

North Yorkshire County Council**EXECUTIVE****14 January 2020****Proposed Changes to the Constitution for Recommendation to County Council****Report of the Assistant Chief Executive (Legal and Democratic Services)****1.0 PURPOSE OF REPORT**

- 1.1 To present to Members, for their consideration for recommendation to full Council for approval, proposed changes to the Constitution.

2.0 BACKGROUND

- 2.1 The Constitution is maintained by the Monitoring Officer and kept under review on an ongoing basis. This report sets out amendments required to the Constitution to keep it up to date.

3.0 AMENDMENTS TO THE CONSTITUTION

- 3.1 The more substantive items for consideration are the subject of separate sections in this report. Other proposed miscellaneous changes to the Constitution are set out in the table of proposed amendments set out at **Appendix 1**.

4.0 OFFICERS' DELEGATION SCHEME

- 4.1 Work has been undertaken by officers to review the currently prescribed financial limit exclusions from the specific delegations to the Corporate Director Children and Young People's Service set out in section 4.2 of the Officers' Delegation Scheme. The need to review these limitations arose out of work currently being undertaken in relation to the establishment of a Friends and Family Panel to consider financial assistance/support to substitute parents re looked after children, which highlighted these out of date provisions in the Officers' Delegation Scheme.
- 4.2 It is proposed that these historical limitations be deleted from section 4.2 of the Officers' Delegation Scheme (as set out by way of tracked changes in **Appendix 3**) so that only the same general financial limitations as would apply to all Directorates' Corporate Directors via the Financial and other Procedure Rules and Constitutional provisions should apply to CYPS.
- 4.3 Should Members be minded to recommend these proposed amendments for approval, consequential amendments would also need to be made to paragraph 11 of the Executive Members' Delegation Scheme as set out by way of tracked changes in **Appendix 3**. As there is no longer a paragraph 4.3 (i) or (ii) in the Officers' Delegation Scheme, it would be the case that paragraph 11 of the Executive Members' Delegation would become redundant and therefore it is proposed that the whole paragraph be deleted and "[not used]" inserted to maintain current numbering and protect any existing cross references throughout the Constitution.

4.4 Work is continuing on reviewing section 4.2 of the Scheme generally and further proposed revisions may follow.

4.5 Members will be updated at the meeting.

5.0 **OTHER PROPOSED AMENDMENTS**

5.1 Other proposed changes to the Constitution are set out in the table of proposed amendments set out at **Appendix 1** to this report, including:

- (a) a proposed blanket provision in Article 1.04 that references to legislation include reference to any amended, re-enacted or successor legislation;
- (b) a proposed amendment to paragraph 3.10 of the Officers' Delegation Scheme (the general delegations to all Chief Officers) to increase the financial thresholds for Executive approval of a partnership from £100K to £250K, in line with the thresholds currently set out in Financial Procedure Rule 20;
- (c) a proposed amendment to section 4.9 of the Officers' Delegation Scheme (the specific delegations to the Assistant Director Policy, Partnerships and Communities) to specifically reference civil partnerships, the licensing regime for which can differ from marriages in some cases;
- (d) proposed amendments to the Decision Record template, as set out in **Appendix 4**, to update references as to who records should be sent to for publication;
- (e) to update the Constitution in terms of administrative type amendments;
- (f) and, in Part B of the table, amendments are set out for information which have been, or will be, undertaken by the Assistant Chief Executive (Legal and Democratic Services) under his delegated powers in Article 15.02(c) of the Constitution to reflect administrative changes, legal requirements and changes to arrangements for the distribution of responsibilities and the delegation of powers in accordance with decisions taken by those authorised to do so, for example:
 - i. updating terminology and typographical errors;
 - ii. updating the Schedule of Appointments to Outside Bodies;
 - iii. updating the Explanatory Note re the Current Rules Applying to Types of Decision in the Appendix to the Access to Information Procedure Rules as set out in **Appendix 2** to this report, to clarify the content of the current Rules as agreed by full Council at its last meeting in May 2019.

6.0 **FINANCIAL IMPLICATIONS**

6.1 There are no specific financial implications arising from this report.

7.0 **LEGAL IMPLICATIONS**

7.1 The legal implications of the proposed amendments to the Constitution are set out in the body of this report and in the Appendices.

