

1. At its meeting of 18 March 2024, Audit and Governance Committee agreed that a matter relating to budget preparation and access to information be referred to its next meeting.
2. This paper provides information to assist with discussion.

## **BUDGET PREPARATION**

3. The Council operates an executive model of governance. Full Council elects a Leader of the Council. The Leader appoints an executive (the Cabinet).
4. Approving a budget is a non-executive function and so is a function of the Full Council.
5. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 set out what is and what is not a responsibility of the executive.
6. The Explanatory Notes to the 2000 Regulations sets out that:

“Paragraphs (9) to (11) of regulation 4 allocate responsibility for various aspects of functions relating to council tax, precepts and other calculations under the Local Government Finance Act 1992. To the extent that the function relates to the preparation and revision of estimates and other amounts for consideration by an authority it is to be the responsibility of an authority's executive. Other aspects of the function, such as the setting of an amount of council tax for a financial year, are to be the responsibility of the authority. The Council’s constitution sets out the procedure for approving a budget.”

7. This is reflected in the Council’s constitution as follows:

at page 104, “The Cabinet undertakes all Executive functions ... including:  
(a) proposing plans and strategies, including the overall Budget...”

at page 31, setting out the functions of Full Council: “(b) adopts or amends the Budget and Policy Framework following recommendation from the Cabinet...”

8. At page 139 onwards, the constitution sets out the procedures for Budget Meetings, including:
  - (a) The Leader will be asked to move (with no debate at this stage) all approved Budget proposals that have been submitted, and these will be seconded.

(e) Full Council will then debate all the budget options as one debate, with the Leader speaking first and then the leaders (or their nominees) of each political group will be invited to speak for 15 minutes each. The order for speeches will be the order in which any alternative budgets were submitted to the Chief Finance Officer and then at the discretion of the chairman.

(h) The Leader will then be invited to formally move their recommended Budget, and this will be seconded. Those councillors who submitted alternative Budget proposals will then be invited (in the order in which the proposals were submitted) to move their proposals as an amendment, and without further debate those amendments will be voted on in turn. If an amendment is agreed, then this becomes part of the original motion.

(i) The process detailed in paragraph (h) will continue until all Budget proposals have been considered.

(j) Then the council will vote on the substantive budget recommendation (i.e., that moved by the Leader, including any amendments that the council might have agreed).

## **ACCESS TO INFORMATION**

9. The protocol for councillors' rights to information is set out in the constitution at page 187 and onwards.

10. At page 223, the constitution in the protocol for member/officer/staff relations it sets out the following, in relation to budget proposals:

(a) The Leader and Cabinet are entitled to confidential information and discussions with officers regarding options and proposals. These will remain confidential until determined by the Executive or until published in advance of Cabinet/Committee/Council meetings, whichever is the earlier; and

(b) Opposition groups are also entitled to confidential information and discussions with officers to enable them to formulate alternative budget proposals. These will remain confidential until determined by the respective political groups or until published in advance of Cabinet/Committee/Council meetings, whichever is the earlier. Officers giving such advice must not be named in public.