

## **Article 14 - Decision Making**

### **14.01 Responsibility for Decision Making**

The Council will maintain in Part 3 of this Constitution an up to date record and scheme of delegation of which part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas of functions.

### **14.02 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, giving consideration to such issues at an early stage in the process;
- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

Furthermore, the Council will explain what options were considered and give reasons for the decision.

### **14.03 Decision Making by the Full Council**

- (a) Decisions relating to the functions listed in Article 4.02 will be made by the Full Council and not delegated.
- (b) When considering any matter, the Council will follow this Article and the Council Procedures Rules set out in Part 4 of this Constitution. Committees and Sub-Committees of the Council will follow this Article and such parts of the Council Procedure Rules as are relevant to them.

### **14.04 Decision Making by Area Committees**

When considering any matter, Area Committees will follow this Article and the Area Committee Procedure Rules set out in Part 4 of this Constitution.

#### **14.05 Decision Making by Council Bodies acting as Tribunals**

The Council, Councillors (individually or collectively) 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.