

# Part Five, Section C

## Protocol for Key Decisions

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1. The Council has adopted the statutory definition of key decisions as set out in Regulations. This is: an Executive decision which is likely:-
  - (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
  - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.
2. The Council has not set thresholds of savings and expenditure for different services and budget heads where decisions on expenditure or savings above these limits would be key.
3. The reasons for defining a matter as a key decision is so that it will be included in the Forward Plan and that papers relating to that decision will be publicly available, in accordance with the Access to Information Procedure Rules at Part 4 of the Constitution. The meeting of the Executive at which that decision will be taken will also be public, subject to the Access to Information Procedure Rules.
4. In terms of the first part of the definition set out above, the following shall be key decisions:
  - (a) Award of contracts or expenditure estimated at £500K or above except “spot contracts” and contracts for the supply of energy to the Council
  - (b) Virements between service area revenue cash limits of £250k or above
  - (c) Virements between service area capital budgets.
5. In terms of the second part of the definition set out above, Directors are required to consider in respect of each decision whether it is likely to affect more than one ward. If it does, Directors are required to consider whether the impact on those wards is significant. The following factors should be taken into account:
  - (a) Extent of the impact (i.e. how many wards will be affected)
  - (b) Likely views of those affected (i.e. is the decision likely to result in substantial public interest)

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- (c) Where the decision may incur a significant social, economic or environmental risk
- 6. Where there is any doubt, Directors should refer the decision to the proper officer for the Leader to decide whether or not it is key.
- 7. Officers are prohibited from taking key decisions. Key decisions may only be taken in accordance with Part 4 Section F of this Constitution.