

## Appendix 1 - Changes to the Constitution – Budget and Policy Framework

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 Section 3
<p><b>Proposed Changes</b></p>	<p><del>4.3.15 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 followed:</del></p> <p><del>Either:</del></p> <p><del>(a) where an amendment to a draft plan or strategy, or 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 draft plan or strategy before Council and Council's decision may take immediate effect; or</del></p> <p><del>(b) where a majority vote has not been achieved 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.</del></p> <p><del>4.3.16 At least five clear working days before the date on which the adjourned or next meeting is to be reconvened, the leader will provide a further report to Council in which he will set out the cabinet's response to the Council's proposals or concerns. That report must address all relevant issues and in particular, must include advice on the financial and legal implications.</del></p> <p><del>4.3.17 The leader may:</del></p> <p><del>(a) submit a revision of the draft budget plan or strategy with the cabinet's reasons for any amendments and any advice from officers for Council to consider</del></p> <p><del>(b) inform Council of any disagreement the cabinet has with Council's amendments or substitute proposals and the cabinet's reasons for such disagreement (c) agree any in principle decisions of Council in whole or in part.</del></p> <p><del>4.3.18 If the leader of the council fails to agree a date for the reconvened meeting of council or that the matter may be deferred to the next meeting, the chairperson of the council shall set the date of the reconvened meeting or decide that the matter be deferred to the next meeting.</del></p> <p><del>4.3.19 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. A majority vote must be obtained and this may involve a vote being called more than once.</del></p> <p><del>4.3.20 The decision shall then be made public and shall be implemented immediately.</del></p> <p><u>4.3.15 If Council has objections to any part forming part of the Budget and Policy Framework it may resolve to amend it.</u></p>

4.3.16 if an amendment to the Budget and Policy Framework has been submitted in accordance with Council's Constitution Part 4 Section 1 (Council and Committee meeting rules) and the Leader indicates, on behalf of Cabinet, that they accept the amendments, then the Budget and Policy Framework shall be deemed to include such amendments.

4.3.17 If the amendment isn't accepted by the Leader as outlined in paragraph 4.3.16, Council cannot amend Budget and Policy Framework until the following process has been followed. Council may however make an 'in principle' decision to amend the Budget and Policy Framework.

4.3.18 Council shall vote on the amendment and if passed as an 'in principle' decision, then it will instruct Cabinet to reconsider the amendment to the Budget and Policy Framework.

4.3.19 Council will specify a date by which the Cabinet may submit a response to Council in respect to the amended part of the Budget and Policy Framework. That date must be at least 10 working days after the date of the 'in principle' Council decision.

4.3.20 If Cabinet does not submit a response within the time specified, then the 'in principle' decision takes effect the day following the date specified by Council.

4.3.21 If Cabinet wishes to submit a response, then Cabinet will meet to consider Council's amended Budget and Policy Framework and may resolve to:

- a. accept Council's amendments and make no further submissions, in which case the 'in principle' decision of Council takes effect immediately; or
- b. disagree with Council's amendments, in which case the Cabinet must inform Council that Cabinet disagrees with Council's amendments and explain why; or
- c. make further amendments to the amended part of the Budget and Policy Framework, in which case Cabinet must submit any revised draft to Council together with Cabinet's reasons for those revisions

4.3.22 If appropriate, Cabinet may wish to consult the relevant Overview and Scrutiny Committee (or in the case of urgency the Chair of the relevant Committee) in such reconsideration.

4.3.23 If Cabinet submits a response under para 4.3.21 b. or c. above then a further Council meeting will be held at least 5 working days after the date of submission of the response. The Chairperson of the Council shall set the date of the further Council meeting.

4.3.24 At any further Council meeting, Council must then consider the submissions made by Cabinet before finally approving the Budget and Policy Framework. Council shall approve either the Budget and Policy Framework (i) as originally submitted by Cabinet to the first Council meeting or (ii) as amended by Council at the first Council meeting or (iii) as recommended by any further Cabinet amendments. The decision shall then be made public and shall be implemented immediately.