

APPENDIX B

Article 4 – The Full Council

4.1 Meanings

- (a) **Policy Framework.** The policy framework means the following plans and strategies:-

Plan, Scheme and Strategy	Reference
<ul style="list-style-type: none"> • Children and Young People's Plan; 	<ul style="list-style-type: none"> • Regulations made under Section 26 of the Children Act 2004 (c.31)
<ul style="list-style-type: none"> • Best Value Performance Plan; 	<ul style="list-style-type: none"> • Section 6(1) of the Local Government Act 1999 9c.27)
<ul style="list-style-type: none"> • Community Strategy; 	<ul style="list-style-type: none"> • Section 4 of the Local Government Act 2000 (c.22)
<ul style="list-style-type: none"> • Crime and Disorder Reduction Strategy; 	<ul style="list-style-type: none"> • Sections 5 and 6 of the Crime and Disorder Act 1998 9c.37)
<ul style="list-style-type: none"> • Health and Well-Being Strategy 	<ul style="list-style-type: none"> • Section 24 of the National Health Service Reform and Health Care professions Act 2002 9c.17)
<ul style="list-style-type: none"> • Local Transport Plan; 	<ul style="list-style-type: none"> • Section 108 of the Transport Act 2000 (c.38)
<ul style="list-style-type: none"> • Plans and alterations which together comprise the Development Plan; 	<ul style="list-style-type: none"> • Section 10A of the Town and Country Planning Act 1990 (c.8)
<ul style="list-style-type: none"> • Welsh Language Scheme; 	<ul style="list-style-type: none"> • Section 5 of the Welsh Language Act 1993 (c.38)
<ul style="list-style-type: none"> • Youth Justice Plan; 	<ul style="list-style-type: none"> • Section 40 of the Crime and Disorder Act 1998 (c.37)
<ul style="list-style-type: none"> • Powers to approve a Young Peoples Partnership Strategic Plan and a Children and Young Peoples Framework Partnership 	<ul style="list-style-type: none"> • Section 123, 124 and 125 of the Learning and Skills Act 2000 (c.21)
<ul style="list-style-type: none"> • Housing Strategy; 	<ul style="list-style-type: none"> • Section 87 of the Local Government Act 2003 (c.26)
<ul style="list-style-type: none"> • Rights of Way Improvement Plan; 	<ul style="list-style-type: none"> • Section 60 of the Countryside and Rights of

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Way Act 2000 (c.37)

[The Local Authorities (Executive Arrangements)(Functions and Responsibilities)(Wales) Regulations 2007 as amended by The Local Authorities (Executive Arrangements)(Functions and Responsibilities)(Wales)(Amendment) Regulations 2009.]

- (b) **Other Policies, Strategies and Plans.** The Council has determined that the approval of all other Operational Plans, processes and procedures will be the responsibility of the Executive, an Individual Executive Member or a Head of Service in accordance with the Document Framework and Approval Process set out in Part 4, Section 10 of this Constitution.
- (c) **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, the control of its capital expenditure and the setting of virement limits.
- (d) **Housing Land Transfer.** Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the National Assembly for Wales 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 full Council

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 National Assembly for Wales in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Budget and Policy Framework Procedure Rules in Part 4, Section 4 of this Constitution, making decisions about any matter which is covered by the policy framework or the budget where the Executive 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 Executive Leader;
- (e) making appointments to the committees of the Council (including Area (Shire) Committees and the Standards Committee)
- (f) allocate Chairs of scrutiny committees of the Council to the relevant political groups.

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- (g) agreeing and / or amending the terms of reference for committees, and deciding on their composition in accordance with the political balance regime where required;
- (h) appointing representatives to statutory and other outside bodies unless the appointment is an executive function or has been delegated by the Council;
- (i) produce and publish a Schedule of Members' Remuneration under Article 2.5;
- (j) changing the name of the area, conferring the title of honorary alderman or freedom of the county;
- (k) making or confirming the appointment of the Head of Paid Service and Chief Officers;
- (l) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills; and
- (m) all local choice functions set out in Part 3 of the Constitution which the Council decides should be undertaken by itself (or one of its committees) rather than the Executive;
- (n) all other matters which by law must be reserved to Council.
- (o) to determine the level, and any change in the level, of the remuneration to be paid to a chief officer.

4.3 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 in Part 4, Section 1 of this Constitution.

4.4 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 the responsibility of the Executive. Any functions not described by law, or in this Constitution, as a function of the Council or its committees, shall be a function of the Executive.

