

Part 3

Responsibility for Functions

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This Part of the Constitution shows who in the Council has power to do what, how and by when and within which limits.

The Council is given the power by legislation to undertake a number of functions within the district of South Somerset. Councillors are elected to decide how these functions are exercised and they take decisions within a model of decision making set down in the Local Government and Public Involvement in Health Act 2007. The Act requires the Council to adopt executive arrangements of decision making and the Council has chosen an executive (in South Somerset this is known as “the District Executive”) and arrangements to scrutinise decisions taken by the executive. In Regulations made under the Act and the Local Government Act 2000 the rules of the decision making are set out and show:

- which functions of the Council are not to be responsibility of the executive and are to be the responsibility of the full Council itself (all 60 members meeting together)
- which functions may be, but need not be, the responsibility of the executive: and
- which functions are to some extent the responsibility of the executive.

The Regulations go on to state that all other functions (i.e. the vast majority of functions) not specified under any of the above categories are to be the responsibility of the executive.

This part of the Constitution is divided into the following sections:

Section 1	Functions Reserved for Full Council
Section 2	The allocation of those functions which may be (but need not be the responsibility of the executive (i.e. the “Local Choice” functions listed in Schedule 2 to the Regulations) including reference to any onward delegation of these functions.
Section 3	The allocation of non- executive functions – including any onward delegation e.g. to an officer.
Section 4	The allocation of executive functions including any onward delegation to members of the Executive, Executive committees, area committees, and officers.
Section 5	Allocation of Scrutiny and Overview Functions
Section 6	A detailed Schedule of those functions in Sections 1-4 that have been delegated to officers of the Council (the Officer Scheme of Delegation). Most operational decisions are taken by officers of the Council.
Section 7	Terms of Reference, and composition of Committees and Panels