

ARTICLE 4 – THE COUNCIL

4.1 Functions of the Council

Only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving and adopting the Policy Framework and the Budget (including setting the annual budget and level of Council Tax). *[Policy framework and Budget have the meanings set out at clause 4.3 of this Article];*
- (c) agreeing and/or amending the Terms of Reference for Committees, deciding on their composition and making appointments to them;
- (d) considering recommendations from the Executive Committee in respect of new policy initiatives;
- (e) overseeing and/or amending the Work Programme proposed by the Overview and Scrutiny Committee including deciding upon any Service Review priorities;
- (f) determining matters which have been called in by the Overview and Scrutiny Committee and where the recommendation of the Overview and Scrutiny Committee is not accepted by the Executive Committee;
- (g) considering recommendations from the Overview and Scrutiny Committee on the outcome of scrutiny reviews that are not covered by the Terms of Reference of the Executive Committee;
- (h) considering recommendations from the Standards Committee including adopting the Members' Code of Conduct and any Local Protocols;
- (i) considering Motions submitted by Councillors;
- (j) considering any proposed changes to the boundaries of the Borough or its electoral arrangements or the electoral arrangements (including any change of name) of a Parish;
- (k) adopting a Scheme of Members' Allowances;
- (l) changing the name of the Borough;
- (m) determining any delegation to Officers which does not fall within the remit of any Committee;

- (n) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal bills;
- (o) electing the Leader of the Council and Deputy Leader of the Council annually;
- (p) electing the Mayor and appointing the Deputy Mayor annually;
- (q) appointing Independent Persons and the Parish Council representative to the Standards Committee;
- (r) appointing Councillors to be representatives of the Council on outside bodies, unless the appointment has been delegated by the Council, in line with the Protocol at Part 5 of this Constitution;
- (s) conferring the title of Honorary Alderman/Freeman;
- (t) Appointing or dismissing the following Officers:
 - Head of Paid Service.
 - Chief Finance Officer (Section 151 Officer).
 - Monitoring Officer.
- (u) facilitating opportunities for voicing the concerns of the local community and adopting a community leadership role, promoting the “social, economic and environmental well being” of the area;
- (v) all other matters that by Law must be reserved to the Council; and
- (w) the consideration of reports:
 - (i) by the Head of Paid Service (Section 4 of the Local Government and Housing Act 1989) regarding proposals for the discharge of the Council’s functions and staffing and management of the Council’s staff;
 - (ii) by the Monitoring Officer (Section 5 of the Local Government and Housing Act 1989) regarding any contravention, maladministration or injustice by the Council; and
 - (iii) by the Chief Finance Officer (Section 114 of the Local Government Finance Act 1988) regarding the making of a report in circumstances where it appears to him or her that the Council, a Committee of the authority, a person holding any Office or employment under the authority or a joint Committee on which the authority is represented, has made, or is about to make, a decision which involves, or would involve, the authority incurring expenditure which is unlawful or has taken, or is about to take, a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Council, or is about to enter an item of account the entry of which is unlawful.

4.2 Council Meetings

There are three types of Council meetings:

- (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.

4.3 Meaning of Policy Framework and Budget

a. **Policy Framework** means the following plans and strategies:

1. The Council Plan.
2. The Housing Strategy.
3. The Community Safety Strategy.
4. The Statement of Community Involvement.
5. Plans and strategies which together comprise the Council's Local Development Documents.
6. Community Infrastructure Levy Charging Schedule and the publication of an infrastructure list for the purposes of Regulation 123 of the Community Infrastructure Regulations 2010.
7. The adoption of Neighbourhood Development Plans following a successful referendum.
8. The Treasury Management Strategy and Annual Investment Strategy.
9. The Medium-Term Financial Strategy.
10. The Capital Strategy.
11. The Environmental Policy including the Climate Change Strategy.
12. The Waste Strategy.
13. Licensing Policy under the Licensing Act 2003.
14. Gambling Policy.
16. The Food Law Enforcement Service Plan.

Any other plan required by statute to be approved by Council.

Note: The scope of the Policy Framework will be reviewed annually by the Corporate Director and any changes reported to the Council for approval

- b. **Budget** includes the allocation of financial resources of different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

4.4 Public Debate

Upon the report of the Leader of the Council, from time to time as appropriate, the Council may approve a programme to engage and enable public debate on significant issues upon which the authority wishes to engage the public prior to making its decision.

4.5 Lead Members and Member Specialists

1. The Council shall determine, on an annual basis, following consideration of the report of the Leader of the Council, the number of Lead Members on the Executive Committee, the scope of their Portfolios and the names of those Lead Members.
2. The Council shall determine, on an annual basis, following consideration of the report of the Leader of the Council, whether any Specialist Members are required to be appointed.