

The Full Council

Functions of the Full Council

1. The following functions are the responsibility of the Council and will be discharged by the Full Council (all Councillors meeting together) unless specifically delegated to another Committee, Sub-Committee, body or officer elsewhere in this Constitution.

The Council:

- 1.1 is accountable to its citizens for the proper discharge of all of its functions and the delivery of all its services
- 1.2 will keep under review the running of the Council's affairs and will implement changes where it considers there is a need to do so to improve the way in which the organisation operates, its relationships with the Council's citizens and the delivery of any services in the most effective and efficient way
- 1.3 will adopt the Council's Constitution and approve any amendments to it (except where specifically delegated to the Constitution Commission or the Monitoring Officer)
- 1.4 will:
 - elect the Mayor
 - appoint the Deputy Mayor
 - elect the Leader of the Council
 - appoint to such other offices and/or positions as may be required under this Constitution or by law.
- 1.5 will adopt the Policy Framework and any of the policies within it
- 1.6 will agree the Council's Budget
- 1.7 will determine any decision which would otherwise be contrary to the Policy Framework or contrary to/or not wholly in accordance with the Budget
- 1.8 will determine whether functions which are classified as "Local Choice" functions should be reserved to the Council or exercised by the Leader
- 1.9 will adopt the Council's Codes of Conduct for Members and Officers and the Protocol on Member/Officer Relations
- 1.10 will agree:
 - the establishment and composition of Committees and Sub-Committees, other than those which may be established within the Cabinet
 - The political balance of such bodies as required from time to time

- the allocation of chairmen and vice-chairmen to those bodies (see paragraph 2 below).
 - 1.10 will agree and amend the terms of reference of its Committees and Sub-Committees and the job description for committee chairmen
 - 1.11 will consider any matter which has been referred or submitted to it by the executive for information, views or debate (but recognising that an Executive matter remains the sole responsibility of the Leader and the Council cannot make a decision in relation to it)
 - 1.12 will determine any matter which is referred to it for determination by a Committee or Sub-Committee other than an Executive body
 - 1.13 will approve the Members' Allowance Scheme for elected Members following advice from the Independent Remuneration Panel
 - 1.14 will appoint the Head of Paid Service and designate an officer to act as Monitoring Officer and an officer to act as Section 151 Officer
 - 1.15 will appoint the Returning Officer and Electoral Registration Officer
 - 1.16 will approve the Council's response to any issues or proposals in relation to local government boundaries including Electoral Wards, the conduct of elections and the discharge of council functions
 - 1.17 may take decisions relating to the name of the area and may confer the title of Honorary Alderman or Freedom of the Borough
 - 1.18 may make decisions relating to the making, amending, revoking, re-enacting, adopting or enforcing byelaws and promoting or opposing the making of local legislation or personal bills
 - 1.19 will take decisions in respect of functions which are not the responsibility of the Executive, and which have not been delegated by the Council to Committees, officers or elsewhere.
2. Nominations to the Council's non-executive committees, sub-committees and decision-making bodies, and changes to such nominations, including nominations to chairmanships and vice-chairmanships, shall be notified by the Council's Group Leaders or Group Whips in writing or by email to the Head of Governance and Democratic Services and shall thereafter be published on the Council's website. Such nominations shall be in accordance with the relevant numerical allocations made by Council in relation to the body in question.

Council Meetings

3. There are different types of Council meeting:
- The Annual Meeting of the Council
 - Ordinary meetings

- Extraordinary meetings, which will be called as and when required in accordance with the Council Procedure Rules.
4. All Council meetings will be conducted in accordance with the Council Procedure Rules.

Policy Framework

5. The Council must have a policy framework. This is a list of plans and strategies which are relevant to the Council's functions and are required by law to be decided by the full Council, usually on the recommendation of the executive.
6. The policy framework includes:
 - 6.1 - Future Libraries MK Plan (Annual Library Plan)
 - 6.2 - Safer MK Plan (Crime and Disorder Reduction Strategy)
 - 6.3 - Plans and Strategies which together comprise the Development Plan and Development Plan Documents
 - 6.4 - Youth Justice Plan
 - 6.5 - Licensing Authority Policy Statement - Gambling Statement of Principles
 - 6.6 - The Council Plan
 - 6.7 - The Local Transport Plan
 - 6.8 - Plans which comprise the Children and Young people's Plan

Budget

7. The Full Council sets the Council's budget each year. The budget has a number of elements as follows:
 - 7.1 The allocation of financial resources to different services and projects
 - 7.2 Proposed contingency funds
 - 7.3 Setting the Council tax
 - 7.4 The Council's borrowing requirement
 - 7.5 Its capital expenditure
 - 7.6 The setting of virement limits

Local Choice Functions

8. Certain functions of local authorities are classified as "Local Choice" functions under the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule

2. This means that the Council can decide which of these decisions should be taken by the Full Council and which should be taken by the Cabinet.

