

<b>AGENDA ITEM NO. 10</b>	
<b>COUNCIL</b>	
<b>Date</b>	<b>27 FEBRUARY 2014</b>
<b>Title</b>	<b>CONSTITUTIONAL AMENDMENTS – RECORDING OF VOTES IN RELATION TO DECISIONS ON BUDGET AND COUNCIL TAX</b>

**1. PURPOSE/SUMMARY**

This report provides for amendments to the Councils Constitution further to the implementation of the Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014 and the revised requirements for recording of votes in relation to decisions on budget and council tax.

**2. KEY ISSUES**

- The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014 impose an obligation on Local Authorities (after 25<sup>th</sup> February 2014) to record all votes on decisions on budget and council tax.
- It is required that this change is reflected in a change to a relevant authorities Constitution.
- It must be recorded in the minutes of any relevant meeting how each member present voted.
- The amendment reflects the legislative requirements.

**3. RECOMMENDATION(S)**

1. That the Council notes the amendment to the constitution as required by law..
2. Authorises the Monitoring Officer to make such typographical amendments as are necessary to produce revised clean text copies of the Constitution.

<b>Wards Affected</b>	All
<b>Forward Plan Reference No.</b> (if applicable)	NA
<b>Portfolio Holder(s)</b>	Councillor Melton, Leader of the Council
<b>Report Originator</b>	Alan Pain, Corporate Director and Monitoring Officer Tel: 01354 622203; e-mail: alanpain@fenland.gov.uk
<b>Contact Officer(s)</b>	Alan Pain, Corporate Director and Monitoring Officer Tom Lewis, Principal Solicitor and Deputy Monitoring Officer Tel: 01354 622469; e-mail: tomlewis@fenland.gov.uk
<b>Background Paper(s)</b>	The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014.

## **1. BACKGROUND/INTRODUCTION**

The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014 require all Local Authorities to amend their Standing Orders to give effect to an obligation to record, in relation to any decisions on budget and/or Council Tax, how each member present at a meeting voted.

## **2. CONSIDERATIONS**

The amendments are required as soon as is practicable after 25<sup>th</sup> February 2014 and to comply with this requirement the Council's Constitution will be amended accordingly as set out under Appendix 1..

## **3. EFFECT ON CORPORATE OBJECTIVES**

Whilst not directly impacting on the corporate objectives the amendments will enable the council to operate in a compliant and effective way.

## **4. COMMUNITY IMPACT**

There is little community impact as a result of these amendments save that they provide a greater degree of transparency in line with legislative requirements.

## **5. CONCLUSIONS**

The amendments contained in this report are required to ensure the Council has the appropriate procedures to comply with its obligations under the relevant legislation.

## **APPENDIX 1:**

The Constitution at Part 4, 15.4 will be amended to instead read (new text shown in red):

### **15.4 Recorded Vote**

If **a decision is to be made in relation to budget and/or Council Tax or** at least 6 members present request it by rising in their seats and before the Chairman begins to take the vote, the names for and against the motion or amendment or abstaining from voting will be taken down and entered into the minutes.