

## Part 2A

### Terms of Reference of Council

#### Council

##### The Full Council

- 1. Only the full Council can exercise the following functions:**
  - 1.1 adopting and changing the Constitution;
  - 1.2 approving or adopting the policy framework and the budget, including setting Council tax, determining borrowing limits, approval of the capital programme;
  - 1.3 approving the Pay Policy Statement
  - 1.4 approving any application to the Secretary of State in respect of any Housing Land Transfer;
  - 1.5 appointment of the Mayor and noting the appointment of the Deputy Mayor;
  - 1.6 electing chairs and vice chairs of committees;
  - 1.7 appointing the Leader and noting Members of the Executive;
  - 1.8 noting the appointment of the Leader of the Opposition
  - 1.9 approving annually the Allocation of Responsibilities of this Constitution;
  - 1.10 subject to the urgency procedure contained in the Access to Information Procedure Rules in this Constitution, making decisions about any Executive functions which are contrary to the policy framework or contrary to or not wholly in accordance with the budget where these have been referred to the Council by the Call-In sub-committee;
  - 1.11 agreeing and/or amending the terms of reference for the Committees of the Council, deciding on their composition and making appointments to them;
  - 1.12 adopting the Scheme of Members' Allowances set out in the Constitution;
  - 1.13 appointing the Independent Persons under s.27(7) of the Localism Act;
  - 1.14 conferring the title of honorary alderman or freedom of the borough;
  - 1.15 confirming the appointment of the Head of Paid Service or the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer;
  - 1.16 to confirm the dismissal, appointment and designation of the Head of Paid Service;
  - 1.17 to confirm the dismissal and designation of the Monitoring Officer and Chief Finance Officer;
  - 1.18 to confirm the designation of statutory officers detailed in Article 7;
  - 1.19 deciding whether to reject or uphold an appeal against a disciplinary sanction (including dismissal) imposed on an officer by the Employment Sub-committee;
  - 1.20 to approve packages for newly created posts over £100,000 (packages to include salary, bonuses, fees and allowances and benefits in kind);
  - 1.21 to approve any severance packages for Officers of £100,000 or over.  
(packages to include pay in lieu of notice, redundancy compensation and pension strain,

and any bonuses, fees or allowances paid) (report to be taken to Council in advance of any restructure which may result in such payments);

- 1.22 making, amending, revoking, re-enacting or adopting by-laws and promoting or opposing the making of local legislation or personal bills;
- 1.23 to determine the meaning of “significant” in relation to “key” decisions (Article 6 refers);
- 1.24 deciding whether to make a delegation of a non-Executive function or accept a delegation of a non-Executive function from another Authority;
- 1.25 to receive reports and consider recommendations from the Executive; Scrutiny; Governance, Audit, Risk Management and Standards and other Committees as appropriate; and
- 1.26 making appointments and nominations to council companies to outside bodies; and
- 1.27 all other matters which by law must be reserved to Council.

Note: The items referred to in Schedule 1 to the Functions and Responsibilities Regulations in this Constitution may not be the responsibility of the Executive and will be discharged by the Council, one of its Committees or an officer.