

BODY: COUNCIL

DATE: 5 February 2014

SUBJECT: Amendment to Council procedure rules –
Recorded named votes on setting the annual
budget and council tax

REPORT OF: Peter Finnis – Head of Corporate
Development

Ward(s): All

Purpose: To propose an amendment to the Council’s constitutional procedural rules requiring mandatory recorded named votes when setting the annual budget and council tax.

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Recommendations: That Council procedure rules be amended to require mandatory recorded named votes on setting the annual budget and council tax in accordance with the requirements of the legislative change.

1.0 Background/Introduction

1.1 The Council has received correspondence from the Government Department for Communities and Local Government (DCLG) stating its intent, under The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, to amend the 2001 regulations in order to require local authorities to undertake recorded named votes when setting the annual budget and council tax, this to include substantive motions and any amendments.

2.0 Government objective

2.1 The primary objective, as stated by the DCLG, is to ensure maximum public transparency in recording how all individual councillors vote on these matters.

2.2 The amended legislation will come into force on 25 February 2014. However, it is the expectation of the Government that authorities holding their annual budget meeting before this date will adopt the new ruling when setting their annual budget and council tax.

3.0 Proposed Procedure

3.1 This Council already has, within its constitutional procedural rules at part 4, section 17, the facility for recorded named votes on any matter at full Council if proposed and seconded by members.

3.2 The proposal here is to insert a specific clause into the constitutional procedural rules to require a mandatory named recorded vote taken along the same lines at present in respect of annual budget and council tax setting.

4.0 Financial and Probity Implications

6.1 There are no financial or probity implications

7.0 Equality and Fairness Considerations

7.1 As this is only a technical change to the process of conducting votes, it is considered that it has no relevance in these matters.

8.0 Summary

8.1 The proposed actions set out in this report will ensure compliance with the new legislation.

Peter Finnis
Head of Corporate Development

Background Papers:

- Letters from the Department for Communities and Local Government dated 4 February 2014.
- Amended legislation as set out on the Government website at www.legislation.co.uk/id/uksi/2014/165

The above background papers are available for inspection from the report author whose contact details are set out at the front of this report.

(council/amendment to constitution/14-02-05)