for the important issues of the town to be debated. Local residents will be able to present petitions to the Council, and ask questions directly to the Mayor.

HOW DECISIONS ARE MADE

Executive Arrangements

The Executive is part of the Council which is responsible for most day to day decisions. The Executive is made up of the Mayor, who is elected by all residents, and a Cabinet of not less than 2 and not more than 9 Councillors whom he/she appoints. When major decisions are to be discussed or made, these are published in the Executive's Notice of Executive Decisions insofar as they can be anticipated. If these major decisions are to be discussed with Council Officers at a meeting of the Executive, these will generally be open for the public to attend except where personal or confidential matters are being discussed. 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, this must be referred to the Council as a whole to decide.

Overview and Scrutiny

Each year the Council will appoint sufficient Overview and Scrutiny Committees to support the work of the Executive and the Council as a whole. The Council will have at least one Committee which will co-ordinate the work of the other Overview and Scrutiny Committees and will be able to call-in a decision which has been made by the Executive, but not yet implemented.

Overview and Scrutiny Committees allow citizens to have a greater say in Council matters by holding Public Inquiries into matters of local concern. These Inquiries lead to Reports and recommendations which advise the Executive and the Council as a whole on its policies, Budget and service delivery. The Overview and Scrutiny Committees also monitor the decisions of the Executive. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsiders the decision. They may also be consulted by the Executive or the Council on forthcoming decisions and the development of Policy.

Neighbourhood Forums

In order to give local citizens a greater say in Council affairs, 12 Neighbourhood Forums have been created. These are coterminous with the Council's Electoral Wards. They are to engage with local residents, businesses and other community groups in the Ward, to promote the business of the Council and to undertake as they see fit consultation on Ward related matters. They will also manage a small budget allocated by the Council for the purposes of meeting with residents, businesses and community groups and facilitating the enhancement of the area of the Ward and amenities of those living and working in it.

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 relationship between Officers and Members of the Council, including the Mayor.

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 processes. The local Citizens' Advice Bureau can advise on individual's legal rights.

Citizens have the right to:

- Vote at local elections if they are registered
- Contact their local Councillor and the Mayor about any matters of concern to them
- Obtain a copy of the Constitution

- Attend meetings of the Council and its Committees, except where, for example, personal or confidential matters are being discussed
- Petition to request a referendum on a Mayoral form of Executive
- Petition the Council and participate in the Council's question time and contribute to investigations by the Overview and Scrutiny Committees and take part in their Local Neighbourhood Forum
- Find out from the Executive's Notice of Executive Decisions what major decisions are to be discussed by the Executive or decided by the Executive or Officers, and when
- Attend meetings of the Executive where key decisions are being discussed or decided
- See Reports and background papers and any record of decisions made by the Council and Executive
- Complain to the Council under the Council's Complaints Procedure
- 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 Procedure
- Complain to the Council's Standards Committee if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct
- 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 your rights as a citizen please contact the Group Head of Democracy and Governance on 01923 226400.

SCHEDULE 1 – DESCRIPTION OF EXECUTIVE ARRANGEMENTS

The following parts of this Constitution constitute the Executive arrangements:

1. Article 6 - Overview and Scrutiny Committees and the Overview and Scrutiny Procedure Rules.
2. Article 7 - The Executive and the Executive Procedure Rules
3. Article 10 – Neighbourhood Forums
4. Article 11 - Joint Arrangements
5. Article 13 - Decision Making and the Access to Information Procedure Rules
6. Part 3 – Responsibility for Functions