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<b>REPORT TO:</b>	<b>COUNCIL</b>	<b>AGENDA ITEM:</b>
<b>DATE OF MEETING:</b>	<b>3<sup>RD</sup> APRIL 2014</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>CHIEF EXECUTIVE</b>	<b>OPEN PARAGRAPH NO:</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>ARDIP KAUR EXT. 5715 Ardip.Kaur@south-derbys.gov.uk</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>AMENDMENT TO COUNCIL PROCEDURE RULES – RECORDED VOTES AT BUDGET MEETINGS</b>	<b>REF: FM</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

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### **1.0 Recommendations**

1.1 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.

### **2.0 Purpose of Report**

2.1 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.

### **3.0 Detail**

3.1 On 31<sup>st</sup> 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.

3.2 The Regulations came into force on 25<sup>th</sup> 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.

3.3 The Parliamentary Under Secretary of State of the Department for Communities and Local Government, Brandon Lewis MP, wrote to Leaders about the Regulations on 4<sup>th</sup> February 2014.

3.4 The Regulations state immediately after any vote is taken at a budget decision meeting of an authority there must be recorded 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.

3.5 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 that 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.

- 3.6 Under Council Procedure Rule 16.5 if 8 Members present at the Meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the Minutes. A demand for a recorded vote will override a demand for a ballot. The new mandatory recorded vote at budget decision meetings will be added to this Procedure Rule and read as follows:

*'Immediately after any vote is taken at a 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'.*

## **5.0 Financial Implications**

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

## **6.0 Corporate Implications**

- 6.1 Future compliance with the amended Council Procedure Rules will be required at all meetings, where appropriate.

## **7.0 Community Implications**

- 7.1 Details of recorded votes taken at relevant meetings will be available to members of the public.

## **8.0 Conclusions**

- 8.1 The following addition be made to Council Procedure Rule 16.5, subject to the approval of the recommendation at paragraph 1.1 of this report:

*'Immediately after any vote is taken at a 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'.*

## **9.0 Background Papers**

- 9.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014