

## **ANNEX 5**

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

#### **1. Framework for Executive Decisions**

The full Council is responsible for the adoption of its budget and policy framework as defined in sections 4.1.1 and 4.1.2 of the Constitution. It is the responsibility of the Executive to implement it.

#### **2. Process for Developing the Policy Framework and the Budget**

- 2.1 A Cabinet Panel develops proposals for a draft plan or strategy.
- 2.2 The Panel may undertake public consultation on the proposals, and may refer them to the Overview and Scrutiny Committee for comment.
- 2.3 The Panel refers the draft plan or strategy to the Executive, with recommendations.
- 2.4 The Executive may carry out further public consultation and shall do so if required by law in respect of the particular plan or strategy. The Executive shall request the views of the Overview and Scrutiny Committee as part of any such consultation.
- 2.5 The Executive makes a recommendation to full Council.
- 2.6 Before the full Council adopts or amends the draft plan or strategy it must inform the Leader of any objections which it has and must then give the Leader instructions requiring the Executive to reconsider the draft.
- 2.7 In giving instructions the Council must specify a period of at least 5 working days, starting with the day after the date the Leader receives the instructions, within which the Leader may
  - a) submit a revised draft showing the reasons for the revisions
  - or b) inform the full Council of any disagreement the Executive has with any of the objections and the reasons for it.
- 2.8 When the period specified in 2.7 has expired the full Council must, when adopting or amending the draft plan or strategy, take into account any revisions made by the Executive to the draft and any disagreement that the Executive has notified to them.
- 2.9 The Executive develops its proposals for the budget and seeks the views of the Overview and Scrutiny Committee on them.

The Executive then considers these views before making recommendations on the budget to the full Council.

- 2.10 The procedure set out in paragraphs 2.6 - 2.8 above also applies, subject to any necessary changes, to budget estimates and the proposed precept submitted by the Executive to the full Council in each financial year, in relation to the Council's budget for the following financial year.
- 2.11 Immediately after any vote is taken at a budget decision meeting of the Council, there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.
- 2.12 The provisions in 2.6 - 2.8 and 2.10 – 2.11 above summarise the requirements of the Local Authorities (Standing Orders)(England) Regulations 2001 which are deemed to be incorporated in the Council's standing orders.

### **3. Taking Decisions**

- 3.1 Subject to 3.3 below (Urgent Decisions) the Executive and officers may only take decisions which are in line with the budget and policy framework, and a decision which is not in line may only be taken by the full Council.
- 3.2 It is the responsibility of the decision-taker to seek advice from the Monitoring Officer and/or Chief Finance Officer as to whether a proposed decision is in line with the Policy and Budget Framework.
- 3.3 The Executive (but not an officer) may take a decision which is not in line with the budget and policy framework if:
  - a) it is not practical to convene a quorate meeting of the full Council and
  - b) the Chairman of the Overview and Scrutiny Committee agrees that the matter is urgent. In the absence of the Chairman the consent of the Chairman of the Council (or in their absence of the Vice-Chairman of the Council) will suffice.

The person asked to give consent shall consult the Opposition spokesmen on the scrutiny committee before doing so.

The Executive must report to the next available Council explaining the decision, the reasons for it and the grounds of urgency.

4. **Virement**

The Council's Financial Regulations (as set out in Annex 12) define the virement limits which the Council has fixed.