

25 February 2016

Brighton & Hove City Council

Setting a Lawful Budget for 2016/17**Introduction**

Under section 30 (6) of the Local Government Act 1992 the Council has a duty to set the Council tax by **11 March 2016**. A failure to set the tax then does not in itself invalidate the tax demands but it has other adverse consequences including the potential loss of income to the Council. In practical terms this means the Council needs to reach a final position to meet billing deadline requirements before the 4th March 2016.

The legal obligations for setting the budget mean in practical terms that:

- Members should not put forward proposals that would mean setting an unlawful budget and need to take officer advice in particular from legal and finance to ensure that their proposals are in order;
- Although the Council corporately sets the budget the Council acts through Members collectively, each and every Member is therefore jointly and severally responsible for the setting of the budget; and
- Wherever possible Members are expected to facilitate rather than frustrate the setting of a lawful budget.
- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on the Council to amend standing orders to require the vote of Members on the budget to be recorded. The votes on the amendments and the substantive budget will be conducted by electronic voting and the individual Members' votes will be recorded in the minutes.

Budget Council 25 February 2016

To help Members at Council on 25 February 2016 the procedure to be followed in respect of the Budget debate, (subject to Council approval) is set out below:-

84. Declarations of Interest.**85. Mayor's communications:****86. Adoption of Special Procedures for Budget Council**

The Council will be asked to agree that Council Procedural Rules be suspended in accordance with council procedural rule 1.7 to the extent that it is necessary to enable the business of the meeting to be dealt with as set out in agenda items 87 - 90 below.

87. General Fund Revenue Budget & Council Tax 2016/17**88. Supplementary Financial Information for Budget Council****89. Capital Resources & Capital Investment Report 2016/17****90. Housing Revenue Account (HRA) Budget and Investment Programme 2016/17 and Medium Term Financial Strategy**

A. The Administration's Budget Proposal based on a Council Tax Increase of 3.99% (including Adult Social Care Precept):

The **Mayor** will invite Councillor Morgan and Councillor Hamilton to move and second the Administration's Budget based on a 1.99% Council Tax increase and a 2% precept for Adult Social Care.

Councillor Morgan will have unlimited time and Councillor Hamilton will have 5 minutes within which to move and second the budget proposals and to refer to the prevailing financial conditions in relation to the budget.

B. The Conservative Group's Response and Amendments 1 - 6:

The **Mayor** will invite Councillor Wealls, and Councillor Geoffrey Theobald to respond and move the six amendments on behalf of the Conservative Group.

Councillor Wealls will have unlimited time to move the amendments and Councillor Theobald will have 5 minutes within which to second the amendments and to refer to the prevailing financial conditions in relation to the budget.

C. The Green Group's Response:

The **Mayor** will invite Councillor Mac Cafferty to respond to the Budget proposals and amendments on behalf of the Green Group.

Councillor Mac Cafferty will have unlimited time within which to respond and refer to the prevailing financial conditions in relation to the budget.

Note:

The S151/Chief Finance Officer / Monitoring Officer shall have discretion at any stage to remind Members of the proposed substantive budget motion and its implications following acceptance of any amendments.

D. Council Debate:

The **Mayor** will then allow Councillors to debate the 2016/17 Budget proposals for the General Fund Revenue Budget, (including the Supplementary Financial Information), Capital Resources and Capital Investment Report and the Housing Revenue Account Revenue Budget, (items 87 - 90), together with any amendments moved in one debate.

NOTE: Speakers are limited to three minutes each unless otherwise specified or extensions granted.

E. Administration's Right of Reply:

At the conclusion of the debate the **Mayor** will invite Councillor Hamilton to use his final right of reply and he will have up to 5 minutes in which to respond.

Following this,

- (i) The Mayor will request that the voting system is activated and will then invite Members to vote on each amendment and the final budget provisions.
- (ii) There will be a slight delay between each vote to enable the results of the previous item to be recorded into the system for the minutes once they have been shown on the screen.

F. Voting on the amendments:

The Mayor will then put the amendments to the vote (up to a maximum of 6 separate votes) in the following order:

- (i) The Conservative Group's amendments (total of 6);

Following the conclusion of the voting on the amendments The S151/Chief Finance Officer will confirm how the amendments affect the council tax proposal.

During the voting on the amendments, if an amendment needs to be changed, then there may need to be a short adjournment whilst further clarification is prepared by officer for Members.

Note:

After the conclusion of all of the votes on amendments, there may be a need for a short adjournment to allow for the preparation of the council tax resolution to reflect the budget proposals as amended, if amended to be printed and circulated prior to the substantive vote.

G. Substantive Votes:

The **Mayor** will put the three substantive motions (as amended) (if amended) relating to the General Fund Revenue Budget and Council Tax 2016/17, Capital Resources and Capital Investment Report 2016/17 and Housing Revenue Account Budget 2016/17 to the vote as follows:

Substantive vote 1:

Item 87 General Fund Revenue Budget & Council Tax 2016/17); recommendations (1 - 7); as detailed in the extract from the Policy & Resources Committee;

together with;

Item 88 Supplementary Financial Information for Budget Council recommendation (1) and the council tax resolution on pages 421–423 of the agenda or as circulated;

The S151/Chief Finance Officer / Monitoring Officer may advise the Mayor of the need for a short adjournment, in order to adjust the budget model in light of any amendments just agreed. The Budget resolutions shall not be treated as concluded until any consequential adjustments are agreed.

Substantive vote 2:

Item 89 Capital Resources and Capital Investment Report 2016/17 recommendations (1 - 6) as detailed in the extract from the Policy & Resources Committee;

Substantive vote 3:

Item 90 Housing Revenue Account Budget and Investment Programme 2016/17 and Medium Term Financial Strategy recommendations (1) - (2) as detailed in the extract from the Policy & Resources Committee.

H. Close of meeting:

The Mayor will then close the meeting.

Note: The Mayor may adjourn the meeting at any time.

Abraham Ghebre-Ghiorghis
Head of Law
(Monitoring Officer)

Nigel Manvell
Acting Director of Finance &
Resources
(S151/ Chief Finance Officer)