8.0 **CONSULTATION**

8.1 Relevant Officers and Members have been consulted on the proposed changes set out in this report and its appendices. The papers were considered at the Members' Working Group on the Constitution on 2 December 2019. Certain minor, administrative or updating type amendments have been included in this report since that meeting (the Working Group was informed this may be the case).

9.0 **REASONS FOR RECOMMENDATIONS**

9.1 For the reasons set out in the Amendments Chart at **Appendix 1** and in the body of this report, it is recommended that, subject to any comments Members may have, the recommendations and changes to the Constitution set out below be proposed to the County Council for approval.

10.0 **RECOMMENDATIONS**

10.1 That, subject to any comments Members may have:

- (a) the proposed changes to the Constitution set out in the Amendments Chart at **Appendix 1**; and
- (b) the proposed changes to the Constitution set out in **Appendices 2 and 4**;
- (c) the proposed amendments to the Officers' Delegation Scheme and consequential amendments to the Executive Members' Delegation Scheme as set out in **Appendix 3**;

be proposed to full Council for approval.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

12 December 2019

Background Document:

- The Council's Constitution

Appendices:

Appendix 1 – Table of Amendments
Appendix 2 – Summary Chart
Appendix 3 – Amendments to Constitution
Appendix 4 – Decision Record Proforma

Proposed Amendments to Constitution – 2019

Where amendments are suggested to part of a paragraph, only the relevant part is replicated in the amendment chart below.

<u>PART A: ITEMS FOR DECISION</u>			
Provision in Constitution	Current Wording	Proposed Amendment	Reason(s)
Part 2 Articles of the Constitution Article 1 – The Constitution 1.04 Interpretation and Review of the Constitution	<p>1.04 Interpretation and Review of the Constitution</p> <p>Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.</p> <p>All decisions taken by or on behalf of the Council will:</p> <ul style="list-style-type: none"> • have regard to relevant facts and considerations, and disregard irrelevant ones; • be reasonable, and proportionate to the subject matter; • be taken with respect for equality of opportunity and human rights; and • be taken in observance of the Codes of Conduct set out in Part 5 of this Constitution. <p>The Council will monitor and evaluate the operation of the</p>	<p>1.04 Interpretation and Review of the Constitution</p> <p>Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.</p> <p>All decisions taken by or on behalf of the Council will:</p> <ul style="list-style-type: none"> • have regard to relevant facts and considerations, and disregard irrelevant ones; • be reasonable, and proportionate to the subject matter; • be taken with respect for equality of opportunity and human rights; and • be taken in observance of the Codes of Conduct set out in Part 5 of this Constitution. <p>The Council will monitor and evaluate the operation of the Constitution as set out in Article 15.</p> <p>For the avoidance of doubt, references</p>	<p>For ease of reference and clarity, to provide a blanket provision within the Articles of the Constitution that references to legislation include reference to any amended, re-enacted or successor legislation (such provisions are currently contained within specific Rules within the Constitution) but a general provision at the commencement of the Constitution is desirable.</p>

