

PART C3**BUDGET AND POLICY FRAMEWORK PROCEDURE RULES****1. The framework for executive decisions**

- 1.1 The Council is responsible for the adoption of the budget and policy framework as set out in these Rules. The Leader of Council is responsible for the implementation of the policy framework within the approved budget.
- 1.2 A reference to the Leader of Council in these rules shall include the Cabinet when making a recommendation to Council and the context so requires.

2. Process for developing the framework

- 2.1 The budget and policy framework shall be developed as follows:
 - 2.1.1 The Leader of Council will publish a timetable in the Forward Plan for making proposals to Council for the adoption of the budget and any plan or strategy that forms a part of the policy framework. The Forward Plan shall set out the arrangements for consultation following publication of initial proposals and the chairs of overview and scrutiny committees and area committees shall be notified.
 - 2.1.2 The Leader of Council will, at the conclusion of the initial consultation period, formulate a proposal that takes into account responses made in the consultation. The appropriate overview and scrutiny committee may submit a response to the Leader of Council and may conduct such investigations and research as the committee may determine in preparing a response. The response may comprise a detailed report with policy recommendations provided that it is submitted before the conclusion of the initial consultation period. The Leader of Council shall take into account any response by the overview and scrutiny committee when formulating a further proposal for recommendation to Council. The report of the Leader of Council to the Council shall reflect responses made during the consultation and include any comments the Leader of Council may wish to make.
 - 2.1.3 The Chief Executive shall make arrangements for any proposals recommended by the Leader of Council for adoption by the Council to be considered by the Council at the earliest opportunity.
 - 2.1.4 The Council may adopt the proposals, amend the proposals, refer the proposals back to the Leader of Council for further

consideration or substitute proposals agreed by the Council.

- 2.1.5 The decision of the Council to adopt the proposals or refer them back to the Leader of Council shall, unless the Council decides otherwise, have immediate effect. A decision to amend the proposals or substitute proposals agreed by the Council shall not have immediate effect but shall have effect as provided by rule 2.1.7 below. In either case, the decision will be made on the basis of a simple majority of votes cast at the meeting.
- 2.1.6 The decision shall be published and a copy given to the Leader of Council.
- 2.1.7 A decision by the Council to amend the proposals or substitute proposals shall take effect on the third working day following the date of the decision unless the Leader of Council gives written notice to the Chief Executive before the decision takes effect that he/she objects to the decision and states reasons in support of the objection.
- 2.1.8 The Chief Executive, in consultation with the Lord Mayor where written notice of objection is given by the Leader of Council, will call a meeting of Council within five working days of the date of the decision. The Council will give further consideration to the decision and take into account the objection and reasons in support submitted by the Leader of Council within seven working days. The Council may determine the matter in one of the following ways:
- 2.1.8.1 Approve the recommendation by a simple majority of votes cast.
- 2.1.8.2 Approve a different decision which does not accord with the recommendation of the Leader of Council by a simple majority of votes cast.
- 2.1.8.3 The decision shall be published and shall, unless the Council decides otherwise, have immediate effect.
- 2.1.8.4 The Council may specify the extent of any variation within the budget and the nature of any in-year changes that may be made to the policy framework by the Leader of Council in accordance with rules 5 and 6 below. All other changes to the budget and policy framework are reserved to Council.

3. Decisions outside the budget or policy framework

- 3.1 The Leader of Council, the Cabinet, a committee of the Cabinet, member of the Cabinet and any officer, area committee or joint committee discharging executive functions may, subject to the provisions of rule 5 below, take decisions only where they are in accordance with the budget and policy framework. All decisions not in accordance with the budget or policy framework are, subject to rule 4 below, reserved to Council.
- 3.2 If the Leader of Council, the Cabinet, a committee of the Cabinet, member of the Cabinet and any officer, areas committee or joint committee discharging executive functions is minded to take a decision that may not or appears not to be in accordance with the budget or policy framework, the advice of the Town Clerk and/or the S151 Officer must be sought. If the advice of either officer is that the decision would not be in accordance with the budget or policy framework, the decision should be referred by the body or person minded to take it to Council for decision, unless a decision is required as a matter of urgency when rule 4 shall apply.

4. Urgent decisions outside the budget or policy framework

- 4.1 The Leader of Council, the Cabinet, a committee of the Cabinet, member of the Cabinet and any officer, area committee or joint committee discharging executive functions may take a decision which is not in accordance with the budget or policy framework where a decision is required as a matter of urgency and both the following conditions are satisfied:

- 4.1.1 A meeting of the Council that is likely to be quorate cannot be convened in time for the decision to be taken.
- 4.1.2 The Chair of the Overview and Scrutiny Management Committee has agreed that a decision is required as a matter of urgency.

The reasons why it is not practical to convene a meeting of the Council and the agreement of the Chair of the Overview and Scrutiny Management Committee to the decision being taken as a matter of urgency shall be noted on the record of the decision. In the absence of the Chair of the Overview and Scrutiny Management Committee, the agreement of the Deputy Chair shall be sufficient.

- 4.2 A full report shall be made by the body or person who took the decision to the next available meeting of Council. The report shall explain the decision, the reasons in support of the decision and why a decision was required as a matter of urgency

5. Virement

- 5.1 The budget approved by the Council shall contain budget heads determined by the S151 Officer in keeping with recommended accounting practice.
- 5.2 Any action taken by the Leader of Council, the Cabinet, a committee of the Cabinet, member of the Cabinet or any officer, area committee or joint committee discharging executive functions in the implementation of Council policy shall not exceed the budget allocated to each budget head. The appropriate body or person shall be entitled to vire monies between budget heads in accordance with Financial Procedure Rules set out in Part C6. All decisions to vire monies outside these provisions require the approval of the Council.

6. In-year changes to budget and policy framework

- 6.1 The Leader of Council, the Cabinet, a committee of the Cabinet, member of the Cabinet or any officer, area committee or joint committee discharging executive functions shall not make any change to the budget or policy framework except those changes:
- 6.1.1 Which will result in the closure or discontinuance of a service or part of a service to meet a budgetary constraint.
 - 6.1.2 Which are necessary to ensure compliance with the law, ministerial direction or ministerial guidance.
 - 6.1.3 in relation to the policy framework in respect of 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; and
 - 6.1.4 which relate to policy in relation to schools, where the majority of school governing bodies agree with the proposed change.
- 6.2 Decisions which are outside of the budget or policy framework are reported to Council in accordance with the procedure set out in rule 20 of the Overview and Scrutiny Procedure Rules set out in Part C4.

7. Change of Administration

- 7.1 If at any time a new political administration takes overall control of the Council of the Leader of the new administration may present an amended budget to the Council.
- 7.2 So far as reasonably practicable the amended budget and policy framework shall be developed in accordance with paragraph 2 of Part C3.