

## **BUDGET AND POLICY FRAMEWORK PROCEDURE RULES**

### **1. THE FRAMEWORK FOR DECISIONS**

- 1.1 The Council is responsible for the adoption of its budget and policy framework as set out in Article 4 of the Constitution. Once a budget or a policy framework is in place, it is the responsibility of the Committees to implement it.

### **2. PROCESS FOR DEVELOPING THE FRAMEWORK**

The process by which the budget and policy framework shall be developed is:

- 2.1 The Corporate Policy and Resources Committee will include in the forward plan a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework, or any amendment to it. This will include its arrangements for consultation on those proposals. The consultation period allowed shall in each instance be not less than 4 weeks.
- 2.2 At the end of the consultation period, the Corporate Policy and Resources Committee will draw up firm proposals having regard to any responses it received during the consultation period.
- 2.3 Once the Corporate Policy and Resources Committee has approved the finalised proposals, the Chief Executive will refer them at the earliest opportunity to the Council for decision.
- 2.4 Any councillor who is considering proposing an amendment to the Corporate Policy and Resources Committee's proposal must obtain information from a relevant officer of the Council to assist the Councillor in the preparation of their amendment.
- 2.5 A Councillor wishing to move an amendment to the Corporate Policy and Resources Committee's proposals shall give written notice setting out details of the amendment and putting forward alternative proposals to ensure a balanced budget to the Chief Finance Officer at least 55 hours (excluding Saturday and Sunday) before the Council meeting at which the proposals are being considered (e.g. for a Council meeting taking place at 7:00pm on Thursday, notice would be given by 12 noon on the previous Monday).
- 2.6 Any amendment under paragraph 2.5 will be sent to all members of the Council in advance of the Council meeting, together with advice from the Chief Finance Officer and the Monitoring Officer on the financial and legal implications for the Council's budget. This information will also be published on the Council's website in advance of the Council meeting.
- 2.7 In reaching a decision, the Council may adopt the Corporate Policy and Resources Committee's proposals or amend them.
- 2.8 If it accepts the recommendation of the Corporate Policy and Resources Committee without amendment, the Council may make a decision which has immediate effect. Otherwise, it may only make an in-principle decision. In either case, the decision will be made on the basis of a simple majority of votes cast at the meeting.
- 2.9 The decision will be published and a copy shall be given to the Chair and Vice-Chair of the Corporate Policy and Resources Committee.

- 2.10 An in-principle decision will automatically become effective 5 working days after the day a copy of the Council's decision is given to the Chair and Vice-Chair of the Corporate Policy and Resources Committee, unless the that Chair and Vice-Chair inform the Chief Executive in writing within the 5 working days that the Corporate Policy and Resources Committee objects to the decision becoming effective and provide reasons why. The objection notice must be confirmed by a simple majority of the members of the Corporate Policy and Resources Committee
- 2.11 In that case, the Chief Executive will call a Council meeting to take place within 7 working days of receipt of the Chair and Vice-Chair of the Corporate Policy and Resources Committee's notification of objection. The Council will re-consider its decision and the written submission of the Corporate Policy and Resources Committee at that meeting. The Council may
- i) approve the Corporate Policy and Resources Committee original recommendation by a simple majority of votes cast at the meeting; or
  - ii) approve a different decision which does not accord with the original recommendation of the Corporate Policy and Resources Committee by a simple majority.
- 2.12 The decision shall then be published and shall have immediate effect;
- 2.13 In approving the budget and policy framework, the Council will also specify any changes to the extent to which the Corporate Policy and Resources Committee may vire within the budget, incur supplementary expenditure or make in year changes to the policy framework in accordance with paragraphs 5, 6 and 7 of these Rules. Any other changes are reserved to the Council.
- 2.14 Where the Corporate Policy and Resources Committee submits to the Council before 28 February in any year:
- (a) estimates of the amounts to be aggregated in making a calculation (whether originally or by way of substitute) in accordance with any of sections 31A to 37 or 42A to 49, of the Local Government Finance Act 1992;
  - (b) estimates of other amounts to be used for the purposes of such a calculation;
  - (c) estimates of such a calculation; or
  - (d) amounts required to be stated in a precept under Chapter IV of Part I of the Local Government Finance Act 1992,
- and the Council does not accept them, the procedure in rules 2.9 to 2.12 will apply.
- 2.15 When reconsidering its decision following any submission from the Corporate Policy and Resources Committee, the Council when making calculations in accordance with the sections referred to in rule 1.13 or issuing a precept under Chapter IV of Part 1 of the Local Government Finance Act 1992 will take into account:
- (a) any amendments to the estimates or amounts that are included in any revised estimates or amounts;

- (b) the Corporate Policy and Resources Committee's reasons for those amendments;
- (c) any disagreement that the Corporate Policy and Resources Committee has with any of the Council's objections; and
- (d) the Corporate Policy and Resources Committee's reasons for that disagreement.

### **3. DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK**

- 3.1 Subject to the provisions in paragraph 5, 6 and 7, the Corporate Policy and Resources Committee and any staff or joint arrangements discharging Corporate Policy and Resources Committee's functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by Council, then that decision may only be taken by the Council, subject to paragraph 4 below.
- 3.2 If the Corporate Policy and Resources Committee and any staff or joint arrangements discharging Corporate Policy and Resources' functions are minded to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer to establish whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of the Monitoring Officer and / or the Chief Finance Officer is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 shall apply.

### **4. URGENT DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK**

- 4.1 The Corporate Policy and Resources Committee may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by Council if the decision is a matter of urgency. However, the decision may only be taken  
  
If it is not practical to convene a quorate meeting of the Council
- 4.2 The reasons why it is not practical to convene a quorate meeting of Council and the decision being taken as a matter of urgency must be noted on the record of the decision.
- 4.3 Following the decision, the decision taking body or person will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

### **5. EXPENDITURE SUPPLEMENTARY TO THE BUDGET**

- 5.1 The Council sets the budget but recognises the need for flexibility. It is authorised:  
  
The Chief Finance Officer in consultation with the Chair and Vice Chair of Corporate Policy and Resources Committee is authorised to approve a total supplementary expenditure in a year not exceeding 5% of the approved Net Revenue Budget, and £20,000 on any approved capital scheme.

The Corporate Policy and Resources Committee is authorised to approve a total supplementary expenditure in a year not exceeding 10% of the approved Net Budget, Requirement of the Council and £1,000,000 on any approved capital scheme.

## **6. VIREMENT**

- 6.1 The limits on virement are set out in the Council's Financial Regulations.
- 6.2 Within the limits set within the Financial Regulations the Corporate Policy and Resources Committee may vire across budget heads which relate to Corporate Policy and Resources functions.

## **7. IN-YEAR CHANGES TO POLICY FRAMEWORK**

- 7.1 The responsibility for agreeing the budget and policy framework lies with the Council, and decisions by the Corporate Policy and Resources Committee or staff or joint arrangements discharging such functions must be in line with it. No changes to any policy and strategy which make up the policy framework may be made by those bodies or individuals except where those changes:
  - (a) will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
  - (b) are necessary to ensure compliance with the law, ministerial direction or government guidance;
  - (c) relate to the policy framework and a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration.