

Article 10 - Decision Making

10.1 Principles of decision making

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

- (a) proportionality / the action to 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) presumption in favour of openness and transparency;
- (e) clarity of aims and desired outcomes
- (f) consideration of any alternative options;
- (g) the giving of reasons for the decision and the recording of reasons.

10.2 Decision making by Full Council

Decisions reserved to Full Council are set out in Article 4. The Council meeting will follow the Full Council Procedure Rules in Part 2 of the Constitution when considering any matter.

10.3 Decision making by Committees

Apart from matters reserved to Full Council, committees and sub-committees will be responsible under their terms of reference for all decisions which are key (as defined in Article 2). All Theme Committee reports (Policy & Resources; Children, Education, Libraries & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership) will be in the name of the Chairman and approved by him/her and all reports for all committees will be cleared by the Chairman other than Planning and Licensing Sub-Committees.

10.4 Decision making by Chief Officers jointly with Theme Committee Chairmen

Chief Officers in consultation with Theme Committee Chairmen (Policy & Resources; Children, Education & Safeguarding; Adults & Safeguarding; Environment; Housing & Growth; Community Leadership and Libraries) have delegated authority to make decisions which are not key decisions and which have a value between £189,330 and £500,000. A written report will be prepared for every decision.

10.5 Decision making by Chief Officers

Chief Officers have delegated authority to make decisions in accordance with the powers delegated (see Article 9) and other Officers under the Schemes of Delegation maintained by Chief Officers and published on the council's website. A written report is not necessary (except for decisions which (i) grant a permission or licence; (ii) affect the rights of an individual; or (iii) award a contract or incur expenditure which, in either case, materially affects that

relevant local government body's financial position) but the Chief Officer will maintain a list of all decisions over £50,000 as required under Article 9.

10.6 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.

10.7 Urgent Decisions

If a decision on an issue is required as a matter of urgency an Urgency Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The Chairman of the relevant Committee should be consulted.

10.8 Emergency Decisions

The Chief Executive or relevant Chief Officer is empowered on behalf and in the name of the Council to take decisions in exceptional circumstances on emergency matters which would normally require a committee decision where it is not possible to convene a meeting of a committee provided that:

1. The Leader, or in his/her absence, the Deputy Leader are consulted on the reasons for it being an emergency matter;
2. In respect of matters falling within the terms of reference of a committee: the Chief executive or relevant Chief Officer will consult with the Chairman, or in his/her absence, the Vice-Chairman; and a report on the decision will be reported to the next meeting of the committee.

10.9 Decisions relating to Property

(See Table A below) Where the Council is required by law to sell or let or otherwise dispose of its property no decision is required to authorise the transaction.

10.10 Decisions relating to Procurement

(See Table B below).

TABLE A – Land and Property Transactions Authorisation Delegated Powers¹

	Authorisation Level²	Acquisitions	Lease in	Lease out for Rent or Consideration	Licences, Easements and Consents	Compensations, Settlements and Covenants	Disposals	Compulsory transaction
A	<i>Less than £189,330</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Approved Officer</i>	<i>Full DPR – Deputy Chief Executive (unless a Less Than Best transaction, which must be reported to Housing and Growth Committee)</i>	<i>Approved Officer</i>
B	<i>£189,330 to £500,000</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>	<i>Full DPR – Deputy Chief Executive in consultation with Theme Committee Chairman</i>		<i>As B</i>
C	<i>More than £500,000 (Key Decision)</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>Report to Housing and Growth Committee</i>	<i>As C</i>
D	<i>'Non-Value' Variations post Authorisation</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision</i>	<i>Chief Officer Decision – Deputy Chief Executive Report to next Housing and Growth Committee</i>	<i>As A above</i>

¹ This Table applies to Land and Building activity NOT included in the approved Annual Work Plan

² These values may be either Capital or Annualised Income/Expenditure

Table B – Authorisation and Acceptance Thresholds

	Procurement value	Authorisation to commence a procurement process & Documentation	Procurement method	Acceptance process & Documentation	Variation or extension Acceptance & Documentation	Supplier Notification method and contract
A	Under £10,000 (Purchase Order)	Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Audit trail	Reasonable means of selection* and evidence of having sourced and considered the local Barnet supplier market	Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Audit trail	Must move to next threshold if £10,000 or above Authorisation documentation: Audit trail	Purchase Order
B	£10,000 – £50,000	Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Audit trail; or Procurement Forward Plan	Minimum 2 written Competitive Quotations sought**	Council Officer as designated by approved Scheme of Delegation Authorisation documentation: Chief Officer List of Decisions	Must move to next threshold if above £50,000 Authorisation documentation: Chief Officer List of Decisions	Purchase Order Signed contract over £25k value

C	£50,001 – £189,329	<p><i>Approved Officer</i></p> <p><i>Authorisation documentation: Chief Officer List of Decisions</i></p>	<p><i>Minimum 2 written quotations</i></p> <p><i>No SQ - Suitability Assessment Questions only</i></p>	<p><i>Approved Officer</i></p> <p><i>Authorisation documentation: Chief Officer List of Decisions</i></p>	<p><i>Chief Officer List of Decisions</i></p>	<p><i>Signed contract</i></p>
D	£189,330 – £500,000	<p><i>Authorisation documentation: Full DPR (Chief Officer in consultation with Theme Committee Chairman)</i></p>	<p><i>Services/Goods – OJEU Tender</i></p> <p><i>Works – Competitive Quotation</i></p>	<p><i>Authorisation documentation: Full DPR</i></p>	<p><i>If within Budget: Full (Chief Officer) DPR</i></p> <p><i>If not within Budget: Relevant Thematic Committee</i></p>	<p><i>Standstill Notification letter released following statutory officer report review</i></p> <p><i>Publication of report post standstill period</i></p> <p><i>Signed and sealed contract</i></p>

E	£500,000 and above	<p>Authorisation documentation:</p> <p>Relevant Theme Committee Decision; or Procurement Forward Plan</p>	<p>Competitive quotation for works contracts for values £500,000 to £4,733,252</p> <p>Works and Concession Contracts: Full OJEU Tender above £4,733,252</p> <p>Goods: Full OJEU Tender</p> <p>Services: Full OJEU Tender</p> <p>Health, educational, cultural and social care related services: Light Touch Regime Tender above. £663,540</p>	<p>Authorisation documentation:</p> <p>If within Budget- Full DPR (Chief Officer in consultation with Theme Committee Chairman)</p> <p>If not within Budget: Relevant Thematic Committee Report; or Policy and Resources Committee Report</p>	<p>If within Budget: Full DPR (Chief Officer in consultation with Theme Committee Chairman)</p> <p>If not within Budget: Relevant Thematic Committee</p>	<p>Standstill Notification letter released following statutory officer report review Publication of report post standstill period Signed and sealed contract</p>
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