

## RECORDED VOTES AT BUDGET MEETINGS

### Governance Committee – 13 March 2014

Report of Chief Officer Legal and Governance

Status: For Consideration

Also considered by: Council – 1 April 2014

Key Decision: No

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**Portfolio Holder** Cllr. Fleming

**Contact Officer(s)** Christine Nuttall Ext. 7245

Lee Banks Ext. 7161

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**Recommendation to Governance Committee:** Recommend that Council note the requirement to hold a recorded vote at future budget setting meetings of Full Council.

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**Reason for recommendation:** As a result of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 all councils are required to adopt the practice of recorded votes on any decision relating to the budget or council tax at the relevant budget setting meeting of Full Council.

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### Introduction and Background

- 1 On 4 February 2014 the Department for Communities and Local Government wrote to the Leaders of all Principal Councils in England setting out their intentions to introduce legislation to require recorded votes to be taken at all future budget setting meetings of Full Council for any decision relating to the budget or council tax.
- 2 It is the Governments view that “Local people should be able to see how those they have elected to represent them have voted on these critical decisions” and “If local people are to continue to have confidence in their councils and their elected representatives, then the practice of recorded votes needs to be followed everywhere...”
- 3 To facilitate this, ‘The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014’ were introduced and brought in to force from 25 February 2015. A copy of these Regulations is made available at Appendix A to this report.

- 4 The Regulations make it mandatory for councils as soon as is practicable after the Regulations are in force, to amend their Standing Orders so as to include provisions requiring recorded votes at budget meetings.
- 5 The Regulations sets out the following requirement:  
 “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”
- 6 This is to be adopted in setting the Council Tax precept, setting the budget or in voting on any proposed amendments that could result in the budget or precept being amended for the coming year.
- 7 As the change to Standing Orders is brought about by a change in legislation delegated authority is granted to the Monitoring Officer to ensure the Council’s Constitution is updated to reflect the new requirements. The Council is required to adopt recorded votes at its budget setting meeting, likely to be held in February 2015.

**Other Options Considered and/or Rejected**

None. As a new Regulation the Council is required to implement changes to its Standing Orders and adopt recorded votes at its next budget setting meeting of Full Council.

**Key Implications**

Financial

None.

Legal Implications and Risk Assessment Statement.

It is a requirement of new Regulations that the Council adopts recorded votes on all matter relating to the setting of the Council budget or the Council Tax precept at future meetings of Full Council.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper have the potential to promote equality of	No	

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
opportunity?		
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

## Conclusions

The Council is required through The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 to ensure that recorded votes are taken at all future budget setting meetings of Full Council for any decision relating to the budget or council tax. The Council's Constitution is required to be updated to reflect the new arrangements and this will be undertaken under delegated authority by the Monitoring Officer.

## Appendices

Appendix A – The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

## Background Papers:

None.

**Christine Nuttall**  
**Chief Officer for Legal and Governance**