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 and Youth Mayor (Article 5)
- Scrutiny (Article 6)
- The Cabinet (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.

Every four years the Council appoints a Leader, who then appoints a Deputy Leader and councillors, who will, together with the Deputy Leader(s) comprise the Cabinet and allocates them specific areas of responsibility (Portfolios). Non-Executive business is decided upon by Council and/or Committees which are appointed by Council each year by officers acting under delegated powers.

The Council meetings incorporate a number of special features:

- Leader of the Council's update
- Petitions and deputations from local people
- Questions from the Youth Council
- Questions from local people
- Councillors' questions to Cabinet Members or Chairs of Committees
- A main debate on a matter of local interest, with the opportunity for local people to participate

4. How Decisions are Made

The Leader and the Cabinet are the main decision making bodies of the Council. When major decisions are to be discussed or made, these are published in the Leader's forward plan in so far as they can be anticipated.

Decision-making meetings of the Cabinet will generally be open for the public to attend except where exempt 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 Leader / Cabinet has to make decisions which are in line with the Council's overall policies and budget. If a decision is to be taken that is outside the budget or policy framework, then, unless the Council has given the Leader / Cabinet some discretion in this respect, the proposed decision must be referred to the Council as a whole to decide.

Executive decisions may also be made by its committees of Cabinet in accordance with their terms of reference, individual Members through the

Local Community Budgets, and individual members and officers where such decisions have been delegated to them.

5. Overview and Scrutiny

There is an Overview and Scrutiny Committee and 2 Select Committees that support the work of the Leader / Cabinet and the Council as a whole. The Committees undertake scrutiny studies of aspects of the Council's services and contribute to the development of individual policies and strategies. This work may lead to reports and recommendations which advise the Leader / Cabinet and the Council as a whole on its policies, budget and service delivery. The Overview and Scrutiny Committee also monitors Cabinet decisions taken. They can call-in a Cabinet decision which has been made but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Leader / Cabinet reconsider the decision.

6. The Council's Staff

The Council has people working for it (called officers) to give professional advice, implement decisions, manage and action 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.

7. 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 sets out in Part 4 of this Constitution sets out the citizens' rights to access meetings and papers.

Definitions

1972 Act	**Means the Local Government Act 1972**
1989 Act	**Means the Local Government and Housing Act 1989**
2000 Act	**Menas the Local Government Act 2000**
Best Value	**The duty, which Part l of the Local Government Act 1999 places on local authorities, to secure improvement n the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness as implemented by the council.**

Budget	**The revenue and capital budget in any one year**
Cabinet	**The decision-making body of the Council with responsibility for Executive functions, as defined in the 2000 Act.**
Cabinet Member	**Those elected Members appointed to the Cabinet by the Leader**
Call-in	**The process by which Scrutiny Members may challenge or require further information on a Cabinet decision.**
Chair of Committee	**The elected Chair or in his or her absence, the Vice Chair. The term may also apply to an elected Member elected to preside in the absence of the Chair and Vice Chair.**
Clear Working Days	**Excludes Saturday, Sunday, Bank and Public Holidays where relevant, the day of despatch of an agenda, summons or notice where relevant, the day of the meeting.**
Committee	**Means any Committee, Sub Committee, Panel, Working Party or Board, formally established, whether or not it includes co-opted Members, unless otherwise indicated**
Confidential Information	**As defined in Section 100A(3) of the Local Government Act 1972, this covers information provided to the council by a Government department on terms, which prohibit its disclosure and information, which the council is prohibited from disclosing by statute or by court order (See Part 4b Access to Information).**
Cabinet Member	**Those elected Members appointed to the Cabinet by the Leader**
Constitution	**The document describing the decision-making arrangements for the council, together with the detailed rules and procedures for the operation of the decision-making arrangements.**
Council	**The principal decision maker**
Declaration of interests	**The requirement for Members to give notice of their interests in matters related to an item under consideration (see also Disclosable Pecuniary Interests and Non-Pecuniary Interests).**
Delegated Powers	**The description of the level of authority delegated to a committee, sub-committee, panel Cabinet Member or Officer**
Deputy Leader(s) of the Council	**The Member(s) appointed by the Leader as Deputy Leader(s) for a four year term.**
Disclosable Pecuniary Interest	**The requirement for Members to register and declare any financial or beneficial interests as defined in Part 5a – Member Code of Conduct – June 2025.**
Dispensation	**Reference to 'dispensation' in Part 5a-Members Code of Conduct means under section 33 of the Localism Act 2011.**
Employee Code of Conduct	**The Code adopted by the Council which describes the conduct required of his Officers.**
Exempt information	**As defined by Section 100(1) of the Local Government Act 1972, this includes a number of different categories of information, under which council is entitled to withhold certain reports from the public (see Part 4b – Access to Information Procedure Rules)**
Extraordinary Meeting	**A meeting of the Council convened for specific purposes**
Financial Procedure Rules	**The council's financial regulations incorporated with the Constitution (see Part 4f – Financial Regulations),**
Forward Plan	**The published document which provides the statutory notice of the intention by the Executive, an Executive Member or an Officer**

