

Part []

Executive

Appendix: Protocol for Decision-Making by Individual Executive Member

1 Introduction

- 1.1 Individual Executive Members (Portfolio Holders) may make “Individual Decisions”.
- 1.2 Individual Decisions are subject to the same rules and requirements as for Executive Decisions (see Part [] (Executive)) – eg relating to publicity in relation to any proposed decision, and they may be subject to Call In if they meet the relevant criteria (see below).
- 1.3 It has been agreed by Council that Individual Executive Members can make the following Key Decisions:
 - 1.3.1 all decisions relating to Highway Matters which are within the approved budget and policy framework;
 - 1.3.2 with the exception of those strategic plans, strategies and policies requiring Council approval (as set out in Article 5 of the Constitution) decisions relating to all other plans, strategies and policies that the Council is required to produce;
 - 1.3.3 the Council’s response to Government and other consultation documents;
 - 1.3.4 appointments to outside bodies;
 - 1.3.5 decisions relating to Public Rights of Way;
 - 1.3.6 approval by the Leader of the Council’s Forward Plan for Key Decisions to be taken by or on behalf of the Executive;
 - 1.3.7 agreement of Annual Reports and Statements of Purpose;
 - 1.3.8 granting permission to consult publically regarding a Report (etc).
- 1.4 A step by step guide to Individual Decisions is attached to this Appendix.

2 The Executive Forward Plan.

- 2.1 The rules relating to publicity in connection with Key Decisions and exceptions to the publicity requirements as set out in Part [] (the Executive Rules) apply to any decision of an Individual Executive Member.

3 Dates when Individual Decisions can be made

- 3.1 It is the responsibility of each Service Area to ensure that the Executive Member is aware of the forthcoming Individual Decisions and to agree the date when the decision will be taken.
- 3.2 The Executive Member will normally make their decision following advice from relevant Officers.
- 3.3 In the absence of the Executive Member (and with their agreement) the Leader or Deputy Leader of the Council can be authorised to make a decision on their behalf under this procedure.

4 Formal Written Report

- 4.1 Before an Individual Decision is made, a written report will be prepared for consideration by the Executive Member.
- 4.2 The report shall include the following information:
 - 4.2.1 the name of the Executive Member within whose portfolio the matter falls;
 - 4.2.2 the issue to be decided with reasons for the decision;
 - 4.2.3 supporting information – a summary of the facts relating to the matter under consideration;
 - 4.2.4 confirmation that the proposed course of action is in accordance with the approved policy and budget framework;
 - 4.2.5 details of any corporate implications (finance, personnel, legal, etc);
 - 4.2.6 the Officer's recommendation and the reasons for that recommendation;
 - 4.2.7 other options considered;
 - 4.2.8 a list of background papers;
 - 4.2.9 details of any consultation undertaken, the method of consultation, and a summary of any representations.
- 4.3 A report which excludes certain information on the grounds that it is Confidential or Exempt Information must state the reasons why such information is exempt from publication.
- 4.4 The report must be emailed to the Monitoring Officer at least seven Clear Working Days before the decision is due to be made.
- 4.5 The report will be sent out to all Members at least five Clear Working Days prior to any decision being made.

5 Decision Record Notice

- 5.1 A Decision Record Notice will be prepared by the relevant Officer and contain the following information if not included within the report:
 - 5.1.1 the matter to be decided with reasons for the decision;
 - 5.1.2 other options considered and rejected;
 - 5.1.3 a summary of comments received in response to consultations (including other Members consulted if appropriate);
 - 5.1.4 a list of background papers;
 - 5.1.5 whether or not any Member consulted in connection with the matter or participating in the making of the decision has declared a Conflict of Interest under the Local Code of Conduct.
- 5.2 If a conflict of interest has been declared as above, a copy of the minute of any dispensation granted by the Governance Committee or Chief Executive (as Head of Paid Service) should be attached to the decision notice.
- 5.3 Where the Decision Record Notice contains Confidential or Exempt Information reasons must be given as to why such information is contained.
- 5.4 After each decision has been taken, the relevant Executive Member shall sign, or approve electronic signature of, the Decision Record Notice.
- 5.5 The Decision Record Notice will then be sent to the Monitoring Officer who will make this and the report available via the Council's website.

6 Call-In

- 6.1 Decisions of Individual Executive Members are subject to the same Call-In provisions as apply to decisions of the Executive.
- 6.2 The rules relating Call-In are contained in Part [] (Council Bodies, Scrutiny Commission Appendix).

Individual Decision Making Process - Flowchart

