

Policy Framework and Budget Procedure Rules

1. The Framework for Executive Decisions

The Council will be responsible for the adoption of its budget and policy framework as set out in Article 4. Once a policy framework and budget is in place, it will be the responsibility of the Leader to implement it.

2. Process for Developing the Framework

The Leader will publicise in the Forward Plan and by any other methods that he/she feels appropriate e.g. on the Council's web site, in local press a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the policy framework and budget and its arrangements for consultation after publication of those initial proposals. The Chairman of the Overview and Scrutiny Committee will also be notified.

The consultation period shall be not less than 8 weeks.

At the end of that period, the Leader (or Executive decision maker) will then draw up firm proposals for submission to Council having regard to the consultation responses, including any from the Overview and Scrutiny Committee.

Once the firm proposals have been approved, the Proper Officer will refer them at the earliest opportunity to the Council for decision.

In reaching a decision, the Council may adopt the proposals, amend them, refer them back to the Executive decision maker for further consideration, or in principle, substitute its own proposals in their place.

If it accepts the recommendation 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.

The decision will be publicised in accordance with Article 4 and a copy shall be placed in the Members' Room.

An in-principle decision will automatically become effective 5 clear working days from the date of the Council's decision, unless the Leader has informed the Proper Officer in writing within that period that he/she objects to the decision becoming effective and provides reasons why.

In that case, the Proper Officer will call a Council meeting within a further 15 working days. At that meeting the Council will be required to re-consider its decision and the Leader's written submission. The Council may:

- (i) approve the Executive decision maker's recommendation by a simple majority of votes cast at the meeting; or
- (ii) approve a different decision which does not accord with the recommendation of the Executive decision maker by a simple majority.

The decision shall then be made public in accordance with Article 4, and shall be implemented immediately.

In approving the policy framework and budget, the Council will also specify the extent of virement within the budget and degree of in-year changes to the policy framework which may be undertaken by the Leader (or Executive decision maker) in accordance with paragraphs 5 and 6 of these Rules (virement and in-year adjustments). Any other changes to the policy framework and budget are reserved to the Council.

Once the policy framework and budget has been established, it will be annually costed to form the 'Approved Budget'. This budget will then be recommended by the Leader (or Executive decision maker) to the Council as their budget requirement for that financial year. Once approved by the Council the budget will then form the basis for the levying of Council Tax.

(NOTE: A flow chart showing the decision making process for Policy Framework documents (Article 4) is set out at the end of these procedure rules).

3. Decisions Outside the Policy Framework and Budget

Subject to the provisions of paragraph 5 (virement) the Leader (or Executive decision maker) may only take decisions which are in line with the policies in place at that time and any associated budgets. If the Leader (or Executive decision maker) wishes to make a decision which is contrary to the policies, or not in accordance with the approved budget, then that decision may only be taken by the Council, subject to 4 below.

If the Leader (or Executive decision maker) wants to make such a decision, advice shall be taken from the Monitoring Officer and the Chief Finance Officer. If the advice of either of those Officers is that the decision would not be in line with the existing budget and/or policy, then the decision must be referred to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (urgent decisions outside the Policy framework and Budget) shall apply.

4. Urgent Decisions Outside the Policy Framework and Budget

This procedure covers decisions contrary to the current policies of the Council and not in accordance with the budget.

The Leader (or Executive decision maker) may take a decision which is contrary to the Council's policy framework or not in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:

- (i) if it is not practical to convene a quorate meeting of the full Council; and
- (ii) if the Chairman of the Overview and Scrutiny Committee agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of full Council and the Chairman (or in his/her absence, the Vice Chairman) of the relevant Overview and Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chairman of the Overview and Scrutiny Committee the consent of the Mayor or in his absence the Deputy Mayor will be sufficient.

Following the decision, the decision maker 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. Virement

The Council operates a series of Service budgets which form the basis of the Council's overall budget requirement.

Steps taken by the Leader to implement Council policy shall not exceed those budgets allocated to each budget area.

However, the Leader shall be entitled to vire across service budget areas up to a maximum of £250,000 per request. Beyond that limit, approval to any virement across service budget areas shall require the approval of the full Council.

6. In-year Changes to Policy Framework

The responsibility for agreeing the Policy framework and budget lies with the Council, and decisions by the Leader / Executive Decision Maker, individual Members of the Executive or Officers, or joint arrangements discharging executive 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 those changes:

- which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
- necessary to ensure compliance with the law, ministerial direction or Government guidance;
- 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.

7. Call-in of Decisions Outside the Policy Framework and Budget

Where the Overview and Scrutiny Committee is of the opinion that an Executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and/or Chief Finance Officer.

The process for the Call-in of such decisions is set out in the Overview and Scrutiny Committee Procedure Rules in the Constitution.

Decision Making Process –Policy Framework (Article 4)

