

## **4. ARTICLE 4 - THE COUNCIL**

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### **4.1 Introduction**

4.1.1 The Council is a formal meeting of all Councillors. The Council is required by law to take certain important decisions including setting the Council's Budget and Council Tax and approving a number of key plans and strategies, which together form the Budget and Policy Framework which are listed below at Article 4.3. The Council must also by law take decisions on a number of specific matters.

4.1.2 The Council provides a central forum for debate and gives the opportunity for Councillors and, at designated meetings throughout the year, members of the public, to ask questions about the Council or matters affecting the Council.

### **4.2 The Council**

#### **4.2.1 Role**

A meeting of the Council is one which all 26 Members are entitled to attend and to speak and vote. The Council is responsible for the Budget and Policy Framework of the Council. It will carry out some functions itself but others will be delegated to Committees or named Officers.

### **4.3 Budget and Policy Framework**

4.3.1 The Council has responsibility for the Budget and Policy Framework.

#### **4.3.2 Meanings**

##### **(i) Budget**

The Policy. Finance and Development Committee recommend to the Council the proposals for the Budget each year. 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 Council house rents and decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and the setting of budget virement limits.

##### **(ii) Policy Framework**

The Policy Framework means the following plans and strategies and such others as the Council shall determine to be included in the Policy Framework.

(iii) **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.

**4.4 Functions of the Council**

Only the Council will exercise the following functions:

- 4.4.1 Adopting and amending the Constitution;
- 4.4.2 Approving or adopting the Budget, the Policy Framework and Council Tax;
- 4.4.3 Approving any application to the Secretary of State in respect of any Housing Land Transfer;
- 4.4.4 Agreeing and/or amending the terms of reference for Committees and Working Groups and deciding on their composition and making appointments to them;
- 4.4.5 Appointing representatives to Outside Bodies unless the appointment has been delegated by the Council;
- 4.4.6 Adopting a Members' Allowance Scheme under Article 2.8 and all other matters which, by law, must be reserved to the decision of the Council as a whole;
- 4.4.7 Changing the name of the area, conferring the title of Honorary Alderman or Freemen of the Borough;
- 4.4.8 Confirming the appointment of the Chief Executive and Deputy Chief Executive and their dismissal;
- 4.4.9 The appointments to the designations of "Head of Paid Service" or "Monitoring Officer" or "Chief Financial Officer" and their dismissal;
- 4.4.10 Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- 4.4.11 Electing the Mayor and Deputy Mayor of the Council;
- 4.4.12 Receiving and adopting reports of Committees, Working Groups and Outside Bodies as appropriate;

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4.4.13 Any matter which is not in accordance with the Policy Framework; and

4.4.14 All other matters which, by law, must be reserved to Council.

### **4.5 Full Council Meetings**

4.5.1 There are three types of Full Council meeting:

- (i) the Annual General Meeting (AGM);
- (ii) ordinary meetings; and
- (iii) extraordinary meetings.

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

### **4.6 Responsibility for Functions**

The Council will keep under review the provisions in Part 3 of this Constitution setting out the responsibilities for the Council's functions.