

## SECTION 5

### THE FULL COUNCIL

#### 1. Purpose of Full Council

- 1.1 The Full Council is the County Council's primary democratic body. All 62 County Councillors meet together to debate matters of importance and fulfil the functions set out for full Council.

#### 2. Functions of Full Council

- 2.1 The Full Council's primary responsibility is to adopt and approve the County Council's Budget and Policy Framework. The way in which changes to the Budget and Policy Framework are made is governed by the Budget and Policy Framework Rules appended to this section.

- 2.2 The County Council's policy framework sets out the major policies governing the Council's work and includes the following plans and strategies:-

- Annual Library Plan
- Best Value Performance Plan
- Children and Young People's Plan
- Corporate Strategy
- Sustainable Community Strategy
- Crime and Disorder Reduction Strategy
- Development Plan documents contained in the Minerals and Waste Development Framework
- Youth Justice Plan
- Local Transport Plan

- 2.3 The Full Council is also responsible for setting the County Council's budget on an annual basis. This includes the allocation of financial resources to different services, proposed contingency funds, setting the level of Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

- 2.4 The Full Council will also exercise the following functions, some of which may be delegated to Officers of the Authority under the Scheme of Delegation in Section 10 of this Constitution (These functions are indicated by an asterisk):
- Adopting and changing the Constitution on the recommendation of the Audit Committee.
  - Subject to the urgency procedure contained in the Access to Information Rules in Section 12 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 not be in line with the policy framework or the budget.
  - Appointing and removing the Leader of the Council.
  - Setting the maximum number of Support Members.

- Agreeing and/or amending the terms of reference for Committees and Panels, deciding on their composition and making appointments to them.
- Appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council.
- Adopting a Members Allowances Scheme on the recommendation of the Independent Panel.
- Changing the name of the area.
- Conferring the title of honorary alderman.
- Confirming the appointment of, and dismissing, the Head of Paid Service.
- Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local or personal Bills in Parliament.
- All local choice functions set out in the table below which the Council decides should be undertaken by itself rather than the Cabinet (if any).
- Adopting or changing the Members' Code of Conduct.
- The approval, for the purposes of public consultation in accordance with Regulation 10 or 22 of the Town and Country Planning (Development Plans) (England) Regulations 1999, of draft proposals associated with the preparation of alterations to, or the replacement of, a development plan.
- Agreeing to confer additional functions on a joint committee agreed by the Planning Committee for the purposes of Part 2 to the Planning and Compulsory Purchase Act 2004 to be a local planning authority.
- Agreeing to request the dissolution of a joint committee agreed to by the Planning Committee for the purposes of Part 2 to the Planning and Compulsory Purchase Act 2004 to be a local planning authority.
- Appointing the Returning Officer for Local Government Elections.\*
- Dividing electoral divisions into polling districts at Local Government elections.
- Submitting proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.
- To make standing orders.
- To appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal).\*
- To make arrangements for proper administration of financial affairs etc.
- To designate an officer as the head of the authority's paid service, and to provide staff, etc.
- To designate an officer as the monitoring officer, and to provide staff, etc.
- All other matters which, by law, must be reserved to the Council.

### **3. Local Choice Functions**

- 3.1 The County Council is responsible for determining responsibility for Matters which are termed 'local choice' functions under Section 13 of the Local Government Act 2000.
- 3.2 A list of those Local Choice Matters which Full Council has determined should be the responsibility of the Cabinet can be found in Section 6 – The Cabinet.

- 3.3 The Full Council is responsible for the following Local Choice Functions:
- The making of arrangements under section 20 (questions on police matters at Council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of the Staffordshire Police Authority.
  - The Full Council has also determined that the Audit Committee will be responsible for the determination of an appeal against a decision made by or on behalf of the authority.

#### **4. Council Meetings**

4.1 There are three types of County Council meeting:

- The Annual meeting;
- Ordinary meetings;
- Extraordinary meetings.

4.2 Meetings of the County Council will be conducted in accordance with the Procedural Standing Orders in Section 11 of this Constitution.

#### **5. Chairing County Council Meetings.**

5.1 The Chairman and Vice-Chairman of the County Council will be elected by the Council at its annual meeting and The Chairman of the County Council, and in his absence, the Vice-Chairman, will have the following roles and functions:

5.1.1 To uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary.

5.1.2 To plan for and to preside over meetings of the Council, ensuring that its business is carried out efficiently, having regard to the rights of councillors and the interests of the community.

5.1.3 To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and a place at which members who are not on the Cabinet are able to hold the Cabinet and Committee and Panel Chairmen to account.

5.1.4 To promote public involvement in the Council's activities.

5.1.5 To attend or to be represented at such civic and ceremonial functions as he may determine.

5.1.6 To determine any matter referred to him under the urgency provisions in the Access to Information Rules in Section 2 or the Budget and Policy Framework Rules appended to this section.

5.1.7 To respond to any consultations where consultation with the Chairman of the County Council is required under this Constitution.