

ARTICLE 4 - THE COUNCIL

4.1 Meanings

Policy Framework.

4.1.1 The policy framework means the following plans and strategies –

- (i) Corporate Plan (the overarching policy framework)
- (ii) Local Development Framework;
- (iii) Licensing Policy
- (iv) Gambling Policy”

Budget

4.1.2 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, agreement of the capital programme and the medium term financial strategy, and the setting of virement limits.

Housing Land Transfer

4.1.3 Housing Land Transfer means 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.

4.2 Functions of the Council

4.2.1 Only the Council will exercise the following functions -

- (v) adopting and changing the Constitution;
- (vi) approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- (vii) subject to the urgency procedure contained in the Access to Information Procedure Rules in this 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;
- (viii) appointing the Leader of the Council;

- (ix) agreeing and/or amending the terms of reference of Committees, deciding on their composition and making appointments to them;
- (x) confirming the appointment of the Head of Paid Service;
- (xi) all local choice functions set out in this Constitution which the Council decides should be undertaken by itself rather than the Cabinet;
- (xii) those matters relating to elections, name and status of the area and individuals, and miscellaneous functions set out in Appendix 3 of this Constitution; and
- (xiii) all other matters which, by law, must be reserved to Council.

4.3 Council meetings

4.3.1 There are three types of Council meeting -

- (i) the annual meeting;
- (ii) ordinary meetings;
- (iii) extraordinary meetings.

and they will be conducted in accordance with the Council Procedure Rules in Appendix 1 of this Constitution.

4.4 Responsibility for functions

4.4.1 The Council discharges other functions through Committees and officers. Appendices 4 and 8 set out the committees and officers who discharge those functions. Those appendices set out all the functions of the Council that are not the responsibility of the Cabinet.