Part 3: Discharge of Council Functions

Section 1: Responsibility And Roles In Decision Making Within Cambridge City Council

1.1 Introduction

1.1.1 The law defines different categories of decisions and who is responsible for making them. This section outlines the different categories and responsibilities and indicates where, within this part of the Constitution, further details may be found.

1.1.2 There is also a framework for advising on decisions and for scrutinising the performance of the Council. Again, this section sets out the responsibilities of the bodies responsible for advising and scrutinizing.

1.1.3 The third element to this part of the Constitution concerns partnership bodies with which the City Council works.

1.1.4 References to responsibility for “decisions” includes responsibility for the exercise of functions.

1.2 Council decisions

1.2.1 Some decisions must, by law, be made by the full Council; i.e. at a formal meeting at which all 42 councillors are entitled to participate and vote. Council decisions are set out in Article 4 of Part 2 of the Constitution.

1.3 Executive decisions

1.3.1 Some decisions are the responsibility of the Council’s Executive. In fact, the Executive is responsible for all Council functions except for those identified by law or by regulations as not being the responsibility of the Executive. If a decision is the responsibility of the Executive, the Council cannot overrule the Executive or give it instructions or on how the decision should be made. However, in certain circumstances, it can ask the Executive to reconsider decisions.

1.3.2 The nature of the Council’s Executive is set out in Article 7 of Part 2 of this Constitution.

1.3.3 Individual Executive Councillors will have responsibility for specific aspects of the Council’s functions. These are set out in Section 2 of this part of the Constitution.
1.3.4 Responsibility for taking Executive decisions may be delegated to officers of the Council. The powers delegated to officers are set out in Section 9 of this part of the Constitution.

1.4 “Local Choice” decisions

1.4.1 The law allows the Council to decide whether some decisions are to be made by the Executive or by other parts of the Council. Section 3 of this part of the Constitution sets out the choices which the Council has made in respect of responsibility for these decisions.

1.5 Responsibility for plans and strategies

1.5.1 Some plans are the responsibility of the full Council. Some are the responsibility of the Executive. Responsibility for some plans is shared, with the Council setting the plan or strategy, on the basis of the Executive’s recommendation, and with the Executive responsible for its implementation. Section 4 of this part of the Constitution sets out responsibility for plans and strategies.

1.6 Regulatory or Non-Executive Decisions

1.6.1 By law, the Executive cannot be made responsible for some types of decision. The Council has established a number of regulatory committees and sub-committees to take responsibility for these. Terms of reference for these regulatory committees and sub-committees are set out in section 5 of this part of the Constitution.

1.7 Overview and Scrutiny

1.7.1 Article 6 of Part 2 of this Constitution sets out the general role and specific functions of the Council’s Overview and Scrutiny Committees. The Overview and Scrutiny Procedure Rules are in Part 4 of this Constitution. The responsibilities of the Council’s individual Overview and Scrutiny Committees is set out in Section 6 of this part of the Constitution.

1.8 Working Groups

1.8.1 The Council has established a number of working groups to help with the discharge of Council functions. These working groups do not have decision-making powers but may make recommendations and give advice to the decision-maker or to the decision-making body. The terms of reference of the Council’s working groups, together with responsibility for their appointment are set out in Section 7 of this part of the Constitution.
1.9 Joint committees and other partnership bodies

1.9.1 The Council participates in a number of partnership bodies, ranging from formal joint committees to less formal discussion forums and consultative bodies. Details of these bodies are set out in Section 8 of this part of the Constitution.

1.10 Decisions made by Council Officers under delegated powers

1.10.1 The Council, its Executive and its regulatory committees may delegate responsibility for making decisions to officers. The Council’s full scheme of delegation to officers is set out in Section 9 of this part of the Constitution.

1.11 Members’ Allowances Panel

1.11.1 The Council has established an independent panel to advise the Council on the allowances to which members of the Council are to be entitled. The terms of reference of the Members’ Allowances Panel are set out in Section 11 of this part of the Constitution.