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**TO REVIEW COUNCIL PROCEDURE RULE 2.0 IN RELATION TO BUSINESS  
CONSIDERED AT BUDGET-SETTING MEETINGS OF THE COUNCIL**

To: **Constitutional Review Working Party – 13 March 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

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**Summary: To review Council Procedure Rule 2.0 in relation to business  
transacted at budget-setting meetings of Council**

**For Decision**

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**1.0 The Current Situation**

- 1.1 As from 2012, the Council has held an additional meeting, either in late January or early February, for the purpose of setting the budget. In 2012, this was an extraordinary meeting. In 2013 and 2014, it was an ordinary meeting and on that basis, the usual items of business transacted at ordinary meetings were placed on the agenda; for example:
- Announcements
  - Petitions from the public
  - Questions from the press and public
  - Motions on notice
  - Leader's Report
- 1.2 Prior to the budget meeting taking place on 6 February 2014, the Political Group Leaders reached an informal agreement whereby Members did not submit questions or notices of motion to the meeting, given that they could be submitted to a different Council meeting only a few weeks later (on 27 February). The underlying purpose of that arrangement was to enable more time to be devoted to consideration of the budget at the meeting. Additionally, and for the same reason, the Leader of Council declined to present the Leader's report.
- 1.3 In a similar vein, a question was received from a member of the public that would ordinarily have been presented to the meeting on the 6th. The member of the public was asked if they were willing to defer the question until the meeting on 27 February, which they agreed to.
- 1.4 At a recent meeting involving all Group Leaders, they seemed to wish to formally restrict the number of agenda items that could be considered at the budget setting meeting, for the same reason – allowing maximum time for a debate on budget setting for the year ahead.
- 1.5 As the budget-setting meeting is essentially an “extra meeting”, followed by a further ordinary meeting (at which the council tax is agreed) three to four weeks later, it is not considered that the opportunities for transaction of other ordinary business (which do

not relate to the budget) are significantly affected by excluding that business from the agenda.

- 1.6 Online research has been carried out with a view to determining whether any other councils exclude non-budget business from their budget setting meetings. Table 1 provides some examples of items of business that are not permissible.

Table 1

<b>Council</b>	<b>Items excluded from a budget setting meeting of council</b>
Birmingham	Public questions
Cardiff	Members' questions Members' notices of motion
Lambeth	Members' questions Reports from Cabinet and other council committees Members' motions
Norfolk	Everything "... except the budget and associated items, subject to the Chairman having discretion to accept additional items other than those relating to the budget; but only in exceptional or urgent circumstances."
Medway	Petitions Public questions Leader's report Report on Overview & Scrutiny activity Members' questions Members' motions

- 1.7 Members may wish to note that in the case of Birmingham and Cardiff, council meetings are generally held on a monthly basis; in the case of Norfolk, an ordinary meeting takes place a month before and a month after the budget meeting; in the case of Lambeth an ordinary meeting takes place a month before and 6-7 weeks after the budget meeting; and, finally, in the case of Medway, an ordinary meeting takes place a month before and 2 months after the budget meeting.

## 2.0 Options

- 2.1 **Option 1** - exclude from the budget-setting meeting agendas all items that do not relate to the budget, with the exception of the essential items of apologies for absence, minutes of previous meeting and declarations of interests, subject to a qualification similar to that used by Norfolk council as follows:
- *subject to the Chairman having discretion to accept additional items; but only in exceptional or urgent circumstances.*
- 2.2 **Option 2** - only exclude from the budget-setting meeting agendas some or all of the items of business listed at paragraph 1.1 above, but also with the qualification above regarding exceptional or urgent items;
- 2.3 **Option 3** - do not exclude any items of business from the budget-setting meeting agenda.

2.4 How the adoption of options at paragraphs 2.1 or 2.2 could affect the wording of Council Procedure Rule 2.0 is illustrated at Annex 1.

### **3.0 Corporate Implications**

#### **3.1 Financial and VAT**

3.1.1 None

#### **4.2 Legal**

4.2.1 Any changes to the types of business transacted at ordinary budget meetings must be reflected in the Council's constitution.

#### **4.3 Corporate**

4.3.1 Whereas it could be considered that the opportunity afforded to members of the public to participate in council meetings would be diminished by the exclusion of public petitions and questions from the agenda of an ordinary budget setting meeting, this must be weighed against the close proximity that now exists between the ordinary budget setting meeting and the ordinary Council meeting that follows it.

#### **4.4 Equity and Equalities**

4.4.1 None arising directly from this report.

### **5.0 Recommendation**

5.1 The Working Party is asked to decide which of the three options (as outlined in section 2.0 above), to recommend to Standards Committee, i.e.,

5.1.1 Exclude from the budget-setting meeting agendas all items that do not relate to the budget, with the exception of the essential items of apologies for absence, minutes of previous meeting and declarations of interests, subject to a qualification similar to that used by Norfolk council as follows:

- *subject to the Chairman having discretion to accept additional items; but only in exceptional or urgent circumstances.*

5.1.2 Only exclude from the budget-setting meeting agendas some or all of the items of business listed at paragraph 1.1 above, but also with the qualification above regarding exceptional or urgent items;

5.1.3 Do not exclude any items of business from the budget-setting meeting agenda.

5.2 If the Working Party decides to recommend the option at paragraph 5.1.2, it is asked to identify the items of business which should be excluded.

### **6.0 Decision Making Process**

6.1 Recommendations by the Working Party will be submitted to Standards Committee, who, in turn, will make final recommendations to Council.

## Future Meetings

Standards Committee	<i>1 April 2014</i>
Council	<i>24 April 2014</i>

Contact Officer:	Glenn Back, Democratic Services & Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, ext 7005

## Annex List

Annex 1	Suggested changes to CPR 2.0 to take account of Options 1 & 2, at paragraphs 5.1.1 and 5.1.2 of the report
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## Background Papers

<b>Title</b>	<b>Details of where to access copy</b>
<i>None</i>	

## Corporate Consultation Undertaken

Finance	<i>n/a</i>
Legal	<i>Harvey Patterson, Corporate &amp; Regulatory Services Manager and Monitoring Officer, Ext 7005</i>