	Constitution as set out in Article 15.	within the Constitution to legislation (eg Act or Statutory Instrument) include reference to any amended, re-enacted or successor legislation.	
<p>Part 3 Responsibility for Functions</p> <p>Schedule 1 – Council Committees, their membership and their powers</p> <p>1. Planning and Regulatory Functions Committee</p> <p>Delegated Powers</p>	<p>...</p> <p>Regulatory Powers</p> <p>...</p> <p>5. Power to register animal trainers and exhibitors. - Section 1 of the Performing Animals (Regulation) Act 1925 (c.38).</p> <p>...</p> <p>10. Power to license agencies for the supply of nurses. - Section 2 of the Nurses Agencies Act 1957 (c.16).</p>	<p>...</p> <p>Regulatory Powers</p> <p>...</p> <p>5. [Not used]</p> <p>...</p> <p>10. [Not used]</p>	<p>To maintain up to date references in the Constitution:</p> <ul style="list-style-type: none"> • nursing agencies no longer exist; • functions regarding performing animals have transferred to district/borough councils. <p>A similar amendment to paragraph 4.4(m) of the Officers' Delegation Scheme will be required.</p>
<p>Part 3 Responsibility for Functions</p> <p>Schedule 4 – Officers' Delegation Scheme</p> <p>Section 3 - delegations to all Chief Officers</p>	<p>...</p> <p>3.10 To accept the terms and conditions and governance documentation for a Partnership agreement in respect of a partnership involving the County Council, subject to Rule 21 of the Financial Procedure Rules, to the implications for the Council of this Partnership being consistent with the Budget and Policy Framework, and subject to the approval of the partnership by the Executive where</p> <p>(a) it is considered to be high risk under the County Council's Partnership Governance Risk Assessment Framework</p> <p>and/or</p> <p>(b) the annual financial contribution to</p>	<p>...</p> <p>3.10 To accept the terms and conditions and governance documentation for a Partnership agreement in respect of a partnership involving the County Council, subject to Rule 21 of the Financial Procedure Rules, to the implications for the Council of this Partnership being consistent with the Budget and Policy Framework, and subject to the approval of the partnership by the Executive where</p> <p>(a) it is considered to be high risk under the County Council's Partnership Governance Risk Assessment Framework</p> <p>and/or</p> <p>(b) the annual financial contribution to the partnership exceeds £250k</p>	<p>To bring the Officers' Delegation Scheme financial thresholds for Executive approval of a partnership re partnerships governance in line with the thresholds set out in Financial Procedure Rule 20.</p>

	<p>the partnership exceeds £100k</p> <p>and/or</p> <p>(c) the County Council intends to apply for a grant or other external funding which will exceed £100k over the term of that funding, and for which the County Council intends to act as Accountable Body.</p> <p>...</p>	<p>and/or</p> <p>(c) the County Council intends to apply for a grant or other external funding which will exceed £250k over the term of that funding, and for which the County Council intends to act as Accountable Body.</p> <p>...</p>	
<p>Part 3 Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>Section 4.4 Specific delegations to the Corporate Director Business and Environmental Services</p>	<p><u>4.4 To the Corporate Director – Business and Environmental Services</u></p> <p>...</p> <p>(m) To exercise the functions as weights and measures and food authority and for trading standards and consumer protection, animal health, sports grounds, nursing agencies, performing animals and explosives licensing, listed in Part B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 which are functions of County Councils and the powers under any ‘relevant statutory provision’ within the meaning of Part 1 of (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc Act 1974 to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer in Part C of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 which are functions of County Councils, together with Parts III and IV of the North Yorkshire County Council Act 1991 (including any necessary enforcement action and the power to authorise any Trading Standards</p>	<p><u>4.4 To the Corporate Director – Business and Environmental Services</u></p> <p>...</p> <p>(m) To exercise the functions as weights and measures and food authority and for trading standards and consumer protection, animal health, sports grounds and explosives licensing, listed in Part B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 which are functions of County Councils and the powers under any ‘relevant statutory provision’ within the meaning of Part 1 of (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc Act 1974 to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer in Part C of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 which are functions of County Councils, together with Parts III and IV of the North Yorkshire County Council Act 1991 (including any necessary enforcement action and the power to authorise any Trading Standards Officer, Enforcement Officer, Animal Health Inspector or other officer of the Trading Standards and Regulatory Services Unit to prosecute and to appear on the Council’s behalf before a Magistrates’ Court).</p>	<p>To maintain up to date references in the Constitution:</p> <ul style="list-style-type: none"> • nursing agencies no longer exist; • functions regarding performing animals have transferred to district/borough councils. <p>A similar amendment to the Planning and Regulatory Functions Committee’s Terms of Reference will be required.</p>

