

# **Forest Heath District Council**

## **Article 4 – The Council**

### **4.1 Meaning**

The Council means every councillor of Forest Heath District Council meeting together. By law, there are some things that only the Council has the power to do and other matters are allocated to the Council by this constitution.

### **4.2 Functions of the Council**

Only the Council meeting as a whole will exercise the following functions:

- a) Adopting and changing the constitution.
- b) Approving and adopting the policy framework (see below).
- c) Approving and adopting the budget (see below).
- d) Approving for the purposes of public consultation draft proposals associated with the preparation of or alterations to, or the replacement of, the local development framework.
- e) Subject to the urgency procedure set out in the Budget and Policy Framework Procedure Rules in Part 4 of the constitution making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or budget where the decision maker 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.
- f) Electing the Leader, removing him/her by resolution and electing a replacement in accordance with Article 6.
- g) Approving proposals from committees of the Council for their terms of reference and any changes to them.
- h) Determining the political balance of the council and the allocation of seats in accordance with it or (by unanimous vote) in some other way as the Council sees fit.
- i) Adopting a Members' Allowance Scheme.
- j) Appointing councillors to outside bodies unless this is a function of the Cabinet or has been delegated by the Council.
- k) Approving the appointment or dismissal of the Head of Paid Service.
- l) Changing the name of the area.
- m) Any electoral matters requiring a decision by the Council.
- n) Conferring the title of Honorary Alderman or the Honorary Freedom of the District.
- o) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills.

- p) All local choice functions set out in Part 3 of this constitution which the Council decides should be taken by itself rather than the Cabinet.
- q) To authorise funding from the Council's Capital Investment Fund, over the value of £2m (in line with the Council's Growth Investment Strategy).
- r) All other matters which, by law, must be reserved to the Council.

### **4.3 Council Meetings**

There are four types of Council meeting:

- a) the Annual Meeting;
- b) ordinary meetings;
- c) extraordinary meetings; and
- d) special meetings

and these will be conducted in accordance with the law and with the Council procedure rules set out in Part 4 of this constitution.

### **4.4 The policy framework**

The policy framework means the following plans and strategies:

- a) those required by legislation to be adopted by the Council;
- b) policies and strategies which the Government recommends should be adopted by the Council; and
- c) policies and strategies to be adopted by the Council as a matter of local choice.

The above policies and strategies include:

- Corporate or Strategic Plan
- plans and strategies which together comprise the Local Plan
- Asset Management Plan
- Pay Policy Statement
- Corporate Enforcement Policy
- Licensing Act Statement of Policy
- Gambling Act Statement of Principle

Plus high-level strategies relating to:

- Housing
- Families and Communities
- Waste
- Economic development and growth
- Sustainable development
- Equality
- Customer Access

It may also be appropriate for some regional or sub-regional policies or strategies to be considered by full Council, to be decided on a case-by-case basis.

## **4.5 The budget**

The Council will be responsible for the adoption of its budget. Once the budget is in place it will be the responsibility of the Cabinet to implement it.

The budget comprises:

- revenue budget
- capital programme
- medium term financial strategy (covering revenue and capital)
- prudential indicators including borrowing limits
- treasury management and investment strategy

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 requirements, its investments and the control of its capital expenditure and the setting of virement limits.