

# **ARTICLE 1 - GENERAL AND PURPOSE OF THE CONSTITUTION**

## **Statutory Context**

Under Section 9P, Local Government Act 2000, the Council is under a duty to prepare and keep up a constitution. The Section states that the Constitution must contain:

The standing orders/procedure rules;  
The Members' Code of Conduct;  
Such information as the Secretary of State may direct;  
Such other information (if any) as the Council considers appropriate.

In December 2000, the Secretary of State issued a Constitution Direction that required around 80 matters to be included within the Constitutions, for example Members' allowances schemes, details of procedures for meetings, details of joint arrangements with other local authorities, and a description of the rights of inhabitants of the area. A Model Constitution was also issued in 2000 (Modular Constitutions for English Local Authorities) which most Councils adopted and which continues to form the basis of many local authority Constitutions.]

## **1. POWERS OF THE COUNCIL**

1.1 Welwyn Hatfield Borough Council, otherwise called the Council, will exercise all its powers and duties in accordance with the law and this Constitution.

## **2. THE CONSTITUTION**

2.1 This Constitution, and all its Codes and Protocols and included documents linked by hypertext, is the Constitution of the Council.

## **3. PURPOSE OF THE CONSTITUTION**

- 3.1 The purpose of the Constitution is to:
- a) enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
  - b) support the active involvement of citizens in the process of local authority decision-making;
  - c) help Councillors represent their constituents more effectively;
  - d) ensure that Councillors act in accordance with the highest standards expected of people in public life;
  - e) enable decisions to be taken efficiently and effectively;
  - f) create a powerful and effective means of holding decision-makers to public account;
  - g) ensure that no-one will review or scrutinise a decision in which they were directly involved;
  - h) ensure that those responsible for decision-making are clearly identifiable

- to local people and that they explain the reasons for decisions; and
- i) provide a means of improving the delivery of services to the community.

#### **4. INTERPRETATION AND REVIEW OF THE CONSTITUTION**

- 4.1 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.
- 4.2 The Council will monitor and evaluate the operation of the Constitution as set out in Article 15