

Decision Maker: Council

Date: 26 March 2014

Decision Type: Non-Urgent Non-Executive Non-Key

Title: COUNCIL TAX SETTING - RECORDED VOTING

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 The Government has recently introduced regulations requiring Councils to take a recorded vote on their Budget and Council Tax setting decisions. The requirement came into force on the day after Bromley set its 2014/15 Council Tax. The General Purposes and Licensing Committee received a report at its meeting on 26th March 2014 proposing a minor change to the Council's Constitution to reflect the new requirement in the Council Procedure Rules in the Constitution. The Committee approved the proposed change and recommended that it be agreed by Council.
-

2. **RECOMMENDATION**

That, as requested by General Purposes and Licensing Committee, Council be recommended to adopt the following additional words (*in italics*) in the Council Procedure Rules in the Constitution -

15.5 Recorded vote

If one third of the 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 and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. *A recorded vote will be taken on Budget and Council Tax setting matters and where required by law.*

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £367,636
 5. Source of funding: 2013/14 revenue budget
-

Staff

1. Number of staff (current and additional): 10 (8.75fte)
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement: The Local Authorities(Standing Orders) (Amendment) (England) Regulations 2014 (SI 165 2014)
 2. Call-in: Not Applicable: This report does not involve an executive decision
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 60 members of the Council
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Local Authorities(Standing Orders) (Amendment) (England) Regulations 2014 (SI 165 2014) came into effect on 25th February 2014. Regulation 2 provides that the votes at key budget decision meetings by local authorities should be recorded. Local authorities are required to modify their standing orders as soon as reasonably practicable after the regulations came into force. The Regulations came into force on the day after the recent meeting of the Council when the 2014/15 budget and Council Tax decisions were made, but Members will recall that a recorded vote was taken in line with the Local Government Minister’s encouragement for all Councils to adopt this practice immediately.
- 3.2 General Purposes and Licensing Committee proposes that Council should amend the Council Procedure Rules in Part 4 of the Constitution with the following additional wording (*in italics*) –

15.5 Recorded vote

If one third of the 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 and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. *A recorded vote will be taken on Budget and Council Tax setting matters and where required by law.*

4. POLICY IMPLICATIONS

- 4.1 None

5. FINANCIAL IMPLICATIONS

- 5.1 None.

6. LEGAL IMPLICATIONS

- 6.1 The Council is required to implement the Local Authorities(Standing Orders) (Amendment) (England) Regulations 2014 (SI 165 2014) so that its rules of procedure require a recorded vote on budget and Council Tax setting decisions.

7. PERSONNEL IMPLICATIONS

- 7.1 None

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	The Local Authorities(Standing Orders) (Amendment) (England) Regulations 2014 (SI 165 2014) Letters from the Local Government Minister to Council Leaders and the DCLG to Council Chief Executives (4/2/14) Report to General Purposes and Licensing Committee on 26 th March 2014, and corresponding minutes.