

CIVIC AFFAIRS

10th October 2018

5.30pm - 7.00 pm

Present: Councillors McPherson (Chair), Benstead Dalzell, Gawthrope, O'Connell and Robertson

FOR ADOPTION BY THE COUNCIL

18/58/Civ – Process for scrutiny of the Council's budget

Councillor O'Connell proposed an amendment to option A (the officer recommendation to the committee):

- i) That the Strategy and Resources Scrutiny Committee and the Executive meet on 11 February 2019;
- ii) That budget amendments to be considered at S&R Scrutiny Committee are submitted by 1 February
- iii) Budget amendments consequential to Executive amendments made at the Executive meeting are submitted to Council at least 4 days before the meeting

With the permission of the Chair, Councillor Bick spoke to the amendment. Cllr Bick explained that the amendment would afford opposition groups a similar timeframe to produce budget amendments as under the current process.

The Committee was advised by the Chief Executive that the amendment was workable, in terms of timings, from the officer perspective.

Cllr Robertson stated that the proposal looked reasonable and could see why it would be reasonable to give opposition members adequate time to produce budget amendments.

The Committee unanimously supported the amendment to option A and to recommend it, as amended, to Council.

Accordingly Council is recommended:

To change the Council's budget and policy framework procedure (part 4c) and Council Procedure Rules appendix 2 budget recommendations and amendments (part 4a) as attached to this adoption minute.

(These changes reflect option A, as amended by Committee, described in the report)

Appendix A2 - Council Procedure Rules – Budget Recommendations and Amendments

1. These rules supplement the Budget and Policy Framework Procedure Rules contained in Part 4C of this Constitution. They also modify the Council Procedure Rules as follows.
2. ~~Once the Executive has met in accordance with Rule 3.7 of the Budget and Policy Framework Procedure Rules, it shall publish its budget recommendations to the Council.~~
3. ~~Following publication of budget recommendations under Paragraph 2, there will be a period of five full working days during which amendments or alternatives (referred to here collectively as “amendments”) to the budget recommendations may be proposed. Amendments shall be in writing and must be delivered to the Chief Executive within the period mentioned above. Amendments need not be seconded. Subject to the exceptions set out in this Appendix, amendments received outside this period will be invalid.~~
4. ~~Valid amendments submitted under Paragraph 2 shall be considered at a special meeting of the Strategy & Resources Scrutiny Committee. The Strategy & Resources Scrutiny Committee may comment on these amendments and the comments of the Committee will be submitted to the Budget Council Meeting for consideration.~~
5. ~~The Executive may amend its budget recommendations in the light of the Strategy & Resources Scrutiny Committee’s consideration of amendments.~~
6. Subject to the provisions contained in this paragraph, only amendments submitted in accordance with the Budget and Policy Framework Procedure Rules Paragraph 3 shall be considered at the Budget Council Meeting. ~~The exceptions to this rule are as follows:~~
 - 6.1 The Executive may introduce amendments at the Council meeting or give advance notice of revised recommendations. This might be necessary, for instance, in response to changed circumstances, or in the light of scrutiny of amendments or to correct technical errors. The Leader must explain why it has proved necessary to introduce any amendment. This is to be done at the beginning of the budget item.
 - 6.2 The Executive may make changes to the budget recommendations to give effect to decisions by precepting authorities.
 - 6.3 Further amendments may be moved by any member in direct response to amendments made by the Executive at the meeting.

- 6.4 Technical amendments may be made by leaders of minority groups or proposers of amendments to correct arithmetical or factual errors.
 - 6.5 The Mayor shall have discretion to permit amendments from members when satisfied that the need for the amendment could not have been anticipated before the deadline. The Mayor should also be satisfied that advance notice of such amendments was given as soon as reasonably practical, and not left to the day of the meeting unless this was unavoidable.
 - 6.6 Members may submit revised amendments where the Mayor is satisfied that the substantive issues have been considered at the ~~special~~ Scrutiny Committee meeting.
 - 6.7 The Executive may amend its budget recommendations in the light of amendments moved at the Strategy & Resources Scrutiny meeting or at the Council meeting.
 - 6.8 If the Executive fails to secure Council adoption of its budget, further amendments may be moved, and these rules will not apply;
 - 6.9 The Council may, by a simple majority, suspend these rules and permit further amendments.
7. The rules of debate contained in the Council Procedure Rules shall be modified in respect of the Budget Council Meeting as follows:
 - 7.1 The Executive shall present its budget recommendations. A period of 45 minutes is allowed for this, extendable at the discretion of the Mayor. The format and mode of the presentation is for the Executive to decide.
 - 7.2 Minority groups may then present alternative budgets, subject to compliance with the provisions of this Appendix. A period of 45 minutes is allowed for each alternative budget, extendable at the discretion of the Mayor. The format and mode of the presentation is for the minority group to decide.
 - 7.3. Alternative budgets will then be moved in turn as amendments to replace the Executive recommendation. They will be debated in the usual way, although replacement budgets will be deemed to have been moved and seconded.
 - 7.4 At the conclusion of each debate, a vote will be taken for and against the alternative budget.

