

## **BUDGET AND POLICY FRAMEWORK 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 budget or a policy framework is in place, it will be the responsibility of the Executive to implement it.

### **2. Process for developing the Framework**

The process by which the budget and policy framework shall be developed is as set out below:

- (a) The Executive will publicise (by including in the Forward Plan) a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework. The Chair of the Policy Review Committee will be notified, in writing, of the timetable and the Executive will allow six weeks for the Policy Review Committee, and any other consultees indicated by the Executive in its timetabling proposals, to consider the Executive's draft policy proposals.
- (b) At the end of that period, the Executive will draw up firm proposals having regard to the responses to that consultation. The Executive will take any responses into account in drawing up firm proposals for submission to the Council, and its report to Council will reflect all comments made and the Executive's response. If the consultees seek no changes to the Executives proposals the proposals may be submitted directly to Council.
- (c) Once the Executive has approved the firm proposals, the Chief Executive will refer them at the earliest opportunity to the Council for decision.
- (d) The Council will consider the proposals of the Executive and may adopt them, amend them, refer them back to the Executive for further consideration or substitute its own proposals in their place.
- (e) In approving the budget and policy framework, 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 Executive but in accordance with the Financial Procedure Rules. Any other changes to the budget and policy framework are reserved to the Council.

### **3. Decisions outside the Budget and Policy Framework**

- (a) Subject to the provisions of the Financial Procedure Rules the Leader of the Council, Executive and any officer, (or any joint arrangements) discharging Executive functions may only take decisions which are in

line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by the Council, then that decision may only be taken by the Council, subject to paragraph 4 (urgent decisions outside the budget and policy framework).

- (b) If the Executive and any officer, (or any joint arrangements) discharging Executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and policy framework, then the decision must be referred by that body or person 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 budget and policy framework) shall apply.

#### **4. Urgent decisions outside the Budget and Policy Framework**

- (a) The Leader of the Council, Executive or officers discharging Executive functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by the 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 Council; and
  - (ii) if the Chair of the Policy Review Committee agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of the Council and the Chair of the Policy Review 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 Chair of the Policy Review Committee, the consent of the Chairman of the Council and in the absence of both, the Vice-Chairman of the Council will be sufficient.

- (b) Following the decision, the decision-taker will provide a full report to the next ordinary Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

#### **5. Call-in of decisions outside the Budget and Policy Framework**

- (a) Where the 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 or is

not otherwise authorised by the terms of this Constitution, then it shall seek advice from the Monitoring Officer and/or Chief Finance Officer.

- (b) In respect of decisions which are Executive decisions, the Monitoring Officer's report and/or the Chief Finance Officer's report shall be to the Executive and the Scrutiny Committee with a copy to every councillor. In the event that the Monitoring Officer and/or the Chief Finance Officer conclude that the decision is or would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget, the Scrutiny Committee may refer the matter to the Council. In such cases, if the decision has yet to be made or has been made but not yet implemented, no further action shall be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 21 clear working days of the request of the Scrutiny Committee. At this meeting it will receive a report of the decision or proposals from the Executive and the Scrutiny Committee, and the advice of the Monitoring Officer and/or the Chief Finance Officer. Regardless of whether the decision is delegated or not, the Executive must meet to decide what action to take and prepare its report to the Council.

The Council may:

- (i) endorse a decision or proposal of the Executive as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all councillors in the normal way; or
- (ii) amend the Council's financial regulations or policy concerned to encompass the decision or proposal of the Executive and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all councillors in the normal way; or
- (iii) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget and does not amend the existing framework to accommodate it, require the Executive to reconsider the matter in accordance with the advice of either the Monitoring Officer or the Chief Finance Officer.