

Council Constitution, Part 2 - Articles of the Constitution (Article 4 - The Council)

Article 4 - The Council

1 Policy Framework

The following policies, strategies and plans are:

- a) **Required** by the Local Authority Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 (as amended) to be adopted by the Council, namely:
 - i) Corporate Plan 2018/22 (inc. Well-Being Objectives)
 - ii) Development Plan (LDP)
 - iii) Local Housing Strategy
 - iv) Local/Regional Transport Plan
 - v) Countryside Action Plan
 - vi) Single Integrated Plan*
 - vii) Welsh Language Strategy (inc. Welsh Language Standards)
 - viii) Youth Justice Plan

*The Single Integrated Plan replaces four of the existing plans and strategies which formed part of the Policy Framework, namely the Community Strategy, the Children and Young Person's Plan, the Health, Social Care and Wellbeing Strategy and the Community Safety Partnership Plan.

- b) Recommended by **Guidance** to be adopted by Council.
- c) In addition, the **Council** have adopted the following strategies and plans:
 - Accessibility Strategy and Guidance to Schools on the production of Accessibility Plans
 - Admission Arrangements for Schools
 - Adoption Policy;
 - Air Quality Action Plan
 - Anti-Bullying Policy
 - Anti-Fraud and Corruption Policy and Strategy
 - Asset Management Plan
 - Building Regulation Charges Policy Document
 - Charging Framework for Home Care and other Non-Residential Social Services
 - Child & Young People's Rights Scheme
 - Children's Play Strategy
 - Civic Visits and Hospitality Policy;
 - Contaminated Land Strategy;
 - Councillors Allowances Scheme
 - Councillors Information, Communication & Technology (ICT) Allowances
 - Data Protection Policy
 - Engagement of Children and Young People in Swansea Strategy

- Environment Strategy for Swansea
- Felindre Strategy
- Framework For Community Regeneration
- Freedom of Information Policy
- Gambling Policy
- Gorseinon Regeneration Strategy
- Gower AONB – Management Plan
- Gypsy Traveller Policy
- Home to School Transport/Special Education Needs Transport Policy
- Houses in Multiple Occupation (HMO) Licensing Policy
- Inclusion Policy
- Interim City Centre Retail Strategy
- LA Governor Appointments Procedure
- Library Plan
- Licensing Policy
- Lord Mayor & Deputy Lord Mayor Protocol
- Private Sector Housing Renewal and Disabled Adaptations Policy to Provide Assistance
- Procurement Strategy
- Protection of Vulnerable Adults
- Providing Better Access to Customer Services
- Publication Scheme
- Records Management Corporate Policy
- Rehousing Policy
- Resilience Policy
- Safer Swansea Community Safety Strategy
- Shoreline Management Plans;
- Special Education Needs Policy
- Strategic Equality Plan 2016/20
- Sustainable Development Policy
- Swansea Bay City Region Economic Regeneration Strategy
- Swansea Bay Strategy
- Swansea City Centre Strategic Framework
- Swansea Climbing Higher Strategy
- Swansea Learning Policy and Strategy
- Swansea Strategy for People Aged 50+
- Swansea’s Local Bio-Diversity Plan.
- Tourism Strategy
- Violence Against Women, Domestic Abuse & Sexual Violence Strategy (VAWDASV)
- Waste Strategy for Swansea
- Welsh Declaration on Climate Change

2 Budget

The Budget 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.

a) The Council will adopt the:

- i) Capital Programme;
 - ii) Housing Revenue Account;
 - iii) Revenue Budget;
 - iv) Statutory Resolution;
 - v) Treasury Management, Prudential Indicators, Investment Strategy;
and
 - vi) Minimum Revenue Position (MRP) Policy.
- b) The Council will receive a report on the Treasury Management Annual Report.

3 Housing and Land Transfer

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Welsh Ministers for approval of a programme of disposal of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985.

4 Functions of the Council Meeting

Only the Council will exercise the following functions:

- a) adopting and changing the Constitution;
- b) approving or adopting the Policy Framework, the Budget and any application to the Welsh Ministers in respect of any Housing Land Transfer;
- c) subject to the Urgency Procedure contained in the **Access to Information Procedure Rules in Part 4** 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 be contrary to a policy or beyond the budget virement limits;
- d) appointing the Leader(s);
- e) agreeing and/or amending the Terms of Reference for Committees and other constitutional bodies, deciding on their composition and making appointments to them;
- f) performing the corporate joint committee functions set out in Article 11 of this Constitution, including the making of a corporate joint committee application and the giving of consent to corporate joint committee regulations being made
- g) adopting an Allowances Scheme under **Article 2, item 2.5**;
- h) changing the name of the area, conferring the title of Honorary Alderman or Freedom of the City;
- i) making the appointment of the Chief Executive and Chief Officers;
- j) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- k) approving, reviewing and amending the Council's Petition Scheme;
- l) consulting local people, other persons carrying on a business in the Council's area, the officers of the Council and every trade union which is recognised by the Council about the extent to which the Council is meeting its performance requirements;
- m) preparing an annual report on the extent to which the Council has met its performance requirements;

- n) making arrangements for a panel performance assessment and responding to the panel's report;
- o) considering Chief Executive reports prepared pursuant to section 54(2)(b) of the Local Government and Elections (Wales) Act 2021, within 3 months of them being made;
- p) considering annual reports of the Standards Committee, within 3 months of them being made and keeping under review the extent to which:
 - i) it is exercising its functions effectively;
 - ii) using its resources economically, efficiently and effectively; and
 - iii) its governance arrangements are effective for securing the matters set out in i) and ii) above
- q) all other matters which, by law, must be reserved to Council.

5 Five Types of Council Meeting

- a) The First Annual Meeting.
- b) The Annual Meeting.
- c) Ordinary Meetings.
- d) Extraordinary Meetings.
- e) Ceremonial Meeting of Council.

They will be conducted in accordance with the **Council Procedure Rules in Part 4** of this Constitution.

6 Responsibility for Functions

The Council will maintain **Part 3** of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Cabinet.