



## General Purposes Committee

<b>Date:</b>	<b>26 February 2014</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Recorded Votes at Budget Council Meetings</b>
<b>Report of:</b>	<b>Head of Legal and Democratic Services</b>
<b>Financial Summary:</b>	<b>There are no financial implications</b>
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### **1. Executive Summary**

- 1.1 The Local Authority (Standing Orders) (England) (Amendment) Regulations 2014 come into force on 25 February 2014. As a result it will be necessary to amend Standing Orders to require any vote on the Council's annual budget, including any amendments, to be the subject of a formally recorded vote.
- 1.2 The Council's Standing Orders are proposed to be amended to reflect the change required by the new regulations. See proposed Revised Standing Order attached in Appendix A.

### **2. Recommendation**

- 2.1 That the Council be recommended to adopt the revised Standing Order 16 (Mode of Voting) attached as Appendix A.

### **3. Reason for Decision**

- 3.1 The proposed change to Standing Orders is submitted in order to comply with the requirements of the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2014.

### **4. Background**

- 4.1 The Government, as part of the push for greater transparency, have by virtue of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 made it a statutory requirement to have a formally recorded

vote at a full Council meeting when the budget is being determined, including any amendments relating to the budget.

- 4.2 The necessary change to Standing Order 16 (made of voting) by the addition of Standing Order 16 (5) and (6)) is attached.

## **5. Legal Implications**

- 5.1 Regulation 4 of the new 2014 Regulations provides that a local authority must modify its standing orders in accordance with the Regulations “as soon as reasonably practicable” after the 25<sup>th</sup> February. The proposals in this report will enable the City Council to comply with that requirement.

## **6. Financial Implications**

- 6.1 There are no financial implications arising from this report.

7. **Consultation:** None.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact Mick Steward,**

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### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1972 BACKGROUND PAPERS**

The documents referred to in compiling this report are as follows:

## **APPENDIX A**

### **Mode of Voting**

1. When the Chairman puts the question Members will vote by raising one hand for or against as appropriate. The Chairman will judge the result of the vote on the number of hands raised respectively for and against and shall declare the result of the vote. That result shall be final unless the procedures set out in 3 or 4 below are invoked.
2. Where the Chairman considers that there should be a formal count of the vote, the Head of Legal and Democratic Services shall conduct the count based on a show of hands. The Chairman shall then declare the result of the vote.
3. The Chairman may, if he considers it necessary for any reason, request the Head of Legal and Democratic Services to call the name of each Member of the Council who shall then signify whether he is voting for or against the motion or is not voting. The Chairman shall then, following a count of the votes, declare the result. If following calling of the Members name the Member does not vote they shall be recorded, if present, as abstaining or absent if absent. If the Member arrives after the vote has commenced they will not be entitled to vote. Prior to the vote being taken the Lord Mayor shall advise that Members may only vote from their allocated seats.
4. In the event that immediately after a vote at least 10 Members stand in their places and demand a division, the Chairman shall request the Head of Legal and Democratic Services to call the name of each Member of the Council who shall then conduct the vote in accordance with 3 above save that a Division Bell, if available, shall be rung for 30 seconds prior to the commencement of the vote or in the absence of a Division Bell the Lord Mayor shall announce that a vote is to be taken and wait for 30 seconds before commencement of the vote to allow Members to take their allocated seat. No Member shall be allowed to enter the meeting after the end of the 30 second period until after the vote has been concluded. The names of the Members voting for, against or abstaining shall be recorded in the minutes.
5. 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. In Standing Order 16(5) —

- (a) “budget decision meeting” means a meeting of the Council at which it—
  - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or
  - (ii) issues a precept under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;

- (b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.”;

- 7. Immediately after a vote is taken any Member may require to have recorded in the minutes whether he cast his vote for or against the question, or abstained.
- 8. In the event of an equality of votes the Chairman shall have a second or casting vote.