

# **Appendix 2**

## **Part 1 Summary and Explanation**

DRAFT AUGUST 2023

# Summary and Explanation

## The Council's Constitution

Three Rivers District 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 the law, while others are a matter for the Council to choose. Since June 2014, the Council has used the Committee System of Governance.

The Constitution is divided into 17 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.

### 1. 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 Framework (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. An up-to-date list of Councillors can be viewed on the Council website [www.threerivers.gov.uk](http://www.threerivers.gov.uk) and at the Council Offices.

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 Committees each year to make all the decisions delegated to them.

The Leader and Deputy Leader are appointed at Annual Council. 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. The Deputy Leader will exercise the powers and functions of the Leader in their 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, there will be special circumstances which would permit this.

**[The full council structure is provided in appendix 1 to this summary.](#)**

### **Local Area Forums**

The Council has five Local Area Forums which meet as required.

The Local Area Forum is a consultative/advisory body which itself has no decision-making powers. It gives people the opportunity to raise matters of concern and interest and to express their views and to give the Council the opportunity to explain its position, policies and plans.

Elected Councillors chair the ~~meetings~~meetings, and the Chair and Vice Chair of the Forums are appointed at Annual Council. Ward Councillors appointed to each Forum represent the relevant wards within each area. County and Parish Councillors who represent the relevant areas can also attend. Officers don't generally attend as the Forums are intended to highlight the direct link between the public and Councillors although they can be asked to attend if there is something on the Agenda they need to be there for.

### **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 make sure the council acts within the law and uses its resources wisely. The Member/Officer protocol governs the relationship 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 processes. Local advice organisations can advise on an individual's legal rights.

Citizens have the right to:

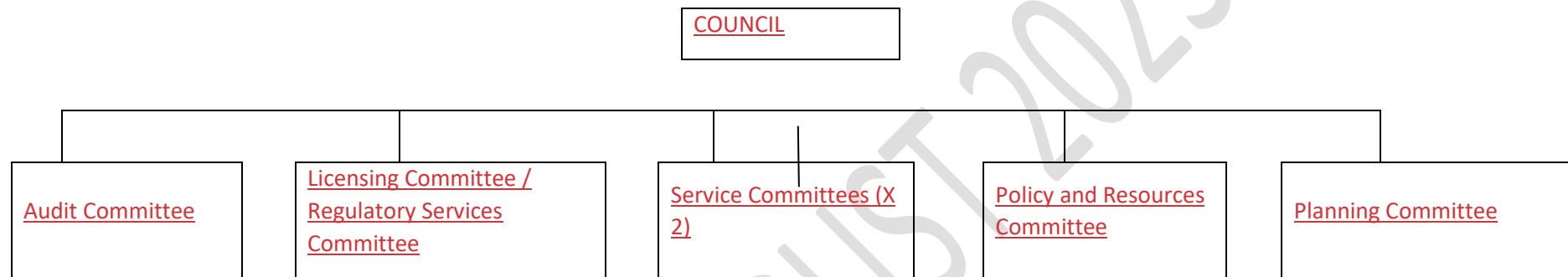
- vote at local elections if they are registered
- contact councillors about any matter of concern to them

- 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
- inspect agendas and reports except those which contain, for example, personal and confidential matters
- participate in Three Rivers District Council's Public Question Time
- see reports and background papers and any record of decisions made by the council, committees and sub-committees, or council officers in accordance with the council's Access to Information Procedure Rules
- exercise their rights under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 to obtain information held by the council
- complain to the council about any aspect of the service provided by the council and receive a response within the time period set out in the council's complaints procedures
- once they have exhausted the Council's own complaints procedure they can complain to the Ombudsman if they think the council has not followed its procedures properly.
- complain to the Monitoring Officer if they have evidence which they think shows that a Councillor has not followed its Code of Conduct for members; and
- inspect the council's accounts and make their views known to the external auditor.

The council welcomes participation by its residents in its work. For further information on your rights as a citizen please access the council's website. In addition, rights are set out in the Access to Information Procedure Rules at [Part 4 of this Section XX of Part XX of this Constitution](#).

Appendix 1

COUNCIL STRUCTURE OF THREE RIVERS DISTRICT COUNCIL



<p><u>General Public Services and Economic Development</u></p> <p><u>Lead Member Economic Development and Planning Policy</u></p> <p><u>Economic Development Regeneration</u></p> <p><u>Infrastructure Town and Village town centre improvements</u></p> <p><u>Brownfield Register</u></p> <p><u>Building Control</u></p> <p><u>Conservation Areas and Local Listing</u></p> <p><u>Community Infrastructure Levy Development Management Policy</u></p> <p><u>Heritage Land Charges</u></p> <p><u>Land Drainage</u></p>	<p><u>Climate Change, Leisure and Community Committee</u></p> <p><u>Lead Member for Leisure</u></p> <p><u>Arts development and facilities</u></p> <p><u>Leisure grants</u></p> <p><u>Leisure development and facilities</u></p> <p><u>Open spaces</u></p> <p><u>Play areas and play development</u></p> <p><u>Sports development and facilities</u></p> <p><u>Leisure based health programmes</u></p> <p><u>Lead Member Sustainability and Climate</u></p>
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Listed Buildings

Neighbourhood Planning

Right to Buy Register

Rickmansworth Town Project Board

Lead Member Public Services

Refuse and Recycling

Highways

Transport

Cycling

Parking

Lead Member for Housing, Public Health and Wellbeing

Housing Policy

Homelessness and Housing Advice

Housing and Disabled Facilities Grants

Management of Traveller sites

Private Housing and Houses in Multiple Occupation

Residential Environmental Health

Temporary accommodation

Air pollution and noise pollution

Animal and pest control

Cemeteries and crematorium

Environmental Forum Sustainability, climate change and energy efficiency

Woodlands

Tree Protection

Lead Member for Community Partnerships Community Safety:

- To review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions (it is the Crime and Disorder Committee for the purposes of the Police and Justices Act 2006);

- To make reports or recommendations to the Council with respect to the discharge of those functions;

- The Committee will be able to co-opt members from the Responsible Authorities (the Community Safety Partnership) should it wish to when reviewing certain projects/decisions.

(We are required by law to have a scrutiny committee to carry out this function)

Equalities

Crime and Disorder

Community Safety Partnerships

Domestic Abuse

Community Safety

[Public Health Strategy](#)

[Wellbeing Strategy](#)

[Disease Control](#)

[Food Inspection](#)

[Health and Safety Health and social care](#)

[Licensing activities covered by the Licensing Acts Licensing and Regulatory activities outside the Licensing Acts](#)

[Public Spaces Protection Orders](#)

[Traveller incursions](#)

**Lead Member Resources**

[Finance](#)

[Audit](#)

[Revenue and Benefits](#)

[Assets Policy and Corporate Support](#)

[ICT](#)

[Procurement and Contracts](#)

Other meetings: Appointments Committee, Constitution Sub-Committee, Council Tax Setting Committee, Environmental Forum, Internal Complaints Review, Local Area Forums, Local Plan Sub-Committee, Equalities sub-committee, Local Strategic Partnership Board, Pensioners'-Seniors' Forum;

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