

Subject: Amendment to Council Procedure Rules – Recorded Votes at Budget Meetings

Report to: Council – 22 March 2018

Report by: Monitoring Officer

SUBJECT MATTER/RECOMMENDATIONS

That Council amend the wording of the Council's Procedure Rules in order to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

1. PURPOSE OF REPORT

- 1.1 To advise Council on the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which make it mandatory for recorded votes to be taken at budget meetings.

2. MAIN BODY

- 2.1 On 31st January 2014 the Secretary of State for Communities and Local Government issued the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (the Regulations) which require recorded votes to be taken at budget meetings.
- 2.2 The Regulations came into force on 25th February 2014 and made it mandatory for Councils, as soon as practicable, to amend their Standing orders so as to include provisions requiring recorded votes at budget meetings.
- 2.3 The Parliamentary Under Secretary of State of the Department for Communities and Local Government, Brandon Lewis MP, wrote to Leaders about Regulations on 4 February 2014.
- 2.4 The Regulations state immediately after any vote is taken at a budget decision meeting of an authority there must be a recorded vote in the minutes

of the proceedings of the meeting, the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

- 2.5 A budget decision meeting is defined as one where the authority makes a calculation of its budget requirement under relevant sections of the Local Government Finance Act 1992 or issues a precept under the Act. A vote in this context is defined to include a vote on any decision related to the making of the calculation or issuing of the precept. This includes votes on any amendment as well as the substantive motion.

3. **FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications arising from these new requirements.

4. **RISK IMPLICATIONS**

- 4.1 Future compliance with the amended Council Procedure Rules will be required at all meeting, where appropriate.
- 4.2 Details of recorded votes taken at relevant meetings will be available to members of the public.

5. **CONCLUSIONS**

- 5.1 The following insertion be made to Council Procedure Rule 31.15.5 under the sub-heading Mandatory 'recorded vote at Budget Council Meetings.', subject to the approval of the recommendation at paragraph 1.1 of this report.

Immediately after any vote is taken at budget decision meeting there will be a recorded vote in the minutes of the proceedings of that meeting, the names of the persons who cast a vote for the decision, or against the decision, or who abstained from voting.'

- 5.2 To distinguish from 31.15.4 the words "by demand" shall be added after the sub-heading for this rule so that it reads "Recorded vote by Demand."

6. **RECOMMENDATIONS**

- 6.1 That Council amend the wording of the Council's Procedure Rules in order to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

7. BACKGROUND PAPERS

7.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Yes
Financial Implications (including VAT and tax):	No
Legal Implications (including human rights):	Yes
Risk Implications:	No
Equality Issues/EQIA assessment:	No
Crime & Disorder:	No
Every Child Matters:	No