9. The following table sets out who makes decisions on Local Choice Functions:

Function	Decision Making Body	Delegation of Functions
Any function under a Local Act other than a function specified or referred to in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000	Leader	The Council does not currently have any functions under a Local Act.
The determination of an appeal against any decision made by or on behalf of the Authority	Council - 3 Members drawn from the Appeals Commission.	The three Members drawn from the Appeals Commission will have delegated authority to determine the appeal.
To make arrangements for appeals against exclusion of pupils from maintained schools ¹	Council	The Service Director Legal and Democratic Services shall act as Clerk to Appeals Panels, and shall arrange for the appointment and training of Panel members.
To make arrangements for appeals regarding school admissions ²	Council	The Service Director Legal and Democratic Services shall act as Clerk to Appeals Panels, and shall arrange for the appointment and training of Panel members.
To make arrangements for appeals by governing bodies ³	Council	The Service Director Legal and Democratic Services shall act as Clerk to Appeals Panels, and shall arrange for the appointment and training of Panel members.
Any function relating to contaminated land	Council	Delegated via the Officers Scheme of Delegation
The discharge of any function relating to the control of pollution or the management of air quality	Council	Delegated via the Officers Scheme of Delegation
The service of an abatement notice in respect of a statutory nuisance	Council	Delegated via the Officers Scheme of Delegation

¹ The making of arrangements pursuant to Section 67(1) and Schedule 18(2) of the 1998 Act (Appeals Against Exclusion of a Pupil)

² The making of arrangements pursuant to Section 94(1) and (4) and Schedule 24(2) of the 1998 Act (Admission Appeals)

³ The making of arrangements pursuant to Section 95(2) and Schedule 25(2) of the 1998 Act (Children to Whom Section 87 Applies: Appeals by Governing Bodies)

Function	Decision Making Body	Delegation of Functions
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area	Council	Delegated via the Officers Scheme of Delegation
The inspection of the Authority's area to detect any statutory nuisance	Council	Delegated via the Officers Scheme of Delegation
The investigation of any complaint as to the existence of a statutory nuisance	Council	Delegated via the Officers Scheme of Delegation
The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interest in land	Leader or Council (as appropriate)	The Leader, or the Council, as the case may be, may delegate some or all of the function to one or more appropriate officers.
The obtaining of particulars of persons' interest in land ⁴	Leader or Council (as appropriate)	The Leader, or the Council, as the case may be, may delegate some or all of the function to one or more appropriate officers
The making of agreements for the execution of highways works	Leader	The Leader may delegate some or all of the function to one or more Cabinet Members or one or more appropriate officers.
The appointment of any individual: (a) to any office other than an office in which he/she is employed by the Authority; (b) to anybody other than: (i) the Authority; (ii) a Joint Committee of two more Authorities; or (c) to any Committee or Sub-Committee of such a body, and the revocation of any such appointment	Council or Leader in accordance with a scheme to be agreed by the Council	The Council may delegate the appointment of Members to the Cabinet, in accordance with a scheme for appointments to be agreed. The Council, or the Leader may, in turn, delegate to one or more appropriate officers, authority to appoint officers to represent the Council on one or more of the bodies stated
To make agreements with other local authorities for the placing of staff at the disposal of those other authorities	Leader	

⁴ Section 16 of the Local Government (Miscellaneous Provisions) Act 1976

Appointment to Outside Organisations

11. The Executive, or Individual Portfolio Holders may make appointments to a number of local and regional organisations.

Role of the Mayor and Chairmanship of the Council

Civic Role

12. The Council's Mayor, supported by the Deputy Mayor will perform the Council's civic role.
13. This entails raising and maintaining the profile of the Council's area and its citizens. The aims and values of the Council will be promoted in an apolitical manner.
14. The Mayor will decide which civic and ceremonial functions to promote following consultations, where appropriate, with officers of the Council.
These functions may include representing the Council at events organised by other local authorities or organisations.

Role and function of the Mayor

15. The Mayor will be elected by the Council annually. The Council will also elect a Deputy Mayor.
16. The Mayor, and in his/her absence, the Deputy Mayor, will have the following responsibilities:
 - to uphold and promote the purposes of the Constitution, and to interpret the Constitution at meetings of the Council;
 - 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;
 - to ensure that the Council Meeting is a forum for the debate of the matters of concern to the local community and the place in which Members who are not on the Cabinet are able to hold the Executive to account;
 - to promote public involvement in the Council's activities;
 - to be the conscience of the Council; and
 - to attend such civic and ceremonial functions as the Council and he/she determines appropriate.

Who may become Mayor or Deputy Mayor

17. Any elected Member of the Council shall be eligible for election to the office of Mayor, or appointment as Deputy Mayor, except for Members of the Executive.