

APPENDIX 1 – FUNCTIONS OF FULL COUNCIL

[EXTRACT FROM CONSTITUTION]

ARTICLE 4 – THE FULL COUNCIL

“Full Council” is the formal meeting of all the Councillors.

A4.01

Decisions reserved for Full Council; that only Full Council can take

Legally, there are a number of functions which must be discharged by Full Council, and these are set out in in Regulation 3 of the Local Authorities (Committee System) (England) Regulations 2012.

(a) The approval or adoption of the following plans or strategies:

- (i) Annual Library Plan;
- (ii) Crime and disorder reduction strategy;
- (iii) Development Plan documents;
- (iv) Licensing Authority Policy Statement;
- (v) Local Transport Plan;
- (vi) Plans and alterations that together comprise the Development Plan;
- (vii) Sustainable Community Strategy;
- (viii) Youth justice plan;

(b) Approval or adoption of a plan or strategy for the control of the local authority’s borrowing, investments, or capital expenditure, or for determining the authority’s minimum revenue provision;

(c) Approval (where required) of the submission of any plan or strategy (whether in draft or not) referred to in (a) or (b) above to the Secretary of State or any Minister of the Crown for approval;

(d) Making, amending or revoking a Members’ Allowances Scheme (to include basic, attendance and special responsibility allowances);

(e) Determination of any allowance to be paid to the Chair or Vice-Chair of the council (allowances to the Lord Mayor/Deputy Lord Mayor);

(f) Determination of any basic, attendance or special responsibility allowances under an approved Members’ Allowances Scheme;

(g) Making a request to the Local Government Boundary Commission for England for single-member electoral areas;

(h) Passing a resolution to change a scheme for elections (whole council, elections by halves or elections by thirds);

(i) Making an order giving effect to recommendations made in a community governance review;

There are also a number of other responsibilities of custom and practice that should also be discharged by Full Council:

(j) Approval of the annual budget and setting the Council Tax;

(k) Approval of the Treasury Management Strategy;

(l) Approval of the council's non-statutory plan for the delivery of the Council's policies and strategies (known as the "Corporate Plan");

(m) Approval of the council's Constitution;

(n) Approval of the council's Annual Pay Policy Statement;

(o) Establishment of and appointment to committees, including chairs of committees;

(p) Appointment of the Leader and Deputy Leader of the council;

(q) Appointment of the Lord Mayor and Deputy Lord Mayor;

(r) Appointment of the Head of Paid Service, Monitoring Officer, Chief Finance Officer, Returning Officer and Electoral Registration Officer;

(s) Adoption of the scheme of delegation to officers.

Part 3.1 of the council's Constitution sets out in more detail the matters which are reserved to Full Council.

PART 3.1 - FULL COUNCIL FUNCTIONS

The Full Council has responsibility for adopting the budget and policy framework and approving housing land transfers.

(a) The **policy framework** is made up of overarching plans and strategies as set out in Article 4.01. Additional corporate strategies may become part of the policy framework once adopted by Full Council.

(b) The **budget** includes the allocation of financial resources to corporate priorities, 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, investments, capital expenditure, determining the authority's minimum revenue provision and the setting of virement limits.

(c) **Housing Land Transfer** means the approval of an application 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 section 32 or 43 of the Housing Act 1985.

Functions of the Full Council

Only the Full Council can exercise the following functions:

(d) Adopting or amending the constitution;

(e) Approving or adopting the budget and policy framework and the statement of licensing policy;

(f) Subject to the urgency procedure contained in the council's Access to Information Rules, making decisions about any matter which is covered in the budget and policy framework 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;

(g) Approving Housing Land Transfers;

(h) Adopting standing orders as to contracts (section 135 of the Local Government Act 1972);

(i) Electing the Lord Mayor and Deputy Lord Mayor;

(j) The power to appoint and remove the Leader of the Council, the Deputy Leader of the Council and the Chairs and Vice-chairs of committees;

(k) Establishing committees and agreeing their terms of reference, size and the allocation of seats on committees to political groups;

(l) Adopting and revising a members' allowance scheme;

(m) Power to change a name of a county, district or London borough (section 74 of the Local Government Act 1972);

- (n) Conferring Freedom of the City, or the title of Honorary Alderman, Honorary Alderwoman (section 249 of the Local Government Act 1972);
- (o) Confirming the appointment of the Head of Paid Service, Monitoring Officer, Section 151 Officer and Statutory Scrutiny Officer;
- (p) Duty to appoint an electoral registration officer (section 8(2) of the Representation of the People Act 1983);
- (q) Duty to appoint returning officer for local government elections (section 35 of the Representation of the People Act 1983);
- (r) Making, amending, revoking or re-enacting or adopting byelaws;
- (s) Promoting or opposing the making of local legislation (section 239 of the Local Government Act 1972);
- (t) Deciding not to issue a casino premises licence (section 166 of the Gambling Act 2005);
- (u) Making a request for single-member electoral areas (s. 14A(1) of the Local Government Act 1992);
- (v) Duty to divide constituency into polling districts (section 18A to 18E of, and Schedule A1 of the Representation of the People Act 1983);
- (w) Changing the name of an electoral area (s. 59 of the 2007 Act);
- (x) Changing a scheme for elections (s. 32(1), 37(1) or 39(1) Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”));
- (y) All other functions which the council decides should be undertaken by itself;
- (z) Any other function under the Local Authorities (Committee System) (England) Regulations 2012
- (aa) All other matters which by law must be reserved to Full Council