

THE FULL COUNCIL (All Councillors)

1. PURPOSE

The Full Council is the supreme body for Crawley Borough Council as a Local Authority. It has powers to set the Council's Budget each year. The Full Council also sets the Policy Framework Documents under which the Executive (The Leader and Cabinet) will operate.

There are three types of Full Council meeting:

- a) The Annual Meeting.
- b) Ordinary meetings.
- c) Extraordinary meetings.

and they will be conducted in accordance with the Full Council Procedure Rules.

2. RESPONSIBILITIES OF THE FULL COUNCIL

The Full Council has responsibility for all aspects of the Council where the legislation has stated it must not fall under the "Executive" (such as Regulatory functions) or when it is stated that it must fall under the remit of the Full Council.

The Full Council has established Committees to discharge the majority of its functions. The terms of reference for these Committees are detailed in the following pages of this Constitution.

The Full Council will take responsibility for:

- a) Adoption and changes to the Constitution (other than mandatory changes required by law or minor changes).
- b) Appointing and removing the Leader of the Council.
NB. The appointment of membership of the Cabinet is the responsibility of the Leader.
- c) Appointing the Mayor and Deputy Mayor at the Annual Full Council meeting. These appointees will hold office until the following Annual Meeting when the new Mayor is appointed unless, in the meantime, either cease to be a Councillor prior to the end of their scheduled term of office.
- d) Approval and adoption of the Budget and Council Tax - which 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 requirement, the control of its capital expenditure and the setting of virement limits.

- e) Approval or adoption of the Policy Framework Documents (PFDs) and selected Local Choice Functions (LCFs), which the Full Council has agreed should be undertaken by itself rather than the Cabinet.
- The PFDs are the following plans and strategies:
 - Statement of Licensing Policy.
 - Statement of Gambling Policy.
 - Crime and Disorder Reduction Strategy (Community Safety Strategy).
 - Development Plan Documents, including the Local Plan, for Submission Consultation and Submission, and Adoption.
 - The LCFs are the following plans and strategies:
 - The Council's Corporate Plan.
 - Budget Strategy.
 - The Annual Treasury Management Strategy.
 - Housing Revenue Account Business Plan.
 - Housing Allocations Scheme.
 - Homelessness Strategy.
 - Tenancy Strategy.

NB: The Cabinet will be responsible for producing draft proposals on all aspects contained within d) and e) above for the adoption and approval by the Full Council.

- f) Considering decisions about any matter where the Cabinet is proposing to make a decision which would be contrary to the Policy Framework Documents or contrary to/or not wholly in accordance with the Budget.

Or

Receiving a report from the Leader or the Cabinet on urgent decisions contrary to the Policy Framework Documents.

NB: The above is subject to the Urgency Procedure contained in the Access to Information Procedure Rules.

- g) Constituting, appointing and approving Council Committees, including Terms of Reference and membership and appointing representatives to outside bodies where appropriate.
- h) Agreeing the establishment of Joint Committees including proposed additional powers and requests for the dissolution of such a Committee.
NB: This includes for the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004, a Local Planning Authority.
- i) Agreeing to accept a delegation of a function from another local authority under Section 101 of the Local Government Act 1972 and other relevant Executive Function Regulations.
N.B Where such a delegation relates to an "Executive" function the Cabinet will make a recommendation to the Full Council.
- j) Delegation of "non-Executive" functions to another local authority under Section 101 of the Local Government Act 1972.
N.B delegation of "Executive" functions under this legislation will be the sole responsibility of the Cabinet
- k) Making, amending, revoking, re-enacting or adopting bylaws/Public Space Protection Orders (PSPOs) and promoting or opposing the making of local legislation or Personal Bills.

- l) Housing Land Transfer: submission of applications (in draft or final form) to the Secretary of State for consent to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act, 1985.
- m) Power to resolve not to issue any casino premises licenses within the Borough under Section 166 of the Gambling Act 2005.
- n) Functions relating to electoral processes:
 - Approval of responses to Boundary Commission consultations.
 - Designation and review of polling places and polling districts.
- o) Functions relating to Local Government pensions.
- p) Adoption of the Councillors' Allowances Scheme and the allowance for the Mayor and Deputy Mayor, unless it is updated for inflation in accordance with the Budget Strategy.
- q) Considering any reports submitted by the Independent Person(s) in relation to Standards/Code of Conduct matters.
- r) Approving the appointment of the:
 - Head of Paid Service (Chief Executive).
 - Returning Officer.
 - Electoral Registration Officer.
 - Any post where the salary is above £99,999.
 - Independent Person(s) in relation to Standards/Code of Conduct matters.
 - Independent Member to the Audit Committee.
- s) Approving the designation of the:
 - Monitoring Officer.
 - Chief Finance Officer – Section 151 Officer
 - Deputy Electoral Registration Officer.
 - Data Protection Officer.
- t) Approving the dismissal of the:
 - Head of Paid Service (Chief Executive).
 - Monitoring Officer.
 - Chief Finance Officer – Section 151 Officer.
- u) Considering relevant petitions submitted under the Crawley Borough Council Petitions Scheme.
- v) Adopting and changing the Code of Conduct for Councillors.
- w) Providing a written representation in respect of a Development Consent Order Application Process which provide an overarching summary view of the key matters of importance to the Council (where the Council is a host authority) subject to a scheduled Full Council meeting aligning with the response timescales set by the Planning Inspectorate, otherwise the matter will be solely dealt with by the Planning Committee.
- x) Any decision whether to grant planning permission for any application that is defined as a departure application under the Town and Country Planning (Development Management Procedure) (England) Order 2015 where the recommendation would represent a departure from the Local Plan.
- y) The appointment of review boards under regulations under Subsection (4) of Section 34 (determination of claims and reviews) of the Social Security Act 1998.

- z) Agreeing to change to an alternative governance arrangement as defined in the Local Government Act 2000 as amended.
- aa) To deal with matters relating to Community Governance Reviews as defined in the Local Government and Public Involvement in Health Act 2007.
- bb) Considering reports on lawfulness and maladministration. This includes considering payments or benefits and final reports of the Ombudsman where the Council does not propose to action their recommendation.
- cc) Changing the name of the area, conferring the title of Honorary Alderman or Freeman of the Borough.
- dd) All other matters which, by law, must be reserved to the Full Council.

NB: The majority of the matters above will be considered by a Committee or the Cabinet prior to their determination by the Full Council.

3. DOCUMENTS RELATED TO THE FULL COUNCIL

- Full Council Procedure Rules.
- Access to Information Procedure Rules.
- Policy Framework Document Procedure Rules.
- Financial and Budget Procedure Rules.
- Petitions Scheme.
- Council Officer Responsibilities and Decision Making.