



Title:	Constitution of the Council (Part 3B: Full Council)
Owner:	John Teasdale
Date of version:	12th December 2022
Review due:	Annually as required
Approved by Monitoring Officer:	John Teasdale

Adopted by Full Council on 12th December 2022

FUNCTIONS AND PROCEDURES OF FULL COUNCIL

ONLY FULL COUNCIL CAN AMEND THIS PART OF THE CONSTITUTION

1 FUNCTIONS OF FULL COUNCIL

1.1 The following functions will be undertaken by Full Council:

	Function
1.1.1	Elect the Mayor (Council Chairman) and the Deputy Mayor (Council Vice Chairman) ¹
1.1.2	Appoint and remove the Leader ²
1.1.3	Approve and amend the Policy Framework ³
1.1.4	Approve and amend the Budget ⁴
1.1.5	Approve a departure from the Policy Framework and/or the Budget where the executive decision maker is minded to make their decision in a manner which would be contrary to, or not wholly in accordance with, the Policy Framework or the Budget ⁵
1.1.6	Establish, abolish and decide the terms of reference and the composition of Full Council Committees/Panels and make appointments, including co-opted members, to them and other non-executive bodies ⁶
1.1.7	Appoint Chairmen of Full Council Committees/Panels ⁷

¹ Ss 3-5 LGA 1972

² S 9C(3)(a) and S 9IC LGA 2000. Removal of the Leader must be by motion on notice in accordance with Rule 14.4 Part 3A of the Constitution.

³ R 4(4) LA(F&R)Rs 2000. The current Policy Framework is set out in para 4.1 of the Articles to the Constitution.

⁴ R 4(4) LA(F&R)Rs 2000. The Budget is defined in para 4.2 of the Articles to the Constitution.

⁵ R 5(1) LA(F&R)Rs 2000. Subject to the urgency procedure (R 5(2) LA(F&R)Rs 2000) contained in para 5 of Part 3 of the Constitution.

⁶ S 101 LGA 1972. S6 LA2003. The currently established Committees/Panels are set out in Part 3 of the Constitution.

⁷ Full Council may allow the Committee/Panel to make the appointment.

1.1.8	Review the representation of political groups and determine the allocation of seats on Full Council Committees/Panels ⁸
1.1.9	Appoint Substitutes to Full Council Committees/Panels ⁹
1.1.10	Establish and abolish Joint Committees in respect of non-executive functions ¹⁰
1.1.11	Make and amend Standing Orders, Financial Rules and Contract Rules ¹¹
1.1.12	Delegate non-executive powers to officers ¹²
1.1.13	Approve the appointment or dismissal of the Head of Paid Service ¹³
1.1.14	Designate officers as the Monitoring Officer and the Chief Finance Officer ¹⁴
1.1.15	Appoint Proper Officers ¹⁵
1.1.16	Appoint an Electoral Registration Officer ¹⁶
1.1.17	Appoint a Returning Officer for local government elections ¹⁷
1.1.18	Change a scheme for elections ¹⁸
1.1.19	Where it is the function of the Authority, divide Parliamentary Constituencies and local government electoral divisions into polling districts ¹⁹
1.1.20	Change the name of an electoral area ²⁰
1.1.21	Make a request for review of single-member electoral areas ²¹
1.1.22	Alter years of ordinary elections of parish councillors ²²
1.1.23	Change the name of the Borough or a parish ²³

⁸ Ss 15-17 LGHA 1989

⁹ The rules for Substitutes are contained in Part 3A of the Constitution (Rules 7.3-7.9)

¹⁰ S 101(5) LGA 1972

¹¹ Ss 106,135,151 LGA 1972. See Part 3A of the Constitution for Standing Orders i.e. rules of procedure for meetings, Part 4H for Financial Regulations and Part 4D for Contract Procedural Rules.

¹² S 101 LGA 1972. Note that Full Council Committees/Panels and sub-committees may also delegate to officers.

¹³ S4 LGHA 1989 & Part II Sch 1 LG(SO)Rs 2001. See Officer Employment Rules in Part 4I of the Constitution.

¹⁴ S5 LGHA 1989 & S151 LGA 1972

¹⁵ Item 40 of Para. I of Sch 1 LA(F&R)Rs 2000. See Part 3Zc of the Constitution for list and functions of Proper Officers.

