

# Part 1: Summary and Explanation

## 1. What is the Constitution?

- 1.1. South Cambridgeshire District Council's Constitution 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 procedures are required by law, while others are a matter for the Council to choose.

## 2. How the Council operates

- 2.1. The Council consists of 45 councillors elected every four years. Councillors are democratically accountable to residents of their Wards. 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.
- 2.2. Councillors must agree to follow a code of conduct to ensure high standards in the way they undertake their duties.
- 2.3. All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council's policy framework and set the budget each year. The Council elects the Leader of the Council and the Chair and Vice-Chair of the Council by secret ballot.
- 2.4. The remaining members of the Executive or 'Cabinet' are appointed by the Leader, who must also appoint a Cabinet member to be the Deputy Leader.
- 2.5. Cabinet members hold office until they resign, are no longer councillors or are removed by the Leader. The Council may remove the Leader under certain circumstances.(Article 7.3 refers)
- 2.6. The Council also appoints committees, some of which carry out regulatory functions which by law may not be the responsibility of the Cabinet, for example planning and licensing.

## 3. How Decisions Are Made

- 3.1. The Cabinet is responsible for most day-to-day decisions. The Cabinet is made up of the Leader and up to nine other councillors. When major decisions, known as **key decisions**, are to be

discussed or made these are published in the Cabinet's Notice of Key Decisions in so far as they can be anticipated. If these key decisions are to be discussed with council officers at a meeting of the Cabinet, this will generally be open for the public to attend, except where personal or confidential matters are being discussed. The Cabinet shall make decisions which are in line with the Council's overall policy framework and budget. If it wishes to make a decision which is outside the budget or policy framework, this shall be referred to the Council as a whole to decide.

## **4. Scrutiny and Overview**

- 4.1. The Council shall appoint at least one scrutiny and overview committee which may pre-scrutinise and review the decisions of the Cabinet. Scrutiny and overview committees may make reports and recommendations to the Cabinet and to the Council on policies, budget and service delivery. They may involve non-councillors from other public bodies, voluntary and community groups in their work and undertake enquiries into matters of local concern. Scrutiny and overview committees also monitor the decisions of the Cabinet and may call-in a decision which has been made, but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Cabinet reconsider the decision. Scrutiny and overview committees may also be consulted by the Cabinet or the Council on forthcoming decisions.

## **5. The Council's Officers**

- 5.1. 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.

## **6. Citizens' Rights**

- 6.1. Citizens have a number of rights in their dealings with the Council. These are set out in in Article 3.