

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.

Reports and decisions will be published on the Council's website unless they are considered to be exempt from publication on the grounds provided for in

Schedule 12A Local Government Act 1972 .

Within this Constitution, “clear working days” means complete days ending at one minute to midnight and not including:

- The day on which the period begins.
- If the end of the period is defined by reference to an event (for example, a meeting date), the day of that event.