

## **Changes to Council Procedure Rules to enable electronic voting**

### **SUMMARY**

- 1.1 The audio visual system, in the new Council Chamber, includes options for electronic voting, once it has been fully commissioned.
- 1.2 Members Steering Group has discussed use of the new system and there was consensus that it should be trialled, once commissioned
- 1.3 The current Council Procedure Rules (CP Rules), within the Constitution will need to be amended and clarified, to enable the use of electronic voting, as they currently refer specifically to 'a show of hands'.
- 1.4 The CP Rules, which refer to voting (CP68 – CP73) are at Appendix 2 with suggestions for their revision, (CP70 and 71) to accommodate both current and potential future arrangements in bold text. CP70 gives the Mayor the discretion as to if and when the e-voting option is used.

### **RECOMMENDATION**

- 2.1 To approve the changes to Council Procedure Rules 70 and 71, as set out in Appendix 2 of this report.
- 2.2 To instruct officers to organise a trial of electronic voting, once the commissioning of the system is complete, and to ensure that Members are trained in the use of the voting system, prior to the trial.
- 2.3 To give the Mayor the discretion as to if and when the e-voting software is used.

### **REASONS FOR RECOMMENDATION**

- 3.1 To enable the flexibility to introduce electronic voting, when the system is fully commissioned, without further constitutional change being necessary, should any trial not find favour with Members.

## SUPPORTING INFORMATION

- 4.1 There has long been a tradition of voting by ‘show of hands’, which gives the watching public a clear and visible indication as to how each Member has chosen to vote on an issue. ‘Show of hands’ also enables a Member to see how colleagues are voting as they make their own decision.
- 4.2 The electronic voting software in the new Council Chamber will display the results of votes in one of two ways:
- a) The total number of votes cast ‘for’ and ‘against’ the motion.
  - b) A list of how each Member has voted on the motion.

Neither of these options enables a Member to see how colleagues have voted, before they cast their own vote.

- 4.3 4.2a above would render each vote a secret ballot, with tracking of how Members have voted being lost to the watching public and other Members. This is a retrograde step so a further analysis of 4.2b is preferable
- 4.4 Currently CP 71 enables ten members to call for a recorded vote, in which the names of those voting for and against a motion or amendment, or abstaining from voting, are taken down in writing and entered into the minutes. 4.2b above has the potential to make every vote a recorded vote, removing the desired impact intended in a recorded vote.
- 4.5 If it is the wish of ten or more Members that a recorded vote be held, than that could be the trigger for the result of a vote using 4.2b to be entered into the minutes. No such request would indicate that only the overall result would be recorded in the minutes.

## OTHER OPTIONS CONSIDERED

- 5.1 Choosing not to use the potential of electronic voting and making no changes to the CP Rules. This would prevent any trial of the new software.

**This report has been approved by the following officers:**

<b>Legal officer</b>	Janie Berry – Director of Legal & Democratic Services and Monitoring Officer
<b>Financial officer</b>	n/a
<b>Human Resources officer</b>	n/a
<b>Estates/Property officer</b>	n/a
<b>Service Director(s)</b>	Janie Berry – Director of Legal & Democratic Services
<b>Other(s)</b>	Philip O'Brien – Head of Democratic Services

<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Philip O'Brien 01332 643644 phil.o'brien@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Current CP Rules 68-71 with proposed revisions
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<b>IMPLICATIONS</b>
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**Financial and Value for Money**

1.1 None arising directly from this report.

**Legal**

2.1 Council Procedure Rules are in Part 4 of the Council Constitution and changes to them require approval of the Council.

**Personnel**

3.1 None arising directly from this report.

**Equalities Impact**

4.1 None arising directly from this report.

**Health and Safety**

5.1 None arising directly from this report.

**Environmental Sustainability**

6.1 None arising directly from this report.

**Property and Asset Management**

7.1 None arising directly from this report.

**Risk Management**

8.1 None arising directly from this report.

**Corporate objectives and priorities for change**

9.1 None arising directly from this report.

## PROPOSED COUNCIL PROCEDURE RULES RELATING TO VOTING (CP68 – 73) (with changes at CP 70 and 71 in bold type)

### VOTING

#### Majority

CP68 Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

#### Mayor's casting vote

CP69 If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

#### Demonstration of voting intention

CP70 Unless a recorded vote is demanded under Rule CP71, the Mayor will take the vote by show of hands, **and/or use of e-voting software at his/her discretion**, or if there is no dissent, by the affirmation of the meeting.

#### 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.

#### Right to require individual vote to be recorded

CP72 Where any member requests it immediately after the vote is taken, his/her vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

#### Voting on appointments

CP73 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

