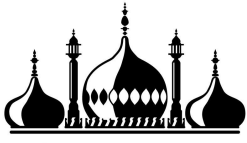


**BRIGHTON & HOVE CITY
BUDGET COUNCIL MEETING**

4.30PM 26 FEBRUARY 2009

COUNCIL CHAMBER, BRIGHTON TOWN HALL



AGENDA



**Brighton & Hove
City Council**

Council Meeting

Title:	Council
Date:	26 February 2009
Time:	4.30pm
Venue	Council Chamber, Brighton Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Reverend Stephen Terry
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	<p>FIRE / EMERGENCY EVACUATION PROCEDURE</p> <p>If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:</p> <ul style="list-style-type: none"> You should proceed calmly; do not run and do not use the lifts; Do not stop to collect personal belongings; Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and Do not re-enter the building until told that it is safe to do so.

AGENDA

Part One

Page

57. **STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.**
58. **MAYOR'S COMMUNICATIONS.**
59. **TO CONSIDER THE REPORTS AND RECOMMENDATIONS OF THE CABINET OF THE 12 FEBRUARY 2009 IN RESPECT OF:-** 1 - 172
- (a) **Housing Revenue Account Budget 2009/10.** Extract from the proceedings of the Cabinet, together with a joint report of the Director of Adult Social Care & Housing and the Director of Finance & Resources (copies attached).
 - (b) **Capital Resources and Capital Investment Programme for 2009/10.** Extract from the proceedings of the Cabinet, together with a report of the Director of Finance & Resources (copies attached).
 - (c) **General Fund Revenue Budget and Council Tax 2009/10.** Extract from the proceedings of the Cabinet, together with a report of the Director of Finance & Resources (copies attached).
 - (d) **Supplementary Financial Information for Budget Council.** Report of the Director of Finance & Resources (copy attached).

Contact Officer: James Hengeveld
Ward Affected: All Wards

Tel: 29-1242

NOTE:

- (i) A Guidance Note on Setting A Lawful Budget has been included with the agenda papers for Members' information.
- (ii) A procedural note has been included with the agenda papers for Members' information and reference during the budget meeting.
- (iii) Light refreshments will be available for Members from 4.00pm in rooms 2 & 3.

COUNCIL

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to Cabinet, Cabinet Member Meetings and Committees. Details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next ordinary council meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Wednesday, 18 February 2009



Acting Chief Executive

King's House
Grand Avenue
Hove
BN3 2LS

Budget Council 26 February 2009: Setting a lawful budget for 2009/10

Introduction

Under section 30 (6) of the Local Government Act 1992 the Council has a duty to set the Council tax by 11 March 2009. 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.

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 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.

Before Budget Council

- The Administration's budget will be worked up including all amendments from Budget Cabinet with full service, financial and legal implications. They will be incorporated in full into the main papers despatched for Budget Council.
- Other Groups' amendments are also evaluated by finance officers to determine the service, financial and legal implications of implementing those proposals. The proposals will be held confidential from the other political parties by the finance officers involved and all proposals must have been "signed off" by finance officers no later than 4pm two days before Budget Council. (i.e. 4pm Tuesday 24 February 2009)
- Only the Chief Executive, Director of Finance & Resources and/or Chief Finance Officer (with appropriate officers from the finance team) will be aware of the full range of amendments being proposed and they will not be shared with any parties until the morning of the date of the Council meeting.
- The Chief Executive should have a "brokering" role if this would appear to facilitate agreement on particular amendments or proposals.
- The Mayor will refuse to accept any amendment subsequently moved that has not been "signed off" by the Director of Finance and Resources and/or Chief Finance Officer.
- All amendments are shared at 9am on the day of Budget Council between the Group Leaders.

Budget Council 26 February 2009

- The Mayor will start with a recap on Members' collective legal responsibilities on setting budgets.
- The Mayor will ask for the agreement of the meeting to suspending procedural rules where they are incompatible with the processes set out below.
- The Administration's budget with any amendments will be moved and seconded.
- Labour amendments will then be moved and seconded on block.
- Green amendments will then be moved and seconded on block.
- Liberal Democrat amendments will then be moved and seconded on block.
- The Administration's budget with any amendments will then be debated along with the Labour, Green and Liberal Democrat amendments.

