

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

Part E.7

Terms of Reference: Full Council & Non Executive Bodies

SECTION 1 - THE COUNCIL

Only the Council will exercise the following functions:

- (a) Adopting and changing the Constitution;
- (b) Approving or adopting the policy framework as set out in **Article 6.01** (a), above;
- (c) Approving the budget, levying Council Tax and setting the non-domestic rate multiplier;
- (d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;
- (e) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in **Article 6.01** (c), above;
- (f) Subject to the urgency procedure contained in the **Access to Information Procedure Rules** in **Part D** 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;
- (g) Appointing the Leader and Members of the Executive;
- (h) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and delegating functions to them from time to time as may be appropriate;

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- (i) Agreeing recommendations arising from Scrutiny Reviews of non-executive functions ~~Considering reports of the Overview and Scrutiny Committee and the Executive's responses to these reports;~~
- (j) Deciding on recommendations arising from Scrutiny Reviews not accepted by The Executive and referred by the Chair of Overview and Scrutiny Committee;
- (k) Agreeing and/or amending the Scheme of Delegations to Officers;
- (l) Appointing representatives to outside bodies unless the appointment is an Executive function or has been delegated by the Council;
- (m) Adopting and amending an allowances scheme under **Article 4.05**;
- (n) Changing the name of the area, conferring the title of honorary alderman or freedom of the borough and establishing any new Civic Link;
- (o) Confirming the appointment or dismissal of the head of paid service;
- (p) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;
- (q) All **local choice functions** set out in **Part F** of this Constitution which the Council decides should be undertaken by itself rather than the Executive, or any Committee, Sub-Committee or officer;
- (r) Entering into, or confirming existing, joint arrangements with other local authorities
- (s) Adopting the Members' Code of Conduct;
- (t) Approving Pilot Schemes for Local Elections;
- (u) Adopting Standing Orders for the Council and Standing Orders as to Contracts;

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- (v) Making any decisions in respect of non-Executive functions which have not been expressly delegated elsewhere;

- (w) All matters that must be reserved to Council under the Finance Procedure Rules; and

- (x) All other matters that, by law, must be reserved to Council.