

Constitution Article 4 – The Full Council

Existing Text	Suggested Alterations
<p>4.01 Terms of Reference</p> <p>The Council, and only the Council, will exercise the following functions:</p> <p>(a) Adoption of and changes to the Constitution;</p>	
<p>(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, the Council Tax base, 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);</p>	
<p>(c) Adoption of the following:</p> <ul style="list-style-type: none"> Asset Management Plan Best Value Performance Plan Capital Strategy Community Plan/Strategy Crime and Disorder Reduction Strategy Cultural Strategy Development Plan Plans and Strategies which comprise the Development Plan Economic Development Strategy Housing Investment Programme Local Agenda 21 Strategy Local Transport Plan Social Inclusion Strategy Other plans which it decides, as a matter of local choice, should be the responsibility of the Council to adopt; 	
<p>(d) Approval of any application to the Secretary of State in respect of any Housing Land transfer. i.e. 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</p>	

APPENDIX 2

Constitution Article 4 – The Full Council

Housing Act 1985;	
(e) Adoption of the District Council's Codes 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 Council;	
(h) Appointing the Leader and members of the Cabinet;	(h) DELETE “and members of the Cabinet”. REASON: This task is now one for the Leader of Council.
(i) Appointments to Committees and Sub Committees;	
(j) Agreeing and amending the terms of reference for Committees, deciding on their composition and making appointments to them;	
(k) Appointing representatives to outside bodies;	(k) ADD “except those relating to executive functions which are the responsibility of the Leader”.
(l) Adopting an allowances scheme under Article 2.05;	
(m) Confirming the appointment or dismissal of the Head of Paid Service;	
(n) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;	
(o) 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;	
(p) Inviting contributions from relevant community groups or representatives;	
(q) Agreeing and supporting the community engagement activities including the following:	

APPENDIX 2

Constitution Article 4 – The Full Council

<ul style="list-style-type: none"> - working with external partners; - offering opportunities for 'public interaction sessions' community spokespersons etc.; - recognising Council achievements; 	
(r) Delegations from community groups may be invited;	
(s) State of the District debate;	
(t) Single issue debates;	
(u) Receipt of written reports from the Leader, Chairman of Overview and Scrutiny Committee and each of the Portfolio Holders outlining progress on on-going issues within their areas of responsibility; and	
(v) Receipt of questions from Members and consideration of responses, and subsequent debate thereon, on matters falling within the responsibility of the Overview and Scrutiny Committee and each of the Portfolio Holders.	<p>(v) DELETE “and consideration of responses and subsequent debate thereon” because questions are not debated in this way.</p> <p>ADD new (x) as follows:</p> <p>“(x) receipt of questions from the public and consideration of responses”.</p>
<p>4.02 Council Meetings</p> <p>There are three types of Council meeting:</p> <ul style="list-style-type: none"> (a) the annual meeting; (b) ordinary meetings; and (c) extraordinary meetings. 	
<p>4.03 Responsibility for Functions</p> <p>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.</p>	

APPENDIX 2