

Amendment to Council Procedure Rules – Recorded Votes

SUMMARY

- 1.1 The Government has introduced new legislation which requires local authorities to undertake recorded votes when considering the budget and Council Tax levels. The legislation came into effect on 25 February 2014 and requires councils to adopt the new arrangements 'as soon as reasonably practicable'.
- 1.2 Existing provisions exist within the Council Procedure Rules relating to recorded votes. These will require amendment in order to adopt the changes and thus require approval of Council.
- 1.3 The changes are detailed in paragraphs 2.1, 2.2 and 2.3 and the impact this will have on the Council Procedure Rules is shown in Appendix 2.

RECOMMENDATION

- 2.1 To agree that Council Procedure Rule CP71 be amended with the addition of the words 'With the exception of votes relating to the annual approval of the council's budget and Council Tax precepts'.
- 2.2 To agree that Council Procedure Rule CP71 be renumbered CP71a.
- 2.3 To agree that an additional Council Procedure Rule, CP71b, be added stating that: 'For votes relating to the annual approval of the council's budget and Council Tax precepts, the provisions for a recorded vote detailed under CP71a will take place automatically'.

REASONS FOR RECOMMENDATION

- 3.1 The Council is required to adopt the changes stated in paragraph 1.1 of this report under paragraph 4 of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

OTHER OPTIONS CONSIDERED

4.1 None.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Janie Berry – Director of Legal and Democratic Services N/A N/A N/A Janie Berry – Director of Legal and Democratic Services Phil O'Brien – Head of Democratic Services
For more information contact: Background papers: List of appendices:	David Walsh 01332 643655 david.walsh@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Proposed changes to the Council Constitution

IMPLICATIONS

Financial and Value for Money

1.1 None

Legal

2.1 Approval of the report will result in compliance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

Personnel

3.1 None.

Equalities Impact

4.1 None.

Health and Safety

5.1 None.

Environmental Sustainability

6.1 None.

Property and Asset Management

7.1 None.

Risk Management

8.1 None.

Corporate objectives and priorities for change

9.1 None.

Existing provisions on recorded votes in Council Procedure Rules

Recorded vote

- CP71 If ten 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 or captured from the e-voting software and entered into the minutes.

Proposed provisions on recorded votes in Council Procedure Rules

Recorded vote

- CP71a With the exception of votes relating to the annual approval of the council's budget and Council Tax precepts, if ten 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 or captured from the e-voting software and entered into the minutes.
- CP71b For votes relating to the annual approval of the council's budget and Council Tax precepts, the provisions for a recorded vote detailed under CP71a will take place automatically.