

### **3 FUNCTIONS OF THE COUNCIL**

3.1 Only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the Policy Framework, the Budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of 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;
- (d) appointing the Leader of the Council;
- (e) agreeing and/or amending the terms of reference for Regulatory Committees and the Overview and Scrutiny Commission, deciding on their composition and making appointments to them;
- (f) appointing representatives to outside bodies unless the appointment is an Executive Function or has been delegated by the Council;
- (g) approving or amending an allowances scheme for Members under part 6 of this Constitution.
- (h) changing the name of the area, conferring the title of Honorary Alderman or Freedom of the Borough;
- (i) confirming the appointment of the Head of Paid Service;
- (j) making, amending, revoking, re-enacting or adopting bylaws and promoting, or opposing, the making of local legislation or personal Bills;
- (k) to refer to the Secretary of State concerns arising from consultations regarding substantial development or variation in health services;
- (l) all other matters which, by law, must be reserved to Council.

#### **Meanings**

- (a) **Policy Framework** - The Policy Framework means the following Plans and Strategies:
  - Adult Learning Plan;
  - Children & Young People's Plan;
  - Council Plan;
  - Development Plan;

- Food Law Enforcement Plan;
  - Housing Strategy;
  - Licensing Authority Policy Framework
  - Local Transport Plan;
  - Safer Communities Strategy;
  - Workforce Pay Strategy;
  - Youth Justice Plan; and
  - Such other plans or strategies as may be specified by the Council as part of the Policy Framework from time to time.
- (b) **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, decisions relating to the control of the Council's borrowing requirement, the control of its Capital Expenditure and the setting of virement limits.
- (c) **Housing Land Transfer** - 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.