

Budget Council 22 February 2024 – Procedure Note

To help Members at Council on 22 February 2024 the procedure to be followed in respect of the Budget debate (subject to Council approval) is set out below:

92. Declarations of Interest.

93. Mayor's urgent communications:

Adoption of Special Procedures

The Leader will move that Council agrees 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 94 – 96 below.

94. General Fund Revenue Budget, Capital & Treasury Management Strategy 2024-25

95. Supplementary Financial Information for Budget Council

96. Housing Revenue Account (HRA) Budget & Capital Investment Programme 2024/25 and Medium-Term Financial Strategy

A. The Administration's Budget Proposal based on a 4.99% Council Tax Increase incorporating a 2% Precept Ring-fenced for Adult Social Care:

- (i) The Mayor will invite Councillor Taylor and Councillor Sankey to move and second the Administration's Budget based on a 4.99% Council Tax increase incorporating a 2% precept for Adult Social Care.

Councillor Taylor will have unlimited time and Councillor Sankey will have 5 minutes within which to move and second the budget proposals, and to refer to the prevailing financial conditions in relation to the budget.

B. The Green Group's Response and Amendments:

- (ii) The Mayor will invite Councillor Shanks to move and Councillor Davis to second the Green Group's amendments to the budget proposals.

Councillor Shanks will have unlimited time and Councillor Davis will have 5 minutes within which to move and 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.]

C. The Conservative Group's Response and Amendments:

- (iii) The Mayor will invite Councillor McNair and Councillor Meadows to move and second the Conservative Group's amendments to the budget proposals.

Councillor McNair will have unlimited time and Councillor Meadows will have 5 minutes within which to move and second the amendments and 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.]

D. The Brighton & Hove Independent Group's Response and Amendments:

- (iv) The Mayor will invite Councillor Earthey, and Councillor Fishleigh to move and second the B&H Independent Group's amendments to the budget proposals.

Councillor Earthey will have unlimited time and Councillor Fishleigh will have 5 minutes within which to move and second the amendments and 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.]

E. Council Debate:

- (v) The Mayor will then allow Councillors to debate the 2024/25 budget proposals for the General Fund Revenue Budget, Council Tax, Capital and Treasury Management Strategies and the Housing Revenue Account Budget & Capital Investment Programme and Medium-Term Financial Strategy; based on a Council Tax increase of 4.99% (items 94 - 96), and the amendments (as detailed in the addendum papers).

NOTE: Speakers are limited to three minutes each unless otherwise specified or extensions granted.

[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.]

F. The Administration's Right of Reply:

- (vi) At the conclusion of the debate the Mayor will invite Councillor Sankey to give a final right of reply on behalf of the Administration and they will have up to 5 minutes in which to respond.

Following this,

- (i) The Mayor will request that all Members are logged into their microphones so that they can use the voting facility and the outcome of the voting can be recorded.
- (ii) There will be a slight delay between each vote to enable the results of the previous item to be recorded into the system for the minutes once they have been shown on the screens.

G. Voting on the amendments:

- (vii) The Mayor will then put the amendments to the vote in the following order:

- (i) The B&H Independent Group's amendments;
- (ii) The Conservative Group's amendments;
- (iii) The Green Group's amendments.

Following the conclusion of the voting on the amendments the Chief Finance Officer will confirm how the individual amendments that have been carried affect the council tax proposal as necessary.

There may be a need for a short adjournment to allow for the preparation of the council tax resolutions to reflect the budget proposals as amended / if amended to be printed and circulated prior to the substantive vote.

H. Substantive Votes:

(viii) The Mayor will put the substantive motions (as amended) (if amended) relating to the General Fund Revenue Budget, Council Tax, Capital and Treasury Management Strategies 2024/25 to a recorded vote as follows:

1. Budget 4.99% with a 2% Precept for Adult Social Care

1.1 If required, the Chief Finance Officer will clarify the amendments that have been agreed and how they affect the budget proposal which will then be put to the vote.

1.2 **Item 94** General Fund Revenue Budget, Capital and Treasury Management Strategy 2024-25 based on a budget and council tax increase of 4.99% (incorporating a 2% precept for Adult Social Care), recommendations (1) to (7), as detailed in the extract from the Strategy, Finance & City Regeneration Committee.

together with;

Item 95 Supplementary Financial Information for Budget Council recommendations (2.1 and 2.2) incorporating the council tax resolution at Appendix 8;

1.3 **Note:** Should the budget of 4.99% be approved, then the Mayor will move to Item 96 on the agenda.

1.4 If the vote on the Budget is carried the Mayor will then put the Housing Revenue Account Budget & Capital Investment Programme 2024/25 and Medium-Term Financial Strategy to the vote as detailed in **(2)** below.

1.5 If the vote on the budget is lost, then the Chief Finance Officer and/or the Monitoring Officer will outline the Council's position and consult the Mayor.

1.6 **Note:** There may then be a need for an adjournment.

