

# Brighton & Hove City Council

## Council

## Agenda Item 69

**Subject:** Budget Protocol

**Date of meeting:** 30 January 2025

**Report of:** Director of Governance & Law

**Contact Officer:** Name: Anthony Soyinka  
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**Ward(s) affected:** All

**For general release**

### **1 Purpose of the report and policy context**

- 1.1 To agree the protocol for setting the council's budget and council tax including proceedings at the February Budget Council meeting of the full Council in order to facilitate the decision-making process.

### **2 Recommendations**

- 2.1 That the budget protocol outlined in Appendix 1 be approved for use at the Budget Council meeting on the 27 February 2025.
- 2.2 That the Legal Advice Note as set out at Appendix 2 be noted.

### **3 Context and background information**

- 3.1 Budget Council is a special meeting of the Authority to set the Council Tax for each year and approve the General Fund and Housing Revenue Account budgets for the year ahead. In order to help councillors with the process and running of the meeting, and provide clarity for members of the public, a protocol has previously been adopted requiring the suspension of Standing Orders in so far as it is required to adhere to the protocol.
- 3.2 The protocol is being put to the Council ahead of the budget meeting so that all Members can be fully aware of the procedure that will be followed should the protocol be approved. The protocol also proposes that there will be a limitation as to the number of amendments that directly impact the budget proposals ('budget amendments') and a defined timeline for their clearance prior to Budget Council to ensure safe and manageable decision-making.
- 3.3 The budget proposals are first considered by the Cabinet for recommendation on to Budget Council. Under normal procedure rules amendments can be submitted up to 10:00am on the morning of the day before the meeting. However, in the case of amendments that impact the budget proposals, this is not appropriate as such amendments would be highly likely to be disallowed due to the lack of time to undertake the necessary checks, including by the S151 Chief Financial Officer and Monitoring Officer.
- 3.4 To further aid the smooth running of the budget and Council Tax setting process, a Legal Advice Note is normally provided to the Budget Council

meeting setting out the legal, financial and practical consequences of a failure or delay in setting the Council Tax. A copy of the advice note is provided at Appendix 2.

#### **4 Analysis and consideration of alternative options**

- 4.1 Without the proposed protocol, the Budget Council meeting will need to follow the usual process for its meetings, and this would prove difficult and lead to potentially lengthy adjournments and points of clarification. As such, the use of the protocol is recommended as has been custom and practice in this authority.

#### **5 Community engagement and consultation**

- 5.1 The Council has provided budget information on its website to inform members of the public how the budget is formulated and set. A 'Budget Simulator' has also been developed to enable members of the public to share their own views of how they would balance the council's budget. This has been provided through the council's 'Your Voice' consultation portal. Further details of consultation and engagement undertaken will be provided in the General Fund and Housing Revenue Account budget reports to Cabinet and Budget Council. The budget proposals will also be shared and discussed at Overview & Scrutiny meetings in February.

#### **6 Conclusion**

- 6.1 The budget protocol has been used successfully at previous budget meetings and it is recommended that this approach is continued in order to ensure clarity of the process for all councillors in advance of the meeting.

#### **7 Financial implications**

- 7.1 There are no direct financial implications as the proposals are aimed at facilitating a smooth but robust procedure for facilitating the budget and Council Tax setting process at the Budget Council.

Finance officer consulted: Nigel Manvell

Date consulted: 6.01.25

#### **8 Legal implications**

- 8.1 The legal implications of not setting a budget are outlined in Appendix 2 to the report. The adoption of a clear protocol to support the meeting will assist councillors with the smooth running of the meeting and support the Council to meet its legal obligation to set a budget within the statutory timescales.

Lawyer consulted: Elizabeth Culbert

Date consulted: 6.01.25

#### **9 Equalities implications**

- 9.1 The protocol has been drawn up to enable a full discussion of the budget and for all Members who wish to participate in the debate and budget setting process.
- 9.2 The budget reports that will be considered at the meetings will include equalities impact assessments as appropriate.

#### **10 Sustainability implications**

- 10.1 The protocol is proposed primarily to ensure the smooth running of the Budget Council meeting and to enable the budget to be set rather than

having to reconvene the meeting on another day which would then have an impact in terms of the resources required for a further meeting.

**11 Crime & disorder implications**

11.1 There are no crime & disorder implications associate with the report.

**12 Public health implications**

12.1 There are no public health implications associated with the report.

**Supporting Documentation**

Appendices:

1. Budget protocol for 27 February 2025 Budget Council meeting
2. Setting a lawful budget for 27 February 2025 Budget Council meeting

