

Executive Appendix

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 3 (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 **Part 7 of the Constitution, Budget and Policy Framework**) 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 publicly 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 5 (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 Department or 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.
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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.
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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.
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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 Parts 6.4, 6.9 and 6.10 (Council Bodies; Health and Adult Social Care Scrutiny Committee Appendix, Resources and Place Scrutiny Committee Appendix, and Children and Young People Scrutiny Committee Appendix).
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Individual Decision Making Process - Flowchart

Step 1

Contact the relevant Executive Member to ensure that they are happy to take the item as an Individual Decision. Agree a suitable date for the decision to be taken.



Step 2

Complete **Online Forward Plan Submission Form** whilst adhering to the deadlines contained in the protocol.



Step 3

Write report and send the draft to the Executive Member.



Step 4

Consultation process: consult with Members, Officers and appropriate other bodies as set out on the report template. *(Allow at least two weeks for consultation)*



Step 5

Send final report to **Executivecycle@westberks.gov.uk**, ensuring that it arrives seven clear working days prior to the decision being made.



Step 6

Complete a Decision Record Sheet and forward it to **Executivecycle@westberks.gov.uk** two days before the decision is being made.



Step 7

Author of report to arrange a time and venue for the Executive Member to consider and determine the matter.



Step 8

Ensure that either you or a representative from your Service Area is present to record the Decision.