

## Article 12 – Decision Making

### 12.01 Responsibility for Decision Making

The Council shall issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of the Constitution.

### 12.02 Principles of Decision Making

All decisions of the Council, or taken by or on behalf of the Council, will be made in accordance with the following principles:

- (a) Action taken must be proportionate to the desired outcome;
- (b) Professional advice from officers must be considered;
- (c) Respect for human rights, in line with equalities and human rights legislation, must be demonstrated;
- (d) There must be a presumption in favour of openness, in line with the Freedom of Information Act 2000;
- (e) There must be a clear aim and desired outcome; and
- (f) Alternative options must be considered alongside documented reasoning behind the decision made.

## Principles of Decision Making

### 12.03 Types of Decision

- (a) Decisions reserved to Full Council. Decisions relating to the functions listed in Part 3A of this constitution shall be made by the Full Council and not delegated.

- (b) Key Decisions

A key decision is one which:

- (i) Results in the Council incurring expenditure or making savings, in a single transaction or a related series of transactions, in excess of £500,000; and/or
- (ii) Is significant in terms of its effect on the community living or working in an area of Cambridgeshire.

(c) Other decisions

#### 12.04 Decision Making by the Full Council

Subject to Article 12.06, the Council meeting shall follow the Council Procedure Rules set out in Part 4 of the Constitution when considering any matter.

#### 12.05 Decision Making by Committees and Sub-Committees Established by the Council

Subject to Article 12.06, Council committees and sub-committees shall follow those parts of the Council Procedure Rules set out in Part 4 of the Constitution as apply to them.

#### 12.06 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 shall 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.