

## **ARTICLE 4 – THE FULL COUNCIL**

### **Terms of Reference**

1. The Council, and only the Council, will exercise the following functions:
  - (a) Adoption of and changes to the Constitution;
  - (b) Approval of, adoption of and revisions to the policy framework and the budget. (The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, 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) Adoption of the following:

#### **Anti-Fraud and Corruption Strategy**

#### **Capital Strategy**

#### **Corporate Plan**

#### **Epping Forest Community Safety Partnership Plan**

#### **Local Plan and plans and strategies which comprise the Plan**

#### **30-year Housing Revenue Business Plan**

Other plans which it decides, as a matter of local choice, should be the responsibility of the Council to adopt or are otherwise required by statute.

- (d) Approval of any application to the Secretary of State in respect of any Housing Land transfer, which includes but is not limited to, 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;
- (e) Adoption of the Council's Code of Conduct;
- (f) Subject to the urgency procedure, contained in the Access to Information Procedure Rules in Part 4 of the Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget 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) Election/Appointment of the Chairman and Vice-Chairman of the Council;
- (h) Appointing the Leader of the Council;
- (i) Appointments to Committees and Sub-Committees (including Chairmen and Vice-Chairmen) by recommendation of the Appointments Panel (if required) except those relating to Executive functions which are the responsibility of the Leader of Council and those delegated to the Overview and Scrutiny Committee;
- (j) Agreeing and amending the terms of reference for Committees, except those relating to Executive functions which are the responsibility of the Executive and those delegated to the Overview and Scrutiny Committee;

- (k) Appointing representatives to outside bodies except those relating to executive functions which are the responsibility of the Leader of Council;
- (l) Adopting an allowances scheme under Article 2 as set out in Part 6 of this Constitution and setting the allowances of the Chairman and Vice Chairman of Council;
- (m) Confirming the appointment or dismissal of the Head of Paid Service;
- (n) Agreeing proposals for redundancy of Chief Executive, Directors, Monitoring Officer, Deputy Monitoring Officer and Chief Financial Officer;
- (o) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (p) All local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the executive;
- (q) Approval of or changes to the scheme of Council delegation set out in Part 3 of this Constitution; and
- (r) The appointment of Honorary Aldermen and Alderwomen under the procedure agreed by the Council on 20 December 2018.
- (s) The appointment of Member Champions under the procedure agreed by the Council on 30 July 2019.
- (t) All matters that fall to the Council as set out in the Council procedure rules in Part 4 of this Constitution.

### **Council Meetings**

2. There are three types of Council meeting:

#### **(a) The annual meeting**

The annual meeting will take place within 21 days of the retirement of the outgoing councillors, no later than June each year.

The annual meeting will:

- (i) elect a person to preside if the Chairman of the Council is not present;
- (ii) elect the Chairman of the Council;
- (iii) appoint the Vice-Chairman of the Council;
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman of the Council;
- (vi) elect the Leader of the Council;
- (vii) be notified by the Leader of the Council of appointments to the Cabinet, on the establishment of Cabinet Committees and memberships, delegation of Executive

responsibilities to Cabinet members and officers and appointments to outside organisations carrying out executive functions;

(viii) Receive a report from the Appointments Panel and determine those appointments that are the responsibility of the Council, including the Chairmen and Vice-Chairmen of Committees, Panels and Groups, and appointments to outside bodies;

(ix) agree the scheme of delegation of functions which are not the responsibility of the Leader of Council;

(x) approve a programme of ordinary meetings of the Council for the year;

(xi) consider any business set out in the notice convening the meeting;

**(b) Ordinary meetings**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

(i) elect a person to preside if the Chairman and Vice-Chairman are not present;

(ii) approve the Minutes of the last meeting;

(iii) receive any declarations of interest from members;

(iv) receive any announcements from the Chairman of the Council, the Leader of the Council and members of the Executive;

(v) receive questions from and provide answers to the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting in the following order:

1. Public Questions

2. Questions under Notice by Councillors

3. Questions by Councillors to the Leader of Council, Cabinet members and the Chairman of the Overview and Scrutiny Committee on written reports and on questions without notice on other matters in accordance with rules set out in the rules for questions set out in the Rules in Part 4 of this Constitution.

(vi) receive reports from the Leader of the Council on the appointment of a Deputy Leader, the Cabinet, Cabinet Committees, Responsibilities of Cabinet members, appointments to outside organisations which are the responsibility of the Executive and delegation of Cabinet functions to officers;

(vii) receive a report from the Leader of the Council on any delegation of executive functions to Joint Committees and local Committees;

(viii) receive written reports from the Leader of the Council, the Chairman of the Overview and Scrutiny Committee and each of the Portfolio Holders and receive questions and answers on any of those reports or any matters falling within their area of responsibility;

- (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (x) consider motions;
- (xi) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees for debate, including annual reports for both Overview and Scrutiny Committees and the Executive on their activities in April of each Council year;
- (xii) any matter of public concern allocated to any ordinary Council meeting for the purpose of debate;
- (xiii) deal with any items of business deemed by the Chairman as urgent business in accordance with Section 100B(4) of the Local Government Act 1972.
- (xiv) debate and respond to petitions where the number of signatures meets or exceeds the trigger level contained in the Council's petitions scheme

**(c) Extraordinary meetings.**

An extraordinary meeting of the Council shall transact the business set out in the agenda but shall exclude motions and questions. Single Issue Council meetings will be an extraordinary meeting.

**Responsibility for Functions**

3. The Council will keep up to date the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive.