

## **Article 4 – The Council**

### **4.01 Meanings**

#### **(a) Policy framework**

The policy framework means the following plans and strategies:

- Sustainable Community Strategy
- Community Safety Strategic Assessment and Partnership Plan;
- Local Transport Plan;
- Development Plan Documents;
- Business Plan
- The plan and strategy which comprise the Housing Investment Programme;

#### **(b) Budget**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, 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 Council**

Only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, determining any matter in the discharge of Cabinet functions which is covered by the policy framework or the budget where the Cabinet or portfolio holder 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 the Leader ;
- (e) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;
- (f) appointing representatives to outside bodies unless the appointment is to be made by the Cabinet;
- (g) adopting an allowances scheme under Article 2.05;
- (h) changing the name of the area or conferring the title of honorary alderman or freeman;
- (i) confirming the appointment and dismissal of the head of paid service;
- (j) making, amending, revoking, re-enacting, adopting or enforcing byelaws and promoting or opposing the making of local legislation or personal Bills;
- (k) all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet; and
- (l) all other matters which, by law, must be reserved to Council.

#### **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.

#### **4.04 Responsibility for functions**

The Council will maintain the committees set out in Part 3 of this Constitution to undertake the Council's functions for which the Council is responsible.