

# **Article 4 – Full Council Meetings**

## **4.01 Introduction**

The full Council is a formal meeting of all 39 Councillors. The full Council is required by law to take certain important decisions including setting the Council's Budget and Council Tax and approving a number of key plans and strategies, which together form the Policy Framework (listed below). The full Council must also by law take decisions on a number of specific matters.

The full Council provides a central forum for debate for all Councillors and they are able to ask questions. Members of the public are able, to ask questions about the Council or matters affecting the Council at all full Council meetings with the exception of the Annual Meeting.

## **4.02 Council meetings**

There are three types of Council meetings:

- (a) the Annual Meeting;
- (b) Ordinary Meetings; and
- (c) Extraordinary Meetings.

## **4.03 Functions of Council Meetings**

The Council will keep under review the tables in Part 2 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive

## **4.04 Council Policy Framework**

The policy framework is made up of a series of statutory plans and strategies as follows:

- those required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000;
- those other plans and strategies which Chapter 2 of Department for Communities Local Government Guidance recommends should be adopted by the Council as part of the Policy Framework; and
- other plans and strategies which the Council may decide should be adopted by the Council meeting as a matter of local choice. Other overarching corporate plans and strategies may become part of the policy framework as the need arises.

The Council's Policy Framework can be viewed on [Council Website](#).

## **4.05 Budget**

Councillors will set the Council's budget each year at the Council meeting held in February and contains a number of components:

- (a) the allocation of financial resources to different services and projects;
- (b) proposed contingency funds;

- (c) the Council tax base;
- (d) setting Council tax;
- (e) decisions relating to the control of the Council's borrowing requirement;
- (f) the control of the Council's capital expenditure; and
- (g) the setting of virement limits.

#### **4.06 Housing Land Transfer**

Housing Land Transfer is:

- (a) the approval / adoption of applications (whether in draft form or not) to the Secretary of State to approve a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993; and
- (b) dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

# **Article 5 – The Lord Mayor and Chairing of the Council**

## **5.01 Role and function of the Lord Mayor**

Any elected Member of the Council is eligible for election to the office of Lord Mayor or Deputy Lord Mayor, with the only exception being for members of the Executive.

The Lord Mayor is elected each year from the 39 Councillors at Annual Council in May. The Deputy Lord Mayor is appointed at the same meeting.

The Lord Mayor throughout their term of office of one year should remain impartial in all matters of policy and should not be involved in the direction of affairs or be involved in any campaigns. The Lord Mayor should also not be involved in any Council policy or activities of a controversial nature.

The Lord Mayor may be a member without voting powers of every standing committee appointed by the Council (with the exception of the Executive) except where otherwise provided by statute or a scheme made under statutory authority.

Whilst the Lord Mayor is non-political during their term of office, the Deputy Lord Mayor remains politically active and may also be a committee member (with the only exception being for a member of Executive).

## **5.02 Civic Role**

The Council's Lord Mayor, supported by the Deputy Lord Mayor and their Consorts, will perform the Council's civic role. This entails representing, supporting and promoting the businesses and the people of Exeter.

The Lord Mayor will decide which civic and ceremonial functions during their year of office. These events:

- (a) promote the city through business and community activities;
- (b) support local charities and community organisations; and
- (c) raise funds for their own chosen charity.

## **5.03 Chairing the Council Meeting**

The Lord Mayor also has the following responsibilities:

- (a) 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;
- (b) to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary; and
- (c) to ensure that the Council meeting is a forum for debate and the place at which members can be held to account.

# **Article 14 – Review and Revision of the Constitution**

## **14.01 Duty to monitor and review the Constitution**

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and report to the Audit & Governance Committee.

A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in Article 1.

In undertaking this task, the Monitoring Officer may:

- (i) Observe meetings of different parts of the Member and officer structure;
- (ii) Undertake an audit trail of a sample of decisions;
- (iii) Record and analyse issues raised with them by members, officers, the public and other relevant stakeholders as part of an annual review; and
- (iv) Compare practices in this Council with those in comparable authorities, or national examples of best practice.

The Chief Finance Officer shall be responsible for keeping under review the Financial Regulations set out in [ ] to the Constitution and shall make any necessary amendments and revisions as are required from time to time. They shall report any amendments made to the Financial Regulations to the Audit & Governance Committee.

## **14.02 Changes to the Constitution**

- (a) Changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Audit & Governance Committee.
- (b) Minor Changes

If, in the reasonable opinion of the Monitoring Officer, a change is:

- a. A minor variation; or
- b. Required to be made to remove any inconsistency or ambiguity; or
- c. Required to be made so as to put into effect any decision of the Council or its committees or the Cabinet,

In which case the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect and they will notify all Councillors of the minor amendments.

All changes to the Constitution will be recorded, giving the date of the change and the reason for the amendment.