

Article 4: The Council and the Mayor

4.01 Functions of the 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 Secretary of State in respect of any housing land transfer
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this constitution, 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 and the Mayor
- (e) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them
- (f) adopting an allowances scheme under Article 2.04
- (g) changing the name of the area, conferring the honorary freedom of the borough or appointing honorary aldermen
- (h) confirming the appointment and dismissal of the Head of Paid Service
- (i) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills
- (j) the decision to introduce or revise a council tax reduction scheme
- (k) agreeing council tax discounts and exemptions
- (l) adoption of the members code of conduct
- (m) approving the annual pay policy statement
- (n) Resolution to make a change in governance arrangements
- (o) all local choice functions set out in Part 3 of this constitution which the Council decides should be undertaken by itself rather than the Executive
- (p) all other matters which, by law, must be reserved to Council.

4.02 **Council meetings**

There are four types of Council meeting:

- (a) annual meetings
- (b) ordinary meetings
- (c) council tax and budget setting meetings
- (d) extraordinary meetings

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

4.03 **Role and function of the Mayor**

The Mayor is elected at the Annual Meeting of the Council from among its members. The Mayor is the civic and ceremonial head of the Council. The Mayor appoints the Deputy Mayor.

The Mayor and, in his or her absence, the Deputy Mayor (in the case of (e) and (f) if the Deputy Mayor is chosen by the meeting in accordance with Council Procedure Rule rule 2 (a)) will have the following roles and functions:

- (a) To uphold and promote the purposes of the constitution and, when Chairing the Council meeting, to interpret the constitution when necessary
- (b) To promote public interest in the Council's activities.
- (c) To be the Returning Officer for the parliamentary constituencies within the Borough.
- (d) To attend civic and ceremonial functions
- (e) To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community. [In the case of an equality of votes, then, as the Chairman of the meeting, the Mayor has a second or casting vote.]
- (f) As Chairman of the meeting, to ensure that the Council meeting is 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.

4.04 **Committees of the Council**

The Council will appoint committees and sub-committees, with the membership arrangements shown in the Table appended to this Part. The full functions of each are set out in Part 3 of this constitution.

The Council is required – with a few exceptions – to make appointments to Committees in accordance with the principles of political balance. The number of Members' seats on each Committee shown in the table may be varied by resolution of the Council in order to achieve political balance.

4.05 **Responsibility for functions**

The Council will maintain the tables in Part 3 of this constitution, which set out the responsibilities for those functions of the Council that are not the responsibility of the Executive.