

Article 1 – The Constitution

(References: Section 37, Local Government Act 2000,
The Local Government Act 2000 (Constitutions) (England) Direction 2000)

1.01 The Constitution

This Constitution, and all its appendices, is the Constitution of the Council of the Borough of Torbay. The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.02 Purpose of the Constitution

The Council aims to deliver efficient, transparent and accountable decision-making. In light of this, the purpose of this Constitution is:

- (i) To enable the Council to provide clear leadership to the community in partnership with local people and public, private, voluntary and community organisations.
- (ii) To support the active involvement of local people in the process of local authority decision-making.
- (iii) To help councillors represent their constituents more effectively.
- (iv) To enable decisions to be taken efficiently and effectively.
- (v) To create a powerful and effective means of holding decision-makers to public account.
- (vi) To ensure that no one will review or scrutinise a decision made by them directly or made by a body of which they were a member at the time the decision was made.
- (vii) To ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions.
- (viii) To provide a means of improving the delivery of services to the community.

1.03 Interpretation and review of the Constitution

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.

The Council will regularly monitor and evaluate the operation of the Constitution as set out in this Article and will take into account comments on its operation made to the Monitoring Officer who is responsible for maintaining and improving its effectiveness. Article 13 sets out further details of the review and revision of the Constitution.