

ARTICLE 4 – THE FULL COUNCIL

4.01 Meanings

(a) Policy Framework

The policy framework means those statutory policies and plans which must be approved or adopted by the full Council and are, for the time being, the following:

- Council's Corporate Plan;
- Crime and Disorder Reduction Strategy (Sections 5 and 6 of the Crime and Disorder Act 1998);
- Plans and strategies which together comprise the Local Development Plan Documents (Section 15 of the Planning and Compulsory Purchase Act 2004);
- The plan and strategy which comprise the Housing Investment Programme (HRA Business Plan and Housing Strategy);
- Statement of Licensing Policy (Licensing Act 2003);
- Statement of Licensing Policy (Gambling Act 2005) (on the recommendation of the Cabinet who will have considered a referral from the Licensing and Registration Committee);

Other plans and strategies which the Council may decide from time to time are to be adopted by the Council as a matter of local choice as part of the policy framework, including but not limited to:

- Procurement Strategy (including the Social Value Policy)
- Climate Change Action Plan

(b) Budget:

The budget is a statement identifying the allocation of financial resources (as provided for in the Local Government Finance Act 1992), including capital resources, to different services and projects, proposed taxation levels, to contingency provisions ('reserves and balances') and any plan or strategy for the control of the local authority's borrowing or capital expenditure. This does not include the Housing Revenue Accounts Budgets or rent fixing.

The term budget also does not include the determination of the Council's Capital Strategy. The Annual Budget setting process involves the determination of such allocations, decisions and prudential indicators and setting of the Council Tax.

(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 urban 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

Only the Council will exercise the following functions:

1. Approving or adopting any plans and strategies that form the Council's Policy Framework;
2. Approving the overall budget as set out in 4.01 (b) above including approving and setting the Council Tax;
3. The making of any application to the Secretary of State in respect of any Housing Land Transfer as set out in 4.01 (c) above;
4. Adopting and changing the Constitution unless specifically delegated to the Monitoring Officer;
5. The adoption or approval of a plan or strategy, other than a plan or strategy for the control of the authority's borrowing or capital expenditure or forming part of the Policy Framework, where the Council determines that the decision whether the plan or strategy should be adopted or approved should be taken by them;
6. Approving for the purposes of its submission to the Secretary of State for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004, of a development plan document;
7. Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 5 of this Constitution, making executive decisions about any matter where the decision-maker is minded to make a decision contrary to the policy framework, or contrary to or not wholly in accordance with, the budget
8. The election of the Leader of the Council or the passing of a resolution to remove the Leader of the Council;

9. Agreeing and/or amending the terms of reference for Committees, Sub-Committees etc, deciding on their composition and making appointments to them including their Chairmen and Vice-Chairmen;
10. The appointment of any representatives to outside bodies, including joint committees, unless the appointment is a Cabinet function or the function has been delegated by the Council;
11. Adopting a Members' Allowances Scheme;
12. Adopting and amending the Authority's Members' Code of Conduct;
13. The appointment of Independent Persons on the recommendation of the Monitoring Officer as to who should be appointed;
14. The appointment of the Independent Remuneration Panel on the recommendation of the Chief Executive as to who should be appointed;
15. All functions of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, which the Council has retained for discharge by itself as set out in Part 3, Schedule 2 of the Council's Constitution;
16. All local choice functions of Schedule 2 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, which the Council has retained for discharge by itself as set out in Part 3, Schedule 1 of the Council's Constitution;
17. All other matters which by law must be reserved to the Council.

4.03 Council Meetings

Council meetings will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

4.04 Responsibility of Functions

The Council will maintain the tables and appendices in Part 3 of the Constitution setting out the responsibilities of the Council's functions which are not the responsibility of Cabinet as prescribed in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

4.05 Conflict Resolution in Setting the Budget and Policy Framework

The process of resolving conflict in the setting of the budget and policy framework is set out in the Budget and Policy Framework Procedure Rules in Part 5 of the Constitution.