

# South Northamptonshire Council

## Council

16 September 2020

### Constitution – Responsibility for Functions and Definition of Key Decisions

#### Report of Chief Executive

This report is public

#### Purpose of report

To enable Council to agree the relevant parts of the Responsibility for Functions, and the financial threshold to apply in determining which executive decisions are key decisions, as required by paragraphs 1.1.8 and 1.1.9 of the Council Procedure Rules

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To agree to the Responsibility for Functions set out in Part 10 of the Council's constitution in so far as they relate to Council functions and powers [Constitution Part 10](#)
- 1.2 To agree that the financial thresholds for executive decisions to be designated as "key" are as follows:
  - £50,000 for revenue expenditure
  - £250,000 for capital expenditure
  - Where a decision is being taken to invest some of the Council's reserves as part of the Treasury Management function the threshold is £5 million.

#### 2.0 Introduction

- 2.1 It is a requirement of the Council Procedure Rules that, at the Annual Meeting of Council, those parts of the Responsibility for Functions in Part 10 of the Council's constitution that relate to Council powers are agreed, as is the financial threshold for executive key decisions.

#### 3.0 Report Details

- 3.1 **Responsibility for Functions** – this document sets out the terms of reference for Council, the Cabinet and the Committees, the list of Proper Officers for certain

statutory functions and the powers that are delegated to officers. The document is composite in that it deals with both Council and executive powers. As far as Council powers and functions are concerned it is necessary for the Responsibility for Functions to be approved annually at this meeting.

Following the separation from Cherwell District Council, the Responsibility for Functions have been reviewed and delegations re-allocated to the Senior Management Team. This is set out in Part 10, Responsibility for Functions.

- 3.2 **Key Decisions** – the Council is legally obliged to set a financial threshold for executive decisions (whether taken by the Cabinet or by officers acting under delegated powers) which are to be treated as “key”. Subject to limited exceptions a key decision should be publicised at least 28 days ahead in the Council’s Forward Plan. A written record of each key decision also has to be circulated to all Members and exposed to the possibility of “call in” by the Scrutiny Committee.

The financial threshold that currently applies (and has done since 2001) is £50,000 for revenue expenditure and £250,000 for capital expenditure. Where a decision is being taken to invest some of the Council’s reserves as part of the Treasury Management function the threshold is £5 million. These thresholds are considered to remain appropriate.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Council’s Constitution requires that the Responsibility for Functions in Part 10 of the Council’s constitution that relate to Council powers and the financial threshold for executive key decisions are agreed at the Annual meeting of Council.

## **5.0 Consultation**

None

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend the Responsibility for Functions and/or key decisions threshold.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 There are no financial implications arising directly from this report.

Comments checked by:

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### Legal Implications

- 7.2 The Council's Constitution requires that at the Annual Meeting of the Council the relevant parts of the Responsibility for Functions and the financial threshold to apply in determining which executive decisions are key decisions is agreed.

Comments checked by:

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### Risk Implications

- 7.3 In ensuring the legal requirements are met, risk to the authority is mitigated.

Comments checked by:

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## 8.0 Decision Information

### Wards Affected

All

### Links to Corporate Plan and Policy Framework

All

### Lead Councillor

None

### Document Information

Appendix No	Title
None	
Background Papers	
None	
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