

Article 1 – The Constitution

1.1 The Constitution

- (a) The Articles, and all appendices, comprise the Constitution of Derbyshire County Council. (the Council)
- (b) The Council has adopted cabinet arrangements as the basis for its Constitution. The Constitution and particularly the following parts of it set out the cabinet arrangements:
 - (i) Article 6 (The Leader of the Council and the Cabinet) and Appendix 4 (Cabinet Procedure Rules).
 - (ii) Article 7 (Decision-Making) and Appendix 6 (Access to Information Rules).
 - (iii) Article 8 (Improvement and Scrutiny Arrangements) and Appendix 5 (Improvement and Scrutiny Procedure Rules).
 - (iv) Appendix 1 (Scheme of Delegation of Responsibility for Functions).

1.2 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.3 Purpose of the Constitution

The purpose of the Constitution is to:

1. enable the Council (in partnership with citizens, businesses and other organisations as appropriate) to provide broad leadership to and support for the communities of Derbyshire to improve their economic social and environmental well-being;
2. support the active involvement of citizens in the process of local authority decision-making;
3. help Councillors represent their constituents more effectively;
4. make clear how the Council is to operate, and enable decisions to be taken efficiently and effectively;

5. create a rigorous means by which decision-makers can be held to public account;
6. ensure that no one will review or scrutinise a decision in which they are directly involved;
7. ensure that those responsible for the decision-making are clearly identifiable to local people and that they explain the reasons for the decisions; and
8. provide a means of improving the delivery of services to the community to meet the County Council's vision, as expressed in the policy themes in the Council's Corporate Plan.

1.4 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 monitor and evaluate the operation of the Constitution as set out in Article 22.

1.5 Previous Policies/Decisions

Unless negated by a provision of the Constitution, any decision made by or on behalf of the County Council and any plan, budget, policy or strategy approved by or on behalf of the County Council prior to the coming into effect of the Constitution shall have effect and apply as if it had been made in accordance with the requirements of the Constitution, and shall remain in force as a decision or plan or budget or policy or strategy under the Constitution unless and until and to the extent that it is amended varied or replaced.

1.6 Interpretation

Throughout this Constitution, references to the masculine gender shall be taken to mean both the masculine and the feminine gender and expressions in the singular shall include, where appropriate, the plural.