¹⁶ S 8(2) RPA 1983. Item 1 Para D Sch 1 LA(F&R)Rs 2000

¹⁷ S 35 RPA 1983. Item 6 Para D of Sch 1 LA(F&R)Rs 2000

¹⁸ Ss 32 & 39 LGPIHA 2007

¹⁹ S 18 & 31 RPA 1983

²⁰ S 59(1) LGPIHA 2007

²¹ A request can be made to the Local Govnt Boundary Commission under S57 LDDCA 2009

²² S 53 LGPIHA 2007

²³ Ss 74 & 75 LGA 1972. Items 1 & 2 of Para E Sch 1 LA(F&R)Rs 2000

1.1.24	Dissolve small parish councils and make orders for grouping parishes, dissolving groups and separating parishes from groups and make temporary appointments to parish councils ²⁴
1.1.25	Fill Council or Parish Council vacancies in the event of insufficient nominations ²⁵
1.1.26	Change ordinary year of election of parish councillors ²⁶
1.1.27	Submit proposals to the Secretary of State for an Order for pilot schemes for local elections ²⁷
1.1.28	Undertake a community governance review ²⁸
1.1.29	Adopt and periodically review a Members' Allowances Scheme ²⁹
1.1.30	Confer title of Honorary Alderman or to admit to be an Honorary Freeman ³⁰
1.1.31	Make an agreement to prepare one or more joint development plan documents ³¹
1.1.32	Authorise application to the Secretary of State for approval of housing land transfer ³²
1.1.33	Make a calculation of and issue a precept ³³
1.1.34	Authorise/revoke authorisation under Section 70 of the Deregulation and Contracting Out Act 1994 ³⁴
1.1.35	Approve the Pay Policy Statement ³⁵
1.1.36	Adopt or amend the Code of Conduct for Councillors ³⁶
1.1.37	Make, amend, revoke, re-enact or enforce byelaws ³⁷
1.1.38	Promote or oppose local or personal bills ³⁸
1.1.39	Change the governance arrangements of the Authority ³⁹

²⁴ Ss 10, 11 & 91 LGA 1972

²⁵ S 91 LGA 1972 & S 39(1) RPA 1983

²⁶ S 53 LGPIHA 2007

²⁷ S 10 RPA 2000

²⁸ Part 4 LGPIHA 2007. R2(6E) LA(F&R)Rs 2000

²⁹ S 18 LGHA 1989 & LA(MA)Rs 2003. Rs2(5)&(6) LA(F&R)Rs 2000. The current scheme is set out in Part 6 of the Constitution.

³⁰ S 249 LGA 1972. Item 3 Para E Sch 1 LA(F&R)Rs 2000

³¹ S 28 PCPA 2004. R4(4A)&4(4C) LA(F&R)Rs 2000

³² Ss 32&43 HA 1985. Rs 4(5),4(6)&4(7) LA(F&R)Rs 2000

³³ S 101(6) LGA 1972. Ss 31A-36 LGFA 1992. Rs 4(9),4(10)&4(11) LA(F&R)Rs 2000

³⁴ Rs 4(12)&4(13) LA(F&R)Rs 2000

³⁵ Ss 38&39 LA 2011.

³⁶ S 28 LA 2011. The current Code is set out in Part 5A of the Constitution.

³⁷ Para F Sch 1 LG(F&R)Rs 2000

³⁸ Para G Sch 1 LG(F&R)Rs 2000

³⁹ Chapter 4 LGA 2000

1.1.40	Take decisions/make recommendations/give comment on matters brought to Full Council by the Leader, Cabinet, officers and other bodies or persons ⁴⁰
1.1.41	Receive and consider statutory reports from the Head of Paid Service and the Monitoring Officer ⁴¹
1.1.42	Pass a resolution not to issue a casino premises licence ⁴²
1.1.43	Apply or cease to apply a late night levy ⁴³
1.1.44	Determine whether local choice functions will be exercised by Full Council or Cabinet and undertake such functions as allocated to Full Council ⁴⁴
1.1.45	Any other function which by law must be exercised by Full Council
1.1.46	Any other non-executive function which is not otherwise provided for under the Constitution

2 PROCEDURES AT FULL COUNCIL

- 2.1 Procedures at Full Council will be governed by the Council Meeting Procedure Rules – see Part 3A.

⁴⁰ See Council Meeting Procedure Rules in Part 3A of the Constitution.

⁴¹ Ss 4&5 LGHA 1989

⁴² S 166 GA 2005. Item 14B Para B Sch 1 LA(F&R)Rs 2000

⁴³ Ss 125,132,133 PRSRA 2011

⁴⁴ R 3 & Sch 2 LA(F&R)Rs 2000. The current allocation of local choice functions is set out in Part 3.2 of the Constitution.