Group Leader	**The Member identified by a political group as its leader by notice in writing**
Head of Paid Service	**The Officer designated as such under Section 4 of the Local Government and Housing Act 1989 (see Article 10)**
Honorary Freeman of the Borough	**A person of distinction and person who has in the opinion of the Council, rendered eminent services to the City, Borough or Royal Boroughs as permitted by the 1972 Act.**
Honorary Alderman	**A persons who has, in the opinion of the Council, rendered eminent services as past members but who are no longer serving.**
Key Decision	**As defined by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulation 2012, the most significant decisions to be taken by the Executive. A more specific decision can be found at Article 11 – Decision Making.**
Leader of the Council	**The elected Member elected by Council as leader for a four year term.**
Local Choice Functions	**As detailed in Part 3of the Constitution, the description of responsibility for local choice functions under Section 13(3)(b) of the Local Government Act 2000 to the Council, the Executive, regulatory committees and Officers.**
Mayor	**The Member elected by the Council annually to preside over meetings of the Council and to act as the ceremonial head of the Council.**
Member	**An elected councillor (also referred to as a Councillor) of the Council or of a Committee as appropriate. It includes the co-opted Members of the Committee.**
Members' Allowances Scheme	**The scheme approved by Council on recommendation from the independent remuneration panel for the payment of allowances to Members (See Part 6)**
Members' Code of Conduct	**The Code adopted by the Council which describes the conduct required of elected Members of the Council (see Part 5a)**
Monitoring Officer	**The Officer designated as such under Section 5 of the Local Government and Housing Act 1989 or his/her deputy (see Article para 10.4)**
Non-Key Decisions	**Executive decisions taken by the Cabinet, Cabinet Committees, Executive Members and Officers on less significant matters in accordance with the specified procedure.**
Non-Pecuniary Interests	**The requirement for Members to register and declare any non-financial interests as defined in Part 5a.**
Notice in Writing	**Includes notice sent by post or email.**
Officers	**Employees of the council**
Ordinary Meeting	**Means a meeting of the Council, Cabinet or Committee, as the case may be which is included in the calendar or meetings approved by the Council except the Annual Meeting of the Council,**
Policy Framework	**The plans and strategies which together make up the overarching policy direction determined by the Council (see Article 4.1 Meanings)**
Political Group	**As defined in the Local Government (Committees and Political Groups) Regulations 1990, any group of at least two Members who have notified the Head of Paid Service in writing that they wish to be treated as a political group.**
Portfolio Holder	**Otherwise known at Executive Members, those Elected Members appointed to the Executive with defined areas of responsibility called portfolios.**

Proper Officer	**An officer of the council who is appointed (usually in the constitution or by resolution) to perform specific statutory duties on behalf of the authority.**
Quasi-Judicial	**A process of decision-making which is similar to a court of law, in that each party with an interest in the matter under consideration has an opportunity to make their case, following which a decision on the facts and representation is made.**
Quorum	**The minimum number of Members required to be present for a meeting to be properly convened.**
Regulatory Committees	**Those Committees of the Council falling outside the executive arrangements that are charged with regulatory functions, such as development management, licensing, etc.**
Scrutiny	**A process of holding the Executive to account.**
Section 151 Officer	**The Officer designated as such under Section 151 of the Local Government Act 1972 (see Section 11).**
Senior Officer	**Means an officer employed by the Council on Senior Officer Salary Scale or above.**
Standing Order	**Means the Standing Orders (in Part 4) and any reference to a particular numbered Standing Order will be construed accordingly.**
Terms of Reference	**The description of what a committee, sub committee or panel may concern itself with.**
Urgent Matter	**Means a matter which is to be considered at a meeting of the Council, the Cabinet, a Committee or a Sub Committee by virtue of S.100B(4)(b) of the 1972 Act.**
Year	**Means a municipal year running from one Annual Meeting of the Council until the next , unless a calendar year ir a year commencing on any other date is specified.**