

# **Part 1**

## **Summary and Explanation**

# Summary and Explanation

The Constitution of the Suffolk Coastal District Council comprises:

- Members of the Council (Article 2).
- Citizens and the Council (Article 3).
- The Council Meeting (Article 4).
- Chairing the Council (Article 5).
- Scrutiny of Decisions (Article 6).
- The Executive (Article 7).
- Regulatory Committees (Article 8).
- The Standards Committee (Article 9).
- Area Committees and 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 55 councillors elected every four years. 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 trains and advises 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.

## How Decisions are Made

The Cabinet (referred to as "The Executive" in the Local Government Act 2000) is the part of the Council which is responsible for most day-to-day decisions. The Cabinet

is made up of the Leader of the Council and nine councillors whom he / she appoints. When major decisions are to be discussed or made, these are published in the Leader of the Council's Forward Plan in so far as they can be anticipated. If these major 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 has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or Policy Framework, this must be referred to the Council as a whole to decide.

### **Scrutiny**

There are two scrutiny committees which support the work of the Cabinet and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery. Scrutiny committees also monitor the decisions of the Cabinet. They can 'call-in' a decision which has been made by the Cabinet but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Cabinet reconsider the decision. They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

### **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 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.

### **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, while others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' legal rights.

Where members of the public use specific Council services they may have additional rights. These are not covered in this Constitution.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters 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;
- petition to request a referendum on a mayoral form of Executive;

- find out, from the Leader of the Council's Forward Plan, what major decisions are to be discussed by the Cabinet or decided by the Cabinet or officers, and when;
- attend meetings of the Cabinet when key decisions are being discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Cabinet;
- complain to the Council (see Article 3);
- complain to the Ombudsman if they think the Council has not followed its procedures properly. It is recommended that in the first instance, however, the complaint is raised through the Council and that the Council is given 12 weeks in which to respond.
- complain to the Chairman of the Assessment Sub-Committee, The Standards Committee, Suffolk Coastal District Council, Melton Hill, Woodbridge, Suffolk IP12 1AU or Fax 01394 385100 or email: [committee.section@suffolkcoastal.gov.uk](mailto:committee.section@suffolkcoastal.gov.uk) if they have evidence which they think shows that a councillor has not followed the Council's Code of Conduct; and
- inspect the Council's accounts and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact the Head of Legal & Democratic Services, on 01394 444336.