

LOCAL GOVERNMENT AND HOUSING ACT 1989:
MANDATORY STANDING ORDERS: RECORDED
VOTES AT BUDGET MEETINGS

1. Purpose of Report

- 1.1 To give effect to the requirements of Regulations made by The Secretary of State under the Local Government Housing Act 1989 to require mandatory changes to Standing Orders with regard to recorded votes at budget meetings.

2. Recommendation

- 2.1 That the requirements of the relevant Regulations and their implications for the Council's Standing Orders be noted, and that appropriate amendments be made to the Council's own Standing Orders.**

3. Background

- 3.1 The Secretary of State has the power under the Local Government and Housing Act 1989 to require local authorities to make mandatory changes to their Standing Orders. Such Regulations override any existing provisions in a local authority's Standing Orders.

4. Current Position

- 4.1 Regulations have been made by The Secretary of State which come into effect on the 25th February 2014. These require local authorities as soon as practicable to make amendments to Standing Orders to provide for a recorded vote at any budget decision meeting. A budget decision meeting is a meeting at which a resolution is passed to approve the Council's budgetary requirements and the consequential level of Council Tax for the ensuing financial year. The definition does not include the meeting of the Executive which makes a formal recommendation with regard to the Council's budget requirement and level of Council Tax to the Council, nor to any prior meetings which may receive reports with regard emerging budgetary proposals or Key Lines of Enquiry.
- 4.2 The Council's own Standing Orders provide that a recorded vote is required to be taken at a meeting of the Council where ten or more Members make such a request prior to the vote being taken. The requirements of these new Regulations override the Council's Standing Orders and the Council is required to implement appropriate modifications as soon as practicable. This therefore requires such changes to Standing Orders to be implemented prior

to the Council passing appropriate resolutions in respect of the Council's budgetary requirements and the level of Council Tax for the financial year 2014/15. The normal provision the Council's Standing Orders whereby any changes to Standing Orders are required to be deferred to the next meeting of the Council are not applicable given that the Regulations override the Council's own Standing Orders.

5. Proposal

- 5.1 That the Council make appropriate modifications to its Standing Orders with regard to providing for a recorded vote at a budget decision meeting of the Council as identified in paragraph 4 above.

6. Background Papers

- 6.1 - The Local Authority's (Standing Orders) (England) (Amendment) Regulations 2014.
- Related correspondence from The Secretary of State.

7. Officer Contact

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