

Role of Council

The full Council is the term for the assembly of all 78 elected members of the North Northamptonshire Council. The decisions made by Council are those decisions set out in legislation as non- executive. Most of these are set out within this document but it is not an exhaustive list. Examples of decisions which must be taken by the Council are setting the council's budget, agreeing the overarching policy of the council "the Policy Framework" and appointing non- executive committees.

In addition, the Council will allocate non-executive functions to Committees (set out later in the constitution) to deal with matters that require objective decision making. These include staffing, elections, planning and licensing.

Anything that isn't set out within the constitution or legislation as being a non-executive function shall be determined by the Executive.

1. FUNCTIONS

1.1 The Council's functions are:

- 1.1.1 adopting and amending the council's constitution;
- 1.1.2 approving or adopting the council's Budget and Policy framework;
- 1.1.3 Setting the Council tax base
- 1.1.4 approving, adopting amending, modifying, revising, varying, withdrawing or revoking any plan or strategy which forms part of the Budget and Policy Framework
- 1.1.5 subject to the urgency procedure of the council's Budget and Policy Framework Procedure Rules, making decisions which relate to an executive function which is covered by the Budget and Policy Framework, when the decision would be contrary to, or not wholly in accordance with the Budget, or would be contrary to the Policy Framework;
- 1.1.6 appointing, removing and determining the term of office of the Leader of the Council;

- 1.1.7 To annually elect a Chairman and Deputy Chairman
- 1.1.8 deciding the composition of a council Committee and determining the Terms of Reference
- 1.1.9 appointing councillors to represent the council on outside bodies (unless the appointment is or relates to an executive function, or it has been delegated by the council to an individual or council body);
- 1.1.10 adopting, amending, revoking or replacing the Member Code of Conduct and the council's Arrangements for Dealing with Standards Complaints;
- 1.1.11 adopting, amending, revoking or replacing a Member Allowance Scheme;
- 1.1.12 passing byelaws and local legislation;
- 1.1.13 confirming and terminating the appointment of the council's Head of Paid Service (Chief Executive), Monitoring Officer and Section 151 Officer;
- 1.1.14 the non-executive functions specified in this constitution as being the responsibility of the Council;
- 1.1.15 appointing Honorary Aldermen;
- 1.1.16 Deciding whether to make proposals for a change in governance arrangements, deciding whether the change should be subject to approval in a referendum and passing a resolution to make a change
- 1.1.17 Approving and amending the annual Pay Policy Statement under Section 38 of the Localism Act 2011
- 1.1.18 making a request to the Local Government Boundary Commission for England under section 57 Local Democracy, Economic Development and Construction Act 2009 in relation to single-member electoral areas;
- 1.1.19 a resolution to change a scheme for elections under sections 32, 37 or 39 Local Government and Public Involvement in Health Act 2007;
- 1.1.20 functions relating to a community governance review under Local Government and Public Involvement in Health Act 2007

1.1.21 To adopt Local Development Documents and plans which together comprise the Local Development Framework; principally the NN Strategic Plan and all Part Two Local Plans

1.1.22 Authority to seek and make a Compulsory Purchase Order or to acquire land for housing purposes (Housing Act 1985)

1.1.23 all other functions which by law must be reserved to the Council.

1.1.24 so far as the law requires appointment of a local auditor at least once every five years;

1.1.25 the appointment of independent person(s) to the extent required for the purposes of issues arising in relation to any Members' Code of Conduct (including in respect of Parish and Town Councils) and/or arrangements relating to the dismissal of the Head of Paid Service, Monitoring Officer and/or Section 151 Officer;

1.1.26 appointment of Electoral Registration Officer;

1.1.27 appointment of Returning Officer;

In relation to the Northamptonshire Childrens' Trust to approve

- a) The appointment and removal of the Chair and Chief Executive, or alterations to their terms of appointment
- b) The appointment and removal of a Council Director to the Board of the Trust
- c) Any changes to the membership of the Trust
- d) Any changes to the Articles of Association
- e) The voluntary winding up of the company (of the Trust) or its dissolution
- f) Any changes to governance arrangements arising from the annual review thereof

2. Budget and Policy Framework

1. What is the Budget and Policy Framework?

1.1 The Council is responsible for setting the budget and policy framework. This sets out the broad financial envelope and the policy framework for decisions made by the Executive

1.2 The following are what constitute the council's Policy Framework;

- **Crime and Disorder Reduction Strategy** (under Sections 5 and 6 of the Crime and Disorder Act 1998);
- **Youth Justice Plan** (under Section 40 of the Crime and Disorder Act 1998);
- **Development Plan and Documents** (under Section 15 of the Planning and Compulsory Purchase Act 2004 and Plans and Alterations which together form the Development Plan under Part 2 of, and Schedule 8 to the Planning and Compulsory Purchase Act 2004)
- **Licensing Authority Policy Statement** (under Section 349 of the Gambling Act 2005);
- **The Councils Corporate Strategy/Plan**
- **Housing Strategy** (under Section 87 of the Local Government Act 2003)
- **Tenancy Strategy** (under Section 150 of the Localism Act 2011)
- The plan and strategy which comprise the **Housing Investment Programme**
- **Health and Wellbeing Strategy** (under the Health and Social Care Act 2012)
- **Climate Change Action Plan**
- **Annual Library Plan**
- **Children and Young Peoples Plan**
- **Local Transport Plan**
- **Minerals and Waste Development Framework**
- **Capital Investment Strategy and Medium-Term Financial Strategy**
- **Other plans and strategies determined by Council**

1.3 The following are what constitutes the council's Budget Framework;

- calculations required under section 31A, 31B and 36 of the Local Government Finance Act 1992
- the council tax requirement including the basic rate of council tax and the setting of council tax for respective bands

- decisions relating to the control of the Council's borrowing, capital expenditure, treasury management, annual investment strategy and minimum revenue provision in accordance with relevant Codes of Practice.