

## **Article 4 - Full Council**

### **Aim:**

Full Council is the primary decision making body of the Council (with the exception of executive functions). Comprised of all 72 Members, full Council retains decision making responsibility for major strategic decisions, known collectively as the policy framework, and is also responsible for approving the budget. It retains responsibility for regulatory functions and has a role in holding the Executive to account. The Council also has a key role in providing and facilitating community leadership.

A list of the statutory and recommended plans and strategies which make up the policy framework is outlined below.

The functions reserved for full Council decision are defined in this article. This makes clear what authority full Council has in relation to other parts of the Constitution and other decision making bodies of the Council.

The Budget and Policy Framework Procedure Rules in Part 4 of this Constitution detail the process by which the policy & budget framework is agreed.

The Council Procedure Rules (Standing Orders of the Council) contain the detail for three types of Council meeting: the annual meeting, ordinary meetings and extraordinary meetings.

## 4.01 Meanings

- (a) **Policy Framework.** The policy framework means the following plans and strategies:-
- i) those reserved in law for decisions by full Council from the list of plans and strategies which may not be the sole responsibility of the executive specified in Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended):
- Library Position Statement;
  - Corporate Plan;
  - Children and Young People's Plan
  - Crime and Disorder Reduction Strategy;
  - Sustainable Community Strategy;
  - Licensing Authority Policy Statements [Licensing Act 2003 and Gambling Act 2005];
  - Local Transport Plan;
  - Development Plan documents and other Local Development documents that comprise the Local Development Framework;
  - Youth Justice Plan.

- (ii) additional plans and strategies which should be adopted by the Council as part of the Policy Framework:
    - The Corporate Parenting Strategy;
    - Housing Strategy Statement/Investment Programme;
    - Local Agenda 21 Strategy;
    - The Economic Plan;
    - The Cultural Prospectus;
    - Equality, Diversity and Inclusion Strategy;
    - Municipal Waste Management Strategy;
    - Air Quality Action Plan.
  - (iii) there may be other plans and strategies which the Council may from time to time decide should be adopted by full Council as a matter of local choice.
- (b) **Budget** - The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

- (c) **Housing Land Transfer** - Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985.

#### 4.02 **Functions of the Full Council**

Full Council will exercise the following functions:

- (a) adopting and changing the Constitution (including (e), (l) and (m) below;
- (b) approving or adopting the policy framework, the overall Council budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions on any executive function where the decision would be contrary to the agreed policy framework, there is no policy in effect or it is contrary to/or not wholly in accordance with the budget;
- (d) appointing the Leader;
- (e) the composition, appointment and terms of reference of committees including overview and scrutiny boards except where the function has been delegated to the Executive or a committee;
- (f) the appointment of representatives to other bodies except where the appointment is within the functions of the Executive, or has been delegated to an officer or committee;

- (g) adopting a Members' Allowance Scheme;
- (h) decisions to change the name of the Council,
- (i) conferring the title of honorary /woman or awarding the Freedom of the Borough;
- (i) confirming the appointment of the Head of Paid Service, Returning Officer and Electoral Registration Officer;
- (j) making, amending, revoking or adopting by-laws;
- (k) power to promote or oppose local or personal Bills;
- (l) powers to make or amend standing orders (Part 4 Council Procedure Rules);
- (m) powers to make or amend Standing Orders relating to Contracts (Part 4 Financial Regulations and Procedures);
- (n) the discharge of non-executive functions - these can also be delegated to other appropriate committees and bodies;
- (o) approving key strategic plans and documents;
- (p) election of the Civic Mayor and Deputy Mayor who are the Chair and Vice Chair of Council respectively.

#### **4.03 Council Meetings**

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;

(c) extraordinary meetings;

and they will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution (Standing Orders).

#### **4.04 Responsibility for Functions**

Full Council will confirm any delegation of its powers to Committees, Boards and other fora. These responsibilities will be outlined in Part 3 of this Constitution. This does not apply to those functions that are the responsibility of the Executive as these will be confirmed by the Leader of the Council.