- At the conclusion of the debate the voting will take place as follows:
 - The Administration's amendments (up to a maximum of 6 separate votes) will be voted upon;
 - Labour amendments (up to a maximum of 6 separate votes) will be voted upon;
 - The Green amendments (up to a maximum of 6 separate votes) will be voted upon;
 - The Liberal Democrat amendments (up to a maximum of 6 separate votes) will be voted upon.

At any stage, the Chief Executive / Director of Finance & Resources / Monitoring Officer/Chief Finance Officer shall have discretion to remind Members of the proposed substantive budget motion and its implications following acceptance of any amendments. At any stage, the Chief Executive / Director of Finance & Resources / Monitoring Officer/Chief Finance Officer may advise the Mayor of the need for a short adjournment in order to adjust the budget model in the light of amendments just agreed.

- Ultimately the Administration's budget (as amended) (if amended) is put to the vote of the full meeting for approval as the Council's budget for 2009/10. There will be separate votes on items 59(a) (Housing Revenue Account Budget), 59(b) (Capital Resources & Capital Investment Programme), 59(c) (Revenue Budget & Council Tax Report), and 59(d) Supplementary Financial Information.

Abraham Ghebre-Ghiorghis
Monitoring Officer

Richard Szadziewski
Director of Finance & Resources

BUDGET COUNCIL MEETING: 26 FEBRUARY 2009

PROCEDURAL NOTE

To help Members at Council on 26 February 2009 the procedure to be followed in respect of the Budget debate is set out below:-

57. Declarations of Interest.

58. Mayor's communications, including the following:

The Council will be asked to agree that the Procedural Rules be suspended to the extent that it is necessary to enable the business of the meeting to be dealt with as set out in agenda item 59 below.

59. Revenue / Capital Budgets and Housing Revenue Account

- (a) The **Mayor** will invite Councillor Mears and Councillor Young to make their presentation to the Council and to move and second the Administration's budget, together with any amendments (up to 6). Councillor Mears will have unlimited time and Councillor Young will have 5 minutes.

[The 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.]

- (b) The **Mayor** will invite Councillor Hamilton, Opposition Spokesperson on Finance and Councillor Mitchell to respond and move their amendments (up to 6). Councillor Hamilton will have unlimited time to move the amendments and Councillor Mitchell will have 5 minutes within which to second the amendments and to refer to the prevailing financial conditions in relation to the budget.

[The 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.]

- (c) The **Mayor** will invite Councillor Randall and Councillor Kennedy to respond and move their amendments (up to 6). Councillor Randall will have unlimited time and Councillor Kennedy will have 5 minutes.

[The 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) The **Mayor** will invite Councillor Elgood and Councillor Watkins to respond and move their amendments (up to 6). Councillor Elgood will have unlimited time and Councillor Watkins will have 5 minutes.

[The 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.]

Brighton & Hove City Council

- (e) The **Mayor** will then allow Councillors to debate the proposed budget and the amendments.

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

- (f) *At the conclusion of the debate the **Mayor** will invite Councillor Mears to give her final right of reply.*

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

- (i) The Labour amendments
- (ii) The Green amendments
- (iii) The Liberal Democrat amendment

- (h) The **Mayor** will put the substantive motions (as amended) (if amended) to the meeting as follows:

Item 59(a) Housing Revenue Account Budget 2009/10 recommendations (2.1);

Item 59(b) Capital Resources and Capital Investment Programme 2009/10 recommendations (2.1);

Item 59(c) General Fund Revenue Budget & Council Tax 2009/10 recommendations (2.1) – (2.4) together with;

Item 59(d) Supplementary Financial Information for Budget Council recommendations (2.1 - 2.2).

The Chief Finance Officer / Monitoring Officer may at any stage advise Members, especially if there is a need for consequential adjustment to parts of the budget resulting from the separate votes under 59(a), 59(b), 59(c) or 59(d). The 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 amendments just agreed. The budget resolutions shall not be treated as concluded until any consequential adjustments are agreed.

Under Section 30(6) of the Local Government Act 1992 the Council has a duty to set the Council tax by the 11 March 2009. A failure to set the council tax does not then itself invalidate the tax demands but it has other adverse consequences including the potential loss of income to the Council. One significant practical implication is that the contractor who prints and sends out the Council Tax bills has a slot booked to process the city council's bills on the 27 February and a delay in setting the Budget would significantly affect this process.