

# Herefordshire Council

## Budget Council meeting procedure

### A. Introduction

- A1. The council's constitution provides the following specific provisions relating to the budget meeting:
- Receive any questions from, and provide answers to, members of the public. In the case of extraordinary meetings and the budget meeting questions must relate to items on the agenda;
  - Consider motions and debate those motions in the order in which they have been received, at the budget meeting motions must relate to the agenda or be time critical; and
  - Receive any questions from and provide answers to members of the council. At the budget meeting questions must relate to items on the agenda.
- A2. As questions must relate to items on the agenda it is appropriate to take them before those items are considered.
- A3. In relation to the debate on the budget the constitution includes a number of rules to ensure that all members have an opportunity to express their views within the time available. The chairperson remains responsible for the management of the meeting.
- A4. This guidance is intended to remind members of those rules of debate and how the chairperson may use those rules to help ensure that all members who wish to do so have an opportunity to speak.
- A5. In order to ensure that all members have the opportunity to contribute to the budget debate the chairperson will ask all speakers to be succinct and will use the timer to keep members within the following time limits:
- Leader of the council – up to 10 minutes proposing the budget;
  - Seconder – up to five minutes seconding the proposed budget;
  - Other group leaders – The leaders of each of the political groups speak on the executive's budget – up to 5 minutes each (The order of speaking is determined by size of the group and, in cases where the size is equal, in alphabetical order);
  - Proposers of amendments if any – up to three minutes each;
  - Seconders of any amendments – up to three minutes each.
  - All other members speaking in debate – up to three minutes each
  - Leader of the council – up to five minutes (right to reply to budget debate) and three minutes (right of reply to debate on amendments).
  - Where specific questions have been addressed to a cabinet member, that cabinet member may have up to two minutes to respond.

## **B. Procedure**

- B1. The leader will formally move the cabinet's budget recommendations
- B2. The leader's motion is formally seconded.
- B3. The leader will make his proposal speech (10 minutes).
- B4. The seconder may speak in support or reserve their right to speak later (5 minutes).
- B5. The leader of the Conservatives group may speak (5 minutes).
- B6. The leader of the Herefordshire Independents group may speak (5 minutes).
- B7. The leader of the It's Our County (Herefordshire) group may speak (5 minutes).
- B8. The leader of the Liberal Democrat group may speak (5 minutes).
- B9. The leader of The Green Party group may speak (5 minutes).
- B10. The leader of the True Independents group may speak (5 minutes).
- B11. All other members may speak and debate the cabinet's budget recommendations (3 minutes).
- B12. Where an alternative budget is being proposed, the proposing group or Member must have presented their proposals to the scrutiny committees and secured confirmation from the chief finance officer that the alternative budget meets statutory requirements at least six clear working days before the meeting of Council at which the item is to be considered. The alternative budget will be taken as the first budget amendment under the relevant agenda items.
- B13. Members intending to propose an amendment to the budget proposals should submit the proposed amendment to the monitoring officer by 9.30am on the morning of the meeting or half an hour before the start of the meeting whichever is the earlier. Members proposing an amendment to the budget proposals recommended by cabinet must have consulted with the relevant director to determine the context and possible consequences of the proposal and have secured confirmation from the chief finance officer that the action proposed is achievable before submitting the amendment, in accordance with the budget and policy framework rules. In order for the chief finance officer to review an amendment it should be submitted to him by 5.00 p.m. on the Wednesday preceding the budget meeting.
- B14. Proposed amendments (if any) will be taken in the order in which they have been received by the monitoring officer having secured confirmation from the chief finance officer.

B15. Each amendment will be dealt with as follows and using the time limits outlined above:

- The proposer will propose and speak in support (3 minutes).
- The seconder will second and may speak in support (or reserve their right to speak). (3 minutes)
- The chief finance officer has the opportunity to confirm whether or not each proposed amendment, if adopted, would result in the setting of a lawful and balanced budget; and gives any advice, felt to be appropriate, in relation to each proposed amendment.
- All other members may speak (but not more than once on any one amendment).(3 minutes)
- The seconder (if they have reserved their right to speak) may speak.(3 minutes)
- The leader (as proposer of the original motion) may speak immediately before the vote on the amendment (but not otherwise). (3 minutes)
- The proposer of the amendment shall have no right of reply to the debate on the amendment.
- The amendment is put to the recorded vote in which the names of members are called out in alphabetical order. Members vote for, against or abstain on the amendment.

B16. If an amendment has been passed and there are further amendments, the procedure at B15 will be repeated until there are no further amendments. The budget as amended is then put to the recorded vote without further debate and any member who has reserved their right to speak loses the opportunity to do so unless the chairperson exercises discretion otherwise.

B17. If there are no amendments passed, the leader has the opportunity to respond to the debate, the budget proposals will be put to the recorded vote. If Council accepts the recommendations of cabinet without amendment, Council may make a decision which has immediate effect.

B18. If Council rejects or amends the cabinet's recommendation or substitutes alternative or additional proposals in place of the cabinet's recommendations, one of the following procedures will be pursued:

Either:

(a) where an amendment to the budget has been submitted, the leader may indicate, on behalf of the cabinet, that they accept the amendment; in these circumstances, the amendment shall be regarded as incorporated in the budget before Council and Council's decision may take immediate effect; or

(b) immediately prior to the close of the meeting the chairperson of the council will adjourn the meeting until a date (not less than ten working days thereafter) to be agreed by the leader. The leader may agree that the matter be deferred to the next meeting of Council. At the reconvened or next meeting Council will consider the matter again.

B19. At least five clear working days before the date on which the adjourned or next meeting is reconvened, the leader will provide a further report to Council in which the cabinet's response to the Council's proposals to the amended budget will be set out. That report must address all relevant issues and in particular, must include advice on the financial and legal implications.

At the reconvened council meeting the leader may:

(a) submit a revision of the draft budget with the cabinet's reasons for any amendments and any advice from officers for Council to consider;

(b) inform Council of any disagreement the cabinet has with Council's amendments or substitute proposals and the cabinet's reasons for such disagreement; or

(c) agree any in principle decisions of Council in whole or in part.

At the reconvened or next meeting, Council may approve the cabinet's recommendation or approve a different decision that does not accord with the recommendation of the cabinet. The decision shall then be made public and shall be implemented immediately.

**Claire Ward**  
**Solicitor to the Council**

February 2020