

ARTICLE 4 – THE FULL COUNCIL

4.01 Meanings

- (a) **Policy Framework.** The policy framework includes policies that the law says must be made by the Council and other policies which the Council has decided to include. The policy framework means: -
- (i) Performance Plan;
 - (ii) Community Strategy;
 - (iii) Crime and Disorder Reduction Strategy;
 - (iv) Plans and strategies which together comprise the Development Plan;
 - (v) Food Safety Enforcement Policy;
 - (vi) The plan and strategy which comprise the Housing Investment Programme;
 - (vii) Climate Change Strategy;
 - (viii) Statement of Licensing Policy;
 - (ix) Members' Allowances Scheme;
 - (x) Health and Safety Policy;
 - (xi) Any other plan or strategy which the Council may decide should be adopted by the Council meeting as a matter of choice.
- (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 and decisions relating to the control of the Council's borrowing requirement and the control of its capital expenditure.

4.02 Functions of the full Council

Only the Council will exercise the following functions:

- (a) changing the Constitution; except minor or inconsequential amendments which are delegated for approval by the Monitoring Officer in consultation with the Group Leaders.
- (b) approving or adopting the policy framework and the budget;
- (c) making executive decisions which are outside the policy framework and/or the budget;
- (d) **electing** ~~appointing~~ the Leader **and removing him/her from office** ~~and members of the Cabinet;~~

- (e) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them **(except the Executive)**;
- (f) appointing representatives to Outside Bodies unless the appointment is an executive function or has been delegated by the Council;
- (g) adopting an allowances scheme under Article 2.05;
- (h) changing the name of the area;
- (i) 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) 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; and
- (l) all other matters which, by law, must be reserved to Council.

4.03 **Council Meetings**

There are four types of Council meeting:

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

and they will be conducted in accordance with the [Council Procedure Rules](#) in Part 4 of this Constitution.

4.04 **Responsibility for Functions**

The Council will maintain the tables in [Part 3](#) of this Constitution setting out the responsibilities for the Council's functions which are not **executive functions** ~~the responsibility of the Executive~~.

ARTICLE 7 – THE EXECUTIVE

7.01 Role

The Executive will carry out all of the Local Authority's functions which are not the responsibility of any other part of the Local Authority, whether by law or under this Constitution.

7.02 Form and composition

The Executive will consist of the Executive Leader **together with between two and nine councillors appointed to the Executive by the Leader (one of whom will be appointed by the Leader to act as Deputy Leader) and the Leader will allocate areas of responsibility (portfolios) to them** ~~together with a Cabinet in accordance with the legislation.~~

The Leader may remove Executive members from the Executive at any time.

7.03 Leader

The Leader will be a Councillor elected to the position of Leader by the Council. In the event of there being no overall control by one political group on the Council, election of the Leader may be by way of the single transferable vote system. The Leader **shall hold office for a period of four years starting on the day of his/her election and end on the day of the post-election annual meeting.** ~~will hold office until:~~

The Leader will appoint a Deputy Leader and such other members of the Executive as he/she thinks fit subject to paragraph 7.02 above.

The leader shall continue to hold office unless:

- (a) he/she resigns from the office; or
- (b) he/she is suspended from being a Councillor in accordance with legislation (although he/she may resume office at the end of the period of suspension); or
- (c) he/she is no longer a Councillor; or
- (d) he/she is removed from office by resolution of the Council**
- ~~(d) the next Annual Meeting of the Council save that the Council may remove the Leader from office at an earlier date by a resolution of~~

~~the Council supported by a simple majority of the Members of the Council; or~~

~~(e) the next Annual Meeting of the Council save that the Council may remove the Leader from office at an earlier date in the event of a change in political control of the Council.~~

7.04 The Deputy Leader

The Leader will appoint one of the members of the Executive to be the Deputy Leader.

The Deputy Leader will hold office until the end of the term of office of the Leader unless:

- (a) he/she resigns from the office; or**
- (b) he/she is suspended from being a councillor in accordance with legislation (although he/she may resume office at the end of the period of suspension); or**
- (c) he/she is no longer a councillor;**
- (d) he/she is no longer a member of the Executive or;**
- (d) he/she is removed from office by the Leader**

The Deputy Leader will carry out the functions of the Leader when he/she is absent.

7.05 Other Executive Members

The Leader will appoint between one and eight further Executive members.

~~In the event of there being no overall control by one political group on the Council, election of other Executive Members may be by way of the single transferable vote system.~~

Other Executive Members shall hold office until:

- (a) they resign from office; or**

- (b) they are suspended from being Councillors in accordance with legislation (although they may resume office at the end of the period of suspension); or
- (c) they are no longer Councillors; or
- (d) they are removed from office, either individually or collectively, by the Leader**
- ~~(d) the next Annual Meeting of the Council save that the Council may remove them from office, either individually or collectively, at an earlier date by resolution of the Council supported by a simple majority of the Members of the Council; or~~
- ~~(e) the next Annual Meeting of the Council save that the Council may remove them at an earlier date in the event of a change in political control of the Council.~~

7.06 **Proceedings of the Executive**

Proceedings of the Executive shall take place in accordance with the [Executive Procedure Rules](#) set out in Part 4 of this Constitution.

7.07 **Responsibility for functions**

The Leader will maintain a list as referred to elsewhere in this Constitution setting out which individual members of the Executive, Committees of the Executive, Officers or joint arrangements are responsible for the exercise of particular executive functions.

The Leader will report to Council on all appointments and changes to the Executive scheme of delegation.