

**Article 4 – The Full Council**



**4.1 Purpose of the Council**

**The Full Council will;**

- Exercise the functions reserved to it under Article 4.3 and as required under the Council's Financial Procedure Rules;
- Decide the Council's policy framework;

The Council will have the ultimate power to hold the Cabinet to account.

The Council's key functions will be to:

- make decisions required by statute;
- consider and debate budget, policy and major service proposals;
- scrutinise the performance of the Cabinet with the assistance of the Scrutiny Board and Scrutiny Panels;
- provide community leadership on issues of public interest outside the remit of the Council.

**4.2 Conduct of Business**

All Council meetings will be open to the public.

**4.3 The Policy Framework comprises the following plans and strategies:**

a. those required by the Local Government Act 2000 and Regulations:

- Sustainable Community Strategy;
- Community Safety and Harm Reduction Strategy
- Licensing Authority Policy Statement
- Statement of Gambling Policy
- Local Transport Plan;

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- Plans and alterations which together comprise the Local Development Framework;
- Youth Justice Plan
- Sufficiency Strategy;
- Careleavers Strategy
- Health and Wellbeing Strategy.

b. those recommended by the Government:

- The Plan and Strategy which comprise the Housing Investment Programme including housing finance and rents;
- Adult Learning and Skills Strategy;
- Environment Strategy;

c. those which the Council may decide as a matter of local choice from time to time. These are: -

- The Children and Young People’s Plan
- The Corporate Plan
- Corporate Parenting Strategy
- Children and Young Persons Participation Strategy

### **4.4 Budget setting**

The Budget includes the allocation of financial resources to different services and projects, including contingency funds, setting the Council Tax and decisions relating to the Council’s borrowing requirements, its investments and the control of its capital expenditure and the setting of virement limits. It includes the Medium-Term Financial Strategy and the Capital Management Strategy. The Council sets its budget in March each year.

The activities delegated to the Pensions Committee are not part of the Council’s budget, but subject to comparable arrangements controlled and managed by the Pensions Committee.

### **4.5 Function of the Full Council**

Only the Council will exercise the following functions:

- a. adopting and changing the Constitution.
- b. approving and adopting the Budget and the Policy Framework, the 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, making decisions about any matter in the discharge of a Cabinet function which is covered by the

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policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget.

- d. appointing and removing the Leader of the Council.
- e. approving and/or amending the terms of reference for all Committees, Panels and Boards (not being Committees Panels or Boards of the Cabinet), deciding on their composition and making appointments to them.
- f. appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council.
- g. adopting a Councillors' Allowances Scheme.
- h. changing the name of the Council's area,
- i. conferring the honour of Honorary Alderman or Freedom of the City.
- j. confirming the appointment of the Head of Paid Service, the Monitoring Officer and the s.151 Officer and the taking of any disciplinary action against these Officers.
- k. the approval or adoption of applications to the Secretary of State for approval of a programme of disposal of 500 or more properties or where consent is required for disposal of land used for residential purposes;
- l. the approval of an increase in rents for Council housing properties;
- m. making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or personal Acts.
- n. adopting a Code of Conduct for Members (Councillors);
- o. all local choice functions which the Council decides should be undertaken by itself rather than the Cabinet.
- p. approval of the Annual Pay Policy.
- q. dealing with any petition containing 5000+ signatures received by the Council in accordance with the Protocol for dealing with Petitions at Full Council Meetings set out in Part 4.
- r. a Resolution not to issue a casino premises licence under section 166 of the Gambling Act 2005.
- s. all other matters which by law must be reserved to the Council.

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- t. to provide a means whereby councillors may ask questions of matters relevant to the Council's functions and to bring forward motions for debate;
- u. to receive reports from the Leader, the Cabinet, the Governance and Ethics Committee and the Audit Committee which they have referred to Council;
- v. to consider and decide on recommendations of Committees on non-Executive functions not within their delegation or which a committee has referred to the Council for decision;
- w. to consider reports on lawfulness and maladministration;
- x. to consider decisions referred from the Scrutiny Board in respect of executive functions where decisions have not yet been implemented and the Committee considers the decisions may be contrary to the Budget or Policy Framework;
- y. to receive reports from the Leader or Cabinet on urgent decisions contrary to the Policy Framework;
- z. to take all decisions in respect of delegating non-executive functions to another local authority;

### **4.6 Full Council Meetings**

There are three types of Full Council meeting and their purpose is set out in the Full Council Meetings Procedure Rules in Part 4:

- a. The Annual Meeting
- b. Ordinary Meetings
- c. Extraordinary Meetings

They will be conducted in accordance with the Full Council Meetings Procedure Rules set out in Part 4.

### **4.7 Responsibility for Functions**

The Council will set out within this Constitution the responsibilities for the Council's functions which are not the responsibility of the executive - see Part 3 of this Constitution.

### **4.8 Quorum**

The quorum for a meeting of the Council shall be one quarter of the number of voting members of the Council.