

***PROPOSE AMENDMENTS TO PART 2 – THE COUNCIL AND
DISTRICT COUNCIL MEMBERS***

6. Functions of the Full Council

6.1 Only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving, amending or adopting the policy framework, the budget, the Council Tax and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules (Appendix A - Access to Information Procedure Rules), making decisions about any matter in the discharge of an Executive Function which is covered by the policy framework or the 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;
- (d) appointing the Leader of the Council or removing him/her from office;
- (e) agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them;
- (f) appointing representatives to outside organisations unless the appointment relates to an Executive Function;
- (g) adopting an allowances scheme under Part 2 paragraph 4;
- (h) changing the name of the area;
- (i) confirming the appointment of the Chief Executive;
- (j) making, amending, revoking, re-enacting or adopting Byelaws and designations and promoting or opposing the making of local legislation or personal Bills; and
- (k) all other matters which, by law, must be reserved to Council.

In addition, the Council will have a key role in representing the views of the local residents of the District on matters of significance to them.

7. Council Meetings

7.1 There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings; and

- (c) extraordinary meetings.

and they will be conducted in accordance with the Council Procedure Rules contained within Part 2 of this Constitution.

8. Chairing The Council

Role and Function of the Chairman of the Council

- 8.1 The Chairman of the Council will have the following roles and functions (in his/her absence, the Vice-Chairman will have the same roles and functions):

Ceremonial Role

- 8.2 The Chairman of the Council will carry out the ceremonial duties of the Council attending such civic and ceremonial functions as the Council and/or s/he determines appropriate. In this capacity, s/he will be the “first resident” of the District and will take precedence over others present at any function (except for the Sovereign or representative of the Sovereign).

Chairing The Council Meeting

- 8.3 The Chairman of the Council will be elected by the Council annually. The Chairman will have the following responsibilities:
 - (a) to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary in the light of appropriate advice;
 - (b) to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Members and the interests of the community;
 - (c) to ensure that Council meetings are a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Cabinet are able to hold the Cabinet to account; and
 - (d) to promote public involvement in the Council's activities.

9. Annual Meeting of the Council

Timing and Business

9.1 In a year when there is an ordinary election of Members, the Annual Meeting of the Council will take place within 21 days of the retirement of the outgoing Members. In any other year, the Annual Meeting will take place in May.

9.2 The annual meeting will:

- Be held in May each municipal year and will begin at 7 p.m.;
- elect a person to preside if the Chairman of the Council is not present;
- elect the Chairman of the Council;
- elect the Vice-Chairman of the Council;
- approve the minutes of the last meeting of the Council;
- receive any announcements from the Chairman and/or Head of the Paid Service;
- at the first annual meeting following whole council elections, elect the Leader to serve a four year term, ending at the first annual meeting after the next whole Council elections;
- at the first annual meeting following whole council elections, note the appointment by the Leader of the Deputy Leader, all other appointments to the Executive or Cabinet made by the Leader and the delegations of executive functions made by the Leader;
- appoint at least one overview and scrutiny committee, a Standards Committee and such other committees as the Council considers appropriate – to deal with matters which are neither reserved to the Council nor are Executive Functions;
- agree the scheme of delegation for non-executive functions or such part of it as the Constitution determines it is for the Council to agree (including the delegations to Committees set out in this Constitution);
- confirm a programme of ordinary meetings of the Council for the year; and
- consider any business set out in the notice convening the meeting.

Selection of Members on Committees and Outside Bodies

9.3 At the annual meeting, the Council will:

- (a) decide which Committees to establish for the municipal year;

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- (b) decide the size and terms of reference for those Committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) receive nominations of Members to serve on each Committee and outside body;
- (e) appoint to those Committees and outside bodies except where appointment to those bodies has been delegated by the Council; and
- (f) appoint the Chairmen and Vice-Chairmen of Committees.