	Officer, Enforcement Officer, Animal Health Inspector or other officer of the Trading Standards and Regulatory Services Unit to prosecute and to appear on the Council's behalf before a Magistrates' Court).		
Part 3 Responsibility for Functions Schedule 4 – Officers' Delegation Scheme Section 4.9 Specific delegations to the Assistant Director Policy, Partnerships and Communities	<u>4.9 To the Assistant Director Policy, Partnerships and Communities</u> ... (d) To approve premises for the solemnisation of marriages and to exercise all functions of the County Council for the Registration of Births, Deaths and Marriages.	<u>4.9 To the Assistant Director Policy, Partnerships and Communities</u> ... (d) To approve premises for the solemnisation of marriages and civil partnerships and to exercise all functions of the County Council for the Registration of Births, Deaths and Marriages.	To ensure that the Constitution specifically references civil partnerships, the licensing regime for which can differ from marriages in some cases.
Part 4 Rules of Procedure Property Procedure Rules 1.0 INTERPRETATION	Property Contract A contract relating to Property including (but not limited to) transfers, leases, options, easements, (except easements for highway drainage granted under, or as a consequence of an agreement made under Section 38 (adoption of new highways) or Section 278 (development of existing highways) of the Highways Act 1980) ¹ tenancy agreements, licences, and variations and releases from restrictive covenants, user rights granted under local government reorganisation arrangements and wayleaves, but excluding those contracts entered into by school governing bodies under their delegated powers ... 1 As approved by Audit Committee December 2009.	Property Contract A contract relating to Property including (but not limited to) transfers, leases, options, easements, (except easements for highway drainage granted under, or as a consequence of an agreement made under Section 38 (adoption of new highways) or Section 278 (development of existing highways) of the Highways Act 1980) tenancy agreements, licences, and variations and releases from restrictive covenants, user rights granted under local government reorganisation arrangements and wayleaves, but excluding those contracts entered into by school governing bodies under their delegated powers ...	To remove the administrative reference. This is not required for the Property Procedure Rules.

PART B: ITEMS FOR INFORMATION

<p>Part 2</p> <p>Articles of the Constitution</p> <p>Article 10 – Area Constituency Committees</p> <p>10.02 Form, Composition and Function</p> <p>(a) Table of area constituency committees</p>		<p><i>Replace each of the references to “ward” in the Table with “Division”.</i></p>	<p>For absolute clarity, to reflect that district councils have electoral wards and county councils have electoral divisions.</p> <p>The Monitoring Officer will make this amendment under his delegated powers in Article 15.02(c)(ii) of the Constitution to ensure that the Constitution and the Council’s procedures meet all legal requirements.</p>
<p>Part 3</p> <p>Responsibility for Functions</p> <p>Schedule 5</p> <p>Appointments to Outside Bodies</p> <p>Section 1 PARTNER BODIES</p>		<p><i>Remove the entry relating to Community First Yorkshire.</i></p>	<p>To keep the Constitution up to date.</p> <p>Community First Yorkshire manages appointments to its Board of Trustees through an elections process. It does not have any local authority representatives. The arrangements currently listed in the Constitution reflect previous arrangements and are out of date.</p> <p>The Monitoring Officer will make this amendment under his delegated powers in Article 15.02(c)(iii) of the Constitution to reflect changes to arrangements for the distribution of responsibilities and the delegation of powers in accordance with decisions taken by those authorised to do so.</p>

Appendix 1

<p>Part 4</p> <p>Rules of Procedure</p> <p>Access to Information Procedure Rules</p> <p>Appendix</p> <p>Explanatory Note re the Current Rules Applying to Types of Decision</p>		<p><i>Amend the Explanatory Note as set out in Appendix 2.</i></p>	<p>To ensure that the Constitution is accurate and up to date and is clarified in relation to the amendments to the Access to Information Procedure Rules agreed by full Council in May 2019.</p> <p>The Monitoring Officer will make this amendment under his delegated powers in Article 15.02(c)(iii) of the Constitution to reflect changes to arrangements for the distribution of responsibilities and the delegation of powers in accordance with decisions taken by those authorised to do so.</p>
		<p><i>Certain typographical/administrative errors have been corrected in the Constitution under the Monitoring Officer's delegated powers as set out in Article 15.02(c)(i) of the Constitution to correct administrative issues.</i></p>	<p>To ensure that the Constitution is accurate and up to date.</p>
<p>Whole Constitution</p>		<p><i>Amend all references to "Democratic Services Manager" or "Scrutiny Team Leader and Democratic Services Manager" to read "Democratic Services and Scrutiny Manager",</i></p>	<p>To ensure that the Constitution is up to date.</p> <p>The Monitoring Officer will include the Terms of Reference in the Constitution under his delegated powers in Article 15.02(c) of the Constitution to reflect changes to arrangements for the distribution of responsibilities and the delegation of powers in accordance with decisions taken by those authorised to do so.</p>