- 7.5 If the alternative budget is voted down, the Leader of the proposing Group may ask for separate votes to be taken on individual proposals within the alternative budget, but there shall be no further debate.
- 7.6 Where individual amendments have been submitted by councillors, these will then be debated in the usual way. However, where they are to the same effect as something in an alternative budget, they shall be considered at the same time as the alternative budget, with the proposer being able to ask for a separate vote in accordance with paragraph 7.5.
- 7.7 After consideration of amendments the Executive's budget proposals will be debated in the usual way but, subject to paragraph 7.8 below, no amendments may be moved.
- 7.8. If the Executive's budget is rejected, amendments and alternative proposals may be made as under the present rules, subject to the dispute resolution provisions set out in the Budget and Policy Framework Procedure Rules contained in Part 4C of this Constitution.

Part 4C-Budget and Policy Framework Procedure Rules

Budget Setting – Scrutiny of Budget Proposals, amendments and Executive Recommendation

- 3.3 ~~During the Committee cycle leading up to budget setting, each Scrutiny Committee will receive a short report focused on the revenue and capital budget proposals (bids and savings) relating to relevant Portfolios with Strategy & Resources Scrutiny Committee meeting to take an overview, as well as considering budget proposals within its remit. The Executive will publish the Budget Setting Report, which will be followed as soon as practicable by a Member Briefing to which all members of the Council will be invited to attend. Amendments from Opposition Groups or any Member, to the Budget Setting Report will be published no later than three working days prior to the Strategy and Resources Scrutiny Committee. The Scrutiny Committee may comment on these amendments (but may not amend them) and the comments from the Scrutiny Committee will be submitted to Council for its consideration.~~
- 3.4 The Executive shall meet collectively to recommend budget proposals for submission to the Council. The Executive may amend its budget recommendations in the light of the Strategy & Resources Scrutiny Committee's consideration of amendments.
- 3.5 Once the Executive has met in accordance with Paragraph 3.4, it shall publish its budget recommendations to the Council.

Amendments following the Executive's recommendation to Council

- 3.6 Following publication of the Executive's recommendation to Council, further amendments may be submitted by Opposition Groups or any Member. These must be amendments which satisfy the following:
- (i) amendment(s) could not have been presented to the Strategy and Resources Scrutiny because information was not available at the time
 - (ii) amendment(s) are received by the Council's s151 Officer within 4 days advance notice of the Council meeting (eg the Friday before a Thursday Council) and will be published as soon as practicable along with the s151 Officer opinion.

Submission of Budget Amendments

- ~~3.6 Following publication of budget recommendations under Paragraph 3.5, there will be a period of five full working days during which amendments or alternatives (referred to here collectively as "amendments") to the budget recommendations may be proposed. Amendments shall be in writing and must be delivered to the Chief Executive within the period mentioned above. Amendments need not be seconded. Subject to the exceptions set out in this s, amendments received outside this period will be invalid.~~

- ~~3.7 Valid amendments submitted under Paragraph 3.6 shall be considered at a special meeting of the Strategy & Resources Scrutiny Committee. The Strategy & Resources Scrutiny Committee may comment on these amendments and the comments of the Committee will be submitted to the Budget Council Meeting for consideration.~~
- ~~3.8 The Executive may amend its budget recommendations in the light of the Strategy & Resources Scrutiny Committee's consideration of amendments.~~

This page is intentionally left blank

BSR scrutiny process

As-is	2018	Option A (as amended at committee)	2019
Process	Date	Process	Date
BSR published	04/01	BSR published All-member briefing with Head of Finance & Exec Cllr Finance & Resources	07/01 09/01
BSR portfolio elements scrutinised by thematic committee		<i>[Committees other than Housing, which will continue to scrutinise HRA BSR, but not GF Housing elements, do not scrutinise portfolio budgets. Policy decisions with budgetary implications are "subject to" approval of the BSR.]</i>	
BSR in totality scrutinised at S&R1	22/01	<i>[S&R1 cancelled]</i>	
Executive recommends BSR to Council	25/01	Opposition amendments submitted	01/02
Opposition Amendments published	05/02	Opposition Amendments published, with s.25 amendments	04/02
S&R2 scrutinises opposition & Exec amends	12/02	S&R2 scrutinises totality of BSR <u>and</u> opposition and Executive amendments.	11/02
		Executive meets and recommends BSR to Council	11/02
Council papers published	14/02	Council papers published	13/02
		Opportunity for further opposition amendments to be submitted (if Executive Budget different from budget as originally scrutinised) by:	15/02
Council agrees BSR & CT precept	22/02	Council agrees BSR & CT precept	21/02

This page is intentionally left blank