Followed by:

(ix) The Mayor will put the substantive motions (as amended) (if amended) relating to the Housing Revenue Account Budget & Capital Investment Programme 2024/25 and the Medium-Term Financial Strategy to the vote as follows:

2. Housing Revenue Account Budget & Investment Programme 2024/25 and Medium-Term Financial Strategy

2.1. If required, the Chief Finance Officer will clarify the position should an amendment have been agreed and how it affects the budget proposal which will then be put to the vote.

2.2. Item 96 Housing Revenue Account Budget & Capital Investment Programme 2024/25 and Medium-Term Financial Strategy recommendations 2.9 to 2.11 as detailed in the extract from the Strategy, Finance & City Regeneration Committee.

I. H. Close of Meeting:

(x) The Mayor will then close the meeting.

Note: The Mayor may adjourn the meeting at any time.

Abraham Ghebre-Ghiorghis
Executive Director, Governance
People & Resources (Monitoring Officer)

Nigel Manvell
Chief Finance Officer

Additional guidance regarding voting on proposed amendments:

Brighton & Hove Independents

- 1 Brighton & Hove Independent amendment 1 will be voted on first. However if this amendment is carried and subsequently Conservative amendment 2 is carried, this would mean this amendment would fall.

Conservative Group Amendments 1 to 4

- 1 If Conservative amendment 1 is carried and subsequently Green amendment 2 is carried, this amendment would fall as Green amendment 2 uses all the additional resources from the final Local Government Finance Settlement, leaving this amendment no longer viable.
- 2 If Conservative amendment 2 is carried, then the Brighton & Hove Independents' amendment 1 would fall.
- 3 The Supplementary budget report includes a reduction in the Youth Led Grants saving of £0.040m. If Conservative amendment 3 is carried the full £0.080m original saving would be reversed.
- 4 If Conservative amendment 4 is carried and subsequently Green amendment 2 is carried, this amendment would fall as Green amendment 2 uses all the additional resources from the Final Local Government Finance Settlement, leaving this amendment no longer viable.

Green Group Amendments 1 to 4

- 1 Green amendment 1 and Conservative amendment 4 both include the reversal of the proposed saving for the Disability Advice Centre and Extended Bus Services. If both amendments are carried, the cumulative impact would not only reverse the savings but would invest a further £0.029m in supported Bus Route Services and an additional £0.020m for the Disability Advice Centre.
- 2 If Green amendment 2 is carried as well as Conservative amendments 1 and/or 4 then the Conservative amendments 1 and/or 4 would fall as they rely on the same additional resources confirmed in the Final Local Government Finance Settlement. Also, Green Group amendment 2 and Conservative Group amendment 2 both reduce the saving relating to the prevention of violence against women and girls. If both amendments are carried the proposed saving of £0.120m in 2024/25 would be reduced to £0.009m.
- 3 If both Green amendments 2 and 3 are carried, the £0.046m saving in Union facility Time would be fully reversed.
- 4 Green Amendment 4 is a standalone amendment.

Abraham Ghebre-Ghiorghis
Executive Director GPR & Monitoring Officer

Nigel Manvell
Chief Finance Officer

1

- Introduction from the Mayor and Approval of Special Procedures for the meeting

2

- The Administration and each Group Proposer (unlimited time) and Group Secunder (5 minutes) to introduce proposals and move amendments (in order of the Administration (Labour), Green, Conservative and B&H Independents).

3

- Full Council Debate (3 minutes per speaker)

4

- Right of Reply from Cllr Sankey (5 minutes)

5

- Recorded Vote on each amendment:
- B&H Independents (max 4)
- Conservative (max 4);
- Green (max 4).

Short Adjournment prior to Vote on Substantive Budget Proposals

6

- Recorded Vote on substantive Budget and Council tax increase of 4.99% (as amended / if amended)
- If carried move to 7
- If the budget is not approved, the Mayor will call a short adjournment.

Following approval of the General Fund Revenue Budget, Capital & Treasury Management Strategy 2024/25 (Item 94/95), Item 96 will be put to the vote by the Mayor

7

- Recorded Vote on Housing Revenue Account Budget & Capital Investment Programme 2024/25 and Medium term Financial Strategy (as amended / if amended)

Procedural Note: Setting a Lawful Budget for 2024/25

Introduction

Under section 30 (6) of the Local Government Act 1992 the Council has a duty to set the Council tax before the 11 March each year. A failure to set the tax by then does not in itself invalidate the tax demands but it has other adverse consequences including the potential loss of income to the Council. In practical terms this means the Council needs to reach a final position to meet billing deadline requirements before the **1 March 2024**.

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 their 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.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on the Council to require the vote of Members on the budget to be recorded. The votes on the amendments and the substantive budget will be conducted by electronic voting and the individual votes will be reflected in the minutes.

Please also note that the formal Council Tax resolution incorporates the following recommendations:

That Council notes:

- “4) That Council notes the Equalities Impact Assessments to cover all relevant budget options as set out in Appendix 6.**
- “5) That Council further notes that approval of the budget is an indicative resourcing decision to be taken in the context of the explanation given in the Legal Implications paragraph 18.2.”**

