

# **INTRODUCTION TO DECISION MAKING**

The Council makes many decisions relating to matters within its area. This part of the Council's Constitution sets out how these decisions are made so that members of the public are clear about what decisions are made and which part of the Council or individual has responsibility for particular types of decisions.

The Cabinet has delegated decision-making powers to individual members of the Cabinet through an [Cabinet Scheme of Delegation](#).

## **1. Principles of decision-making**

The following principles will apply to all decision makers. Decision makers will:

- take into account all relevant considerations and ignore those which are irrelevant
- undertake a realistic evaluation of alternatives and options
- carry out appropriate consultation
- take decisions which are proportionate to the desired outcome
- consider relevant professional advice
- respect any relevant legal aspects
- approach decision making on a transparent and open basis wherever possible

On occasions, the Council, a Councillor or an Officer will act as a tribunal or in a quasi-judicial manner when they determine the civil rights, obligations or criminal responsibility of an individual. When this happens, they will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

## **2. Types of decision and the decision-takers**

### **Council**

The Council which is a meeting of all Councillors will discharge those functions contained within the [Council Functions](#). In particular, it approves the Budget and Policy Framework which is the framework within which Cabinet operates.

There are different types of Council meeting:

- The Annual Meeting of the Council, which will be held in May
- Ordinary meetings
- Extraordinary meetings, which will be called as and when required in accordance with the [Council, Committee and Sub Committee Procedure Rules](#).

When the Council makes decisions, it will comply with the [Council, Committee and Sub Committee Procedure Rules](#).

The Council sets the Council's budget each year. The budget has a number of elements as follows:

- The allocation of financial resources to different services and projects
- Proposed contingency funds
- The Council tax base
- Setting the Council tax
- The Council's borrowing requirement
- The Councils capital expenditure
- The setting of virement limits

### **Cabinet**

The Cabinet make decisions within the Budget and Policy Framework as approved by Council. Further information is contained within the [Budget and Policy Framework Procedure Rules](#).

When the Cabinet makes decisions, it will comply with the [Cabinet Procedure Rules](#).

### **Key decisions**

Certain types of decisions made by the Cabinet, individual Cabinet Members, Officers with delegated authority and Committees of the Cabinet are "Key Decisions". Except in cases of urgency, these types of decision receive special advance publicity so that members of the public and Councillors are able to consider the implications of the decision and so that members of the public have an opportunity to make representation to the decision maker before the decision is made. The Scrutiny Committee may also want to "call in" the decision through the "Call In Procedure".

Key Decisions appear on the Council's [Forward Plan](#). Which is a documents which shows details of decisions that the above decision makers are intending on taking in the next 28 days.

A Key Decision is an [executive decision](#) likely to result in the Council either;

- Incurring expenditure of £50,000 or more
- Making savings of £50,000
- is significant in terms of its impact on persons living or working in an area comprising two or more wards in the Borough.

For clarification, no treasury management decision of the Council shall constitute a Key Decision.

### **2.3.3 Scrutiny Committee**

When the Scrutiny Committee makes decisions, it will comply with the [Scrutiny Procedure Rules](#). The functions of Scrutiny Committee are comprised in [Scrutiny Functions](#).

### **2.3.4 Committees**

Council or Cabinet may choose to delegate some of its functions to a Committee, such as decisions relating to Planning applications.

In addition, the Council must have a Licensing Committee and an Audit Committee by law.

When Committees and Sub-Committees make decisions, they will comply with the Council, [Committee and Sub Committee Procedure Rules](#).

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