

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 The Executive is responsible for developing proposals for a draft plan or strategy and for recommending a draft plan or strategy to the full Council for approval.
- 2.2 In developing a draft plan or strategy the Executive may consider and take into account any comment or recommendation in relation to that draft plan or strategy made by a Cabinet Panel.
- 2.3 In developing a draft plan or strategy the Executive may refer that draft plan or strategy to the Overview and Scrutiny Committee (“the OSC”) for comment. A Cabinet Panel, when considering whether to make a comment or recommendation to the Executive in relation to a draft plan or strategy, may also refer that draft plan or strategy to the OSC for comment. Where a draft plan or strategy has been referred to the OSC by either the Executive or a Cabinet Panel, or has otherwise been considered by the OSC, the Executive shall consider any comment or recommendation made by the OSC.
- 2.4 The Executive may carry out public consultation in relation to a draft plan or strategy and shall do so if required by law. If they do this the Executive shall request the views of the OSC as part of any such consultation.
- 2.5 Before the full Council adopts or amends a draft plan or strategy it must inform the Leader of the Council of any objections which it has and must then give the Leader of the Council instructions requiring the Executive to reconsider the draft.
- 2.6 In giving instructions the Council must specify a period of at least 5 working days, starting with the day after the date the Leader of the Council receives the instructions, within which the Leader of the Council 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.

- 2.7 When the period specified in 2.6 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.
- 2.8 The Executive develops its proposals for the budget and seeks the views of the OSC on them. The Executive then considers these views before making recommendations on the budget to the full Council.
- 2.9 The procedure set out in paragraphs 2.5 - 2.7 above also applies, subject to any necessary changes, to budget estimates and the proposed precept where these are submitted by the Executive to the full Council before 8 February in any financial year, in relation to the Council's budget for the following financial year.
- 2.10 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.
- 2.11 The provisions in 2.5 - 2.7 and 2.9 – 2.10 above reflect the requirements of the Local Authorities (Standing Orders)(England) Regulations 2001 which are deemed to be incorporated in the Council's relevant Standing Orders at Annexes 6 and 14.

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 Framework and/or the Budget.
- 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 OSC 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 OSC 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 14) define the virement limits which the Council has fixed.