

## APPENDIX E

### Article 10 - Decision Making

#### 10.01 Responsibility for decision making

The Council will issue and keep up to date a record of what part of the Council or individual officer has responsibility for particular types of decisions or decisions relating to particular areas or functions.

#### 10.02 Principles of decision making

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

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights and equalities;
- (d) a presumption in favour of openness and transparency; and
- (e) clarity of aims and desired outcomes;
- (f) consideration of any alternative options;
- (g) the giving of reasons for the decision and the proper recording of those reasons.

#### 10.03 Type of decision

- (a) Decisions reserved to full Council. Decisions relating to the functions, Responsibilities for Functions, will be made by the full Council and not delegated.

#### 10.04 Decision making by the Full Council

Subject to Article 10.06, the Council meeting will follow the Full Council Procedure Rules in the Constitution when considering any matter. If Full Council Procedure Rules are silent on a matter, then the Meeting Procedure Rules will be followed.

#### 10.05 Decision making by other committees and sub-committees established by the Council

Subject to Article 10.06 other Council committees and sub-committees will follow those parts of the Council Meeting Procedure Rules in the Constitution as apply to them.

#### **10.06 Decision making by Council bodies acting as tribunals**

The Council, 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.