CURRENT RULES APPLYING TO TYPES OF DECISION

Decision type		Taken by	28 clear calendar ¹⁰ days' publication on Forward Plan?	28 and 5 clear days' notices of exempt information? ¹⁰	5 clear days' notice and report? ³	Decision record?	Subject to call-in?
Executive decisions	Key decisions	Member body ¹	YES	YES ⁹	YES	YES ⁵	YES
		Individual Executive Member	YES	NO	YES	YES	YES
		Individual Officer	YES	NO	YES	YES	YES
	Other Executive decisions	Member body ¹	NO	YES ⁹	YES	YES ⁶	YES
		Individual Executive member	NO	NO	YES	YES	YES
		Individual Officer	NO	NO	NO	YES ⁸ (Unless purely administrative – see footnote 8)	NO
Non-executive decisions	Major decisions	Member body ²	YES ⁴	NO	YES	YES ⁶	NO
		Individual Officer	YES ⁴	NO	NO	POSSIBLY ⁷ (See footnote 7) NO	NO
	Other non-executive decisions	Member body ²	NO	NO	YES	YES ⁶	NO
		Individual Officer	NO	NO	NO	YES ⁷ POSSIBLY ⁷ (See footnote 7)	NO

Notes:

1. *Either the Executive, Committee of the Executive or an Area Constituency Committee.*
2. *The Planning and Regulatory Functions Committee, Area Constituency Committees, Standards Committee, Audit Committee, Appeals Committee (Home to School Transport), Chief Officers Appointments and Disciplinary Committee, Pension Fund Committee and the County Council.*
3. *Five clear days' notice and report – this requirement will be met in relation to member bodies by the publication of agenda papers. For Executive Members it will be met by the requirement that if there is a report which is to be taken into account in making any executive decision, it will be made available to the relevant Overview and Scrutiny Committee Chairman and Vice-Chairman and be available for public inspection. The same will apply to key decisions to be taken by officers. For the purpose of counting five clear days, only days when County Hall is open should be counted, i.e. not weekends or bank holidays.*
4. *Publication of these matters in the Forward Plan is a locally adopted practice and not a statutory obligation.*
5. *By minutes of Executive (or Committee of Executive) meeting or by decision record for Area Committees.*
6. *By way of minutes of meetings.*
7. *A decision record must be produced, published on the website, and made available for public inspection, where the decision has been made by an individual officer either -*
 - (i) *under a specific express authorisation; or*
 - (ii) *under a general authorisation to officers to take such decisions and, the effect of the decision is to -*
 - *grant a permission or licence;*
 - *affect the rights of an individual; or*
 - *award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.*

Examples of such decisions which should normally be recorded include:

- *those made in pursuance of a specific delegation made at a formal committee meeting;*
- *those granting planning/development control/licensing permissions;*
- *those awarding a contract or incurring expenditure of more than £50,000.*

Non-executive decisions which are purely administrative or operational in nature will not usually be subject to the decision record recording and publication requirements, for example those which:

- *are routine, day to day operational decisions under general delegations; and*
- *are within approved budget and policy; and*
- *have financial implications of £50,000 or less;*

HOWEVER, each matter should be considered in light of its particular circumstances and with regard to the likely level of public interest in it.

NB: No need to publish non-executive decision record where the decision already has to be published under other legislation (provided it includes date of decision and reasons for it).

Where a non-executive decision by an individual Officer does not fall into one of the above descriptions, a decision record is not required.

8. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require the recording of **executive** decisions made by individual members or officers under delegated arrangements (this changed the previous provision that only key decisions by officers needed to be the subject of a decision record). However, those executive decisions which are purely administrative or operational in nature will not usually be subject to the decision record recording and publication requirements. The authority has agreed to categorise as administrative/operational those executive decisions which are not key decisions and which:

- are routine, day to day operational decisions under general delegations; and
- are within approved budget and policy; and
- have financial implications of £50,000 or less;

HOWEVER, each matter should be considered in light of its particular circumstances and with regard to the likely level of public interest in it.

9. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require the publishing of notices of any exempt/confidential items **by executive decision making bodies** at least 28 clear calendar days and, subsequently, 5 clear working days' before the meeting. This does NOT apply to individual decisions by individual Executive Members or officers.
10. For longer publication requirements such as 28 days, this is a reference to clear calendar days. For shorter publication requirements eg 5 days, this is a reference to clear working days (see note 3 above).

Proposed Amendments to Paragraph 4.2 of the Officers' Delegation Scheme and Executive Members' Delegation Scheme,

OFFICERS' DELEGATION SCHEME

...

4.2 To the Corporate Director – Children and Young People's Service

...

The following matters are excluded from this delegation:

- (i) Major changes in the pattern of provision for:-
 - Meeting special educational needs;
 - Educational provision for all age groups falling within the Council's statutory duties or permissive powers.
- (ii) Making or terminating appointments to governing bodies of schools, outdoor centres and to any outside bodies, except as set out in ~~©(c)~~, (d) and (e) above, unless such power is specifically delegated by the body empowered to make such appointments. *(NB: The power to make and revoke appointments as LEA appointed school governors is a non-executive function). Any proposal to terminate the appointment of any LEA appointed school governor is to be decided by the Governors Committee.*
- (iii) Responding to invitations to bid for education support grants and other specific external funding which do not comply with existing policy and priorities or which require additional expenditure not budgeted for.
- (iv) Determining priorities for the Adult Learning and Skills Service.

~~(v) Approving the content of major/minor works and temporary classroom programmes where the cost of the project in question is more than £5,000.~~

~~NOTE: The delegated powers are subject to the financial limits contained in current policies, as follows:-~~

~~(vi) Upon the recommendation of the Child Placement Panel, grants of up to £3,000 within the Scheme for financial assistance to substitute parents.~~

~~(vii) On an ex gratia basis and subject to such conditions as the Executive may from time to time prescribe, claims for reimbursement up to £500 with regard to damage to, or loss of, foster parents' own property arising from the acts of foster children placed with them by the County Council.~~

~~(viii) Single payments to substitute families for equipment on loan or single items to maximum £1,000 to enable placement of children.~~

~~(ix) Single payments to young people leaving the Council's care for independent living up to a maximum of £800 in any one case.~~

~~(x) Expenditure, not exceeding £10,500 in individual cases, on adapting premises and providing special aids to assist disabled persons and to purchase equipment up to a sum of £6,000 in the case of stair lifts and vertical lifts so far as the disabled person is a child~~

...

EXECUTIVE MEMBERS' DELEGATION SCHEME

Each individual member of the Executive has the following responsibilities and powers:

...

11. ~~To determine those matters related to the provision of personal social services which are outside of the powers of the Corporate Director — Children and Young People's Service and Corporate Director — Health and Adult Services as set out in paragraph 4.2 (vi), (vii), (viii), (ix) and (x) and paragraph 4.3 (i) and (ii) of the Officers' Delegation Scheme. *[not used]*~~

Reference Number:

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: [insert title of record]

This record is produced in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

This form should be used to record:

- EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and
- EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)
- A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-
 - (i) under a specific express authorisation; or
 - (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to
 - grant a permission or licence;
 - affect the rights of an individual; or
 - award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

(One form per decision)

The following decision has been taken: -

By whom:

.....
(insert name of Meeting, Member or Officer)

On:
(insert date decision taken)

<i>Was this an executive decision?</i>	YES/NO
<i>If an executive decision, was it also a key decision?</i>	YES/NO

Reasons for decision: -

Details of any alternative options considered and rejected: -

--

Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

Conflict	Dispensation?

Background Papers

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed

.....

Publication Date: ***[to be inserted by Jackie Dawson/Julie Robinson the PA to the Assistant Chief Executive (Legal and Democratic services)]***

(Name)

.....

Note 1 regarding Executive decisions only: This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).

Directorate

.....

Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.

Contact for further information: ...(insert email address if possible)

Contact for copy of report considered ...(insert email address if possible)

To: The ~~Senior Legal and Democratic Technical Support Officer, Legal and Democratic Services~~ PA to the Assistant Chief Executive (Legal and Democratic Services) - for onward circulation to:

All Members of the Council; All Management Board; All Management Board Secretaries; All Senior Managers; All Democratic Services Officers; All Corporate Development Officers; Senior Press Officer; Communications Officer