

23 February 2012

Budget Council 23 February 2012: Setting a lawful budget for 2012/13

Introduction

Under section 30 (6) of the Local Government Act 1992 the Council has a duty to set the **Council tax by 11 March 2012**. 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.

Budget Council 23 February 2012

To help Members at Council on 23 February 2012 the procedure to be followed in respect of the Budget debate, (subject to Council approval) is set out below:-

67. Declarations of Interest.

68. Mayor's urgent communications, including the following:

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 69-72 below.

69. General Fund Revenue Budget & Council Tax 2012/13

70. Supplementary Financial Information for Budget Council

71. Capital Resources & Capital Investment Programme 2012/13

72. Housing Revenue Account Budget 2012/13

Administration's Budget Proposal:

- (a) The **Mayor** will invite Councillor Jason Kitcat and Councillor Randall to make their presentation to the Council and to move and second the Cabinet's budget. Councillor Kitcat will have unlimited time and Councillor Randall will have 5 minutes.

Conservative Group's Amendments Proposal:

- (b) The **Mayor** will invite Councillor Ann Norman, and Councillor Geoffrey Theobald to respond and move their six amendments. Councillor Norman 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.

[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.]

Labour & Co-operative Group's Amendments Proposal:

- (d) The **Mayor** will invite Councillor Mitchell and Councillor Hamilton to respond and move their amendment. Councillor Mitchell will have unlimited time and Councillor Hamilton 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.]

Council Debate:

- (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.

Administration's Right of Reply:

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

Voting on Amendments:

- (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 Conservative Group's amendments;
 - (ii) The Labour & Co-operative Group's amendment.

Additional guidance note regarding voting on amendments:

1. Some of the proposed amendments use the same money for different purposes. Therefore, if any amendment is voted through subsequent amendments may need to be changed;
2. The following amendments do not need to be changed regardless of the voting outcomes:
 - Conservative amendments 1, 2, 3, 4, 5 and 6;
3. The following amendments therefore may need to be changed:
 - Labour & Co-operative Amendment if the Conservative Amendment No.1 is carried.

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 officers for Members.

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 any amendments just agreed. The Budget resolutions shall not be treated as concluded until any consequential adjustments are agreed.

Substantive Votes:

- (h) The **Mayor** will put the substantive motions (as amended) (if amended) to the meeting as follows:
- | | |
|---------|--|
| Item 69 | General Fund Revenue Budget & Council Tax 2012/13 recommendations (1) – (3) together with; |
| Item 70 | Supplementary Financial Information for Budget Council recommendation (1); |
| Item 71 | Capital Resources and Capital Investment Programme 2012/13 recommendations (i)-(vi); |
| Item 72 | Housing Revenue Account Budget 2012/13 recommendations (1)-(5). |

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 69 & 70, 71, and 72.

Should Council fail to set the Council Tax on the 23rd February 2012 there is one significant practical implication; the contractor who prints and sends out the Council Tax bills has a slot booked to process the city council's bills on the 2nd March and a delay in setting the Budget before then would significantly affect this process.

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