

ARTICLE 8 – DECISION MAKING

8.1 Responsibility for Decision Making

The council will issue and keep up to date a record of what part of the council or individual has responsibility for functions which are not the responsibility of the executive. The executive will issue and keep up to date a record of the body or individual responsible for executive functions. These records are set out in part 2 of this constitution and may change from time to time.

8.2 Principles of Decision Making

All decisions of the council will be made in accordance with the following principles:

- (a) proportionality (i.e. the action will be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights (see below for further details);
- (d) a presumption in favour of openness;
- (e) clarity of aims and desired outcomes; and
- (f) explaining what options were considered and giving the reasons for the decision.

8.3 Types of Decision

- a. Decisions reserved to the full council: Decisions relating to the functions listed in Article 4.2 will be made by the full council and not delegated except to the extent permitted by that Article.
- b. Key decisions: Key decision means a decision made in the exercise of an executive function as defined in Article 4.1 and standing orders in part 3 of this constitution.

8.4 Decision Making by Council Bodies, Councillors or Officers

Any member body, councillor or officer will follow the applicable standing orders set out in part 3 of this constitution when considering any matter.

Any member body, a councillor or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person 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.