

# Article 4 – The Full Council

## 4.1 Functions

- (a) There are certain functions the responsibility for which and/or the exercise of which the Council must, by law, reserve to itself or has chosen to do so. These are contained in Appendix 1 which sets out the assignment of responsibility for the functions not only of the Council itself, but also for cabinet functions, overview and scrutiny functions and other non-cabinet functions.
- (b) In summary, the main functions which the Council itself carries out are:
  - (i) adopting and changing the Constitution;
  - (ii) approving or adopting the policy framework and the budget;
  - (iii) subject to the urgency procedure contained in the Access to Information Procedure Rules in Appendix 6 of this Constitution, making decisions about any matter in the discharge of a Cabinet 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;
  - (iv) appointing the Leader;
  - (v) agreeing or amending the terms of reference for committees, deciding on their composition and making appointments to them;
  - (vi) appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;
  - (vii) adopting a members' allowances scheme under Appendix 13;
  - (viii) changing the name of the area;
  - (ix) confirming the appointment of the Head of Paid Service;
  - (x) making, amending, revoking, re-enacting or adopting by-laws and promoting or opposing the making of local legislation or personal Bills;

- (xi) all other matters which, by law, must be reserved to Council.

NB: The functions of full Council are set out in more detail in Appendix 1. As a result of the adoption of cabinet arrangements under the Local Government Act 2000 as amended, full Council or its committees cannot deal with matters which are the responsibility of the Cabinet (i.e. Leader and Cabinet) referred to as cabinet functions. Non-cabinet functions are those which by law must not be the responsibility of the Cabinet. Local Choice functions are those where there is a choice as to whether the Cabinet or another part of the Council exercise them.

#### **4.2 Council Meetings**

There are three types of Council meeting:-

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings;

and they will be conducted in accordance with the Council Procedure Rules attached at Appendix 3 to the Constitution.

#### **4.3 Responsibility for Functions**

The Council will keep up to date Appendix 1 of this Constitution setting out the allocation of responsibilities for the Council's functions.