

4. ARTICLE 4 – THE FULL COUNCIL

4.1 Meanings

a) Policy framework

The policy framework means the following plans and strategies:

- Community Safety Plan
- Development Plan*
- Local Transport Plan
- One Medway Council Plan
- Statement of Gambling Policy
- Sustainable Communities Strategy
- Youth Justice Plan

* Plans and other strategies which together comprise the Development Plan (ie Local Development Framework and Regional Spatial Strategy) with reference to Part 2 of, and Schedule 8 to, the Planning and Compulsory Purchase Act 2004.

Any other plan or strategy that the Council determines should be designated as a Policy Framework Document and adopted or approved by Full Council.

b) Budget

The budget is the approved allocation of financial resources to services, projects and contingency funds. It also includes, for the purpose of this Constitution, the processes of approving the Council tax base, the budget, the Council tax level itself and the borrowing requirement, the setting of controls on capital expenditure and any limits on budget virements.

c) Housing land transfer

Housing land transfer means the approval or adoption of applications to the Secretary of State for a programme of disposal of 500 or more properties 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 subject to the delegation in part 4 of chapter 3 of this Constitution:

- adopting and changing the Constitution¹;
- approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of any housing land transfer;
- making decisions about matters outside the policy framework or contrary to/or not wholly in accordance with the budget; subject to the urgency procedure contained in the access to information rules in part 2 of chapter 4 of this Constitution;
- appointing and removing the Leader;
- electing the Mayor;
- agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them;
- appointing representatives to outside bodies;
- adopting an allowance scheme set out in Chapter 6 in this Constitution ;
- changing the name of the area, or conferring the freedom of the borough;
- confirming the appointment of the Head of Paid Service;
- confirming the dismissal of the Head of Paid Service, Monitoring Officer and S.151 Officer;
- Appointing the Local Auditor in accordance with the Local Audit and Accountability Act 2014;
- making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- all local choice functions set out in chapter 3 of this Constitution except where those functions have been delegated by the Council;
- all other matters which, by law, must be reserved to Council.

¹ Except as provided by Article 14 of this Constitution.

4.3 Council meetings

There are three types of Council meeting:

- The annual meeting;
- ordinary meetings;
- special meetings (extraordinary meetings).

and they will be conducted in accordance with the Council Procedure Rules chapter 4 of this Constitution.

The Council will maintain the tables in Chapter 3 of this Constitution, setting out the responsibilities for the Council functions, which are not the responsibility of the Cabinet.

References:

Local Authorities (Functions and Responsibilities) (England) Regulations 2000
Chapters 2 and 9, DETR Guidance

