

## Article 4 - The Full Council

### 4.01 Meanings

(a) **Policy Framework.** The Policy Framework means the following plans and strategies:-

- Annual Library Plan (Section 1(2) Public Libraries and Museums Act 1964);
- Development plan documents (Section 15, Planning and Compulsory Purchase Act 2004);
- Plans and Alterations which together comprise the Development Plan;
- Licensing Authority Policy Statements under the Licensing Act 2003 and the Gambling Act 2005;
- Crime and Disorder Reduction Strategy (Crime and Disorder Act 1998);
- Youth Justice Plan (Crime and Disorder Act 1998);
- The Council's Corporate Plan and associated Annual Plans

(b) **Budget.** The annual budget which includes the allocation of financial resources to different services and projects, including:

- revenue expenditure;
- proposed contingency funds including reserves and balances;
- setting the Council Tax (and any other local tax which may be within the control of the Council);
- decisions relating to the control of the Council's borrowing requirement;
- capital expenditure;
- the Treasury Management Strategy; and
- the Housing Revenue Account.

### 4.02 Functions of the Full Council

Only the Full Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the Policy Framework;
- (c) approving or adopting the Budget or any other plan or strategy relating to the Council's borrowing, investments, capital expenditure and determination of minimum revenue provision;

- (d) agreeing the capital strategy and programme;
- (e) subject to the urgency procedure in the Budget and Policy Framework Procedure Rules, making decisions about any matter which would otherwise be contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget;
- (f) consideration of adverse reports of an Ombudsman where it is proposed that the Council take no action or the recommended action should not be taken (Section 31A, Local Government Act 1974);
- (g) election of the Lord Mayor and appointment of a Deputy Lord Mayor (Sections 4 and 5, Local Government Act 1972);
- (h) appointing and removing the Leader and Deputy Leader;
- (i) agreeing or amending the terms of reference for Committees, deciding on their composition and making appointments to them;
- (j) appointing representatives to outside bodies unless the appointment has been delegated by the Council;
- (k) adopting, amending, revoking or replacing a Members' Allowances Scheme under Article 2.05;
- (l) changing the name of the Area (Section 74, Local Government Act 1972);
- (m) conferring the Freedom of the City and the title of Honorary Freeman (Section 249, Local Government Act 1972);
- (n) approving the Councillor Code of Conduct and any amendments to this;
- (o) confirming the appointment of the Head of the Paid Service and the dismissal of the Head of the Paid Service, Monitoring Officer or Chief Finance Officer;
- (p) making, amending, revoking, re-enacting or adopting bylaws, and promoting or opposing the making of local legislation or personal Bills (Section 239, Local Government Act 1972);
- (q) approving schemes for local authority lotteries;

- (r) resolving under the Local Government (Miscellaneous Provisions) Act 1982 that provisions in that Act relating to Sex Establishments or Street Trading shall be adopted or applied;
- (s) approving:-
  - for public consultation draft proposals for the preparation or alteration to a development plan;
  - submission to the Secretary of State of any plan or strategy that is required to be so submitted including submission for independent examination of a development plan document as required by section 20 Planning and Compulsory Purchase Act 2004;
- (t) making a request under section 57 Local Democracy, Economic Development and Construction Act 2009 for single-member electoral areas;
- (u) passing a resolution to change a scheme for elections under section 32(1), 37(1) or 39(1) Local Government and Public Involvement in Health Act 2007;
- (v) making an order giving effect to recommendations made in a community governance review under section 86 Local Government and Public Involvement in Health Act 2007;
- (w) making arrangements with one or more local authorities for the discharging of any function by a joint committee and making appointments to such a joint committee;
- (x) all other matters which, by law, must be reserved to Council:  
and
- (y) any other functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than a Committee or officer.

(For the avoidance of doubt, a Committee may only amend, modify, revise, vary, withdraw or revoke any plan in the Policy Framework to the extent that it is required by the Secretary of State or a person appointed to carry out an independent examination under Section 20, Planning and Compulsory Purchase Act 2004 or as authorised by Full Council.)

#### 4.03 **Council Meetings**

There are three types of Council meeting:

- (a) the Annual Meeting;
- (b) Ordinary Meetings; and
- (c) Extraordinary or Special 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 Part 3 of this Constitution setting out the responsibilities for the Council's functions.