



WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

To inform members of the new Standing Orders Regulations which come into force on 25 February 2014, the resulting requirement to amend the Council's Constitution, and the Government's expectation that all authorities will take recorded votes at their budget meetings should they be held before the Regulations come into force and/or before the modifications have been made to their Standing Orders.

2. **RECOMMENDATION**

- 2.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 be noted;
- 2.2 The Council's Constitution be amended on the day following 25 February 2014 in accordance with the new legislative requirements;
- 2.3 The Government's expectation that recorded votes be taken at budget meetings in 2014 be noted.

3. **BACKGROUND TO THE REPORT**

- 3.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 were laid before Parliament on 31 January 2014 with a date agreed to come into force on 25 February 2014.
- 3.2 The amendments to the Standing Order Regulations relate to recording votes for budget meetings and require that the minutes of the proceedings include names of those voting for the decision, against the decision, or abstaining from voting, as per our current adopted recorded vote procedure outlined in the Constitution.
- 3.3 A 'budget decision meeting' is defined as an item where a calculation is made or precept issued.
- 3.4 The Regulations contain transitional arrangements which require authorities to amend their own standing orders as soon as reasonably practicable following the coming into force of the Regulations.
- 3.5 A letter dated 4 February 2014 from Brandon Lewis, MP (copy attached), lays the expectation upon those authorities whose budget meetings are scheduled to take place before 25 February that they will record the voting upon those budget decisions.

4. **FINANCIAL IMPLICATIONS [KP]**

The are no financial implications arising directly from the contents of this report.

5. **LEGAL IMPLICATIONS [MR]**

Contained within the body of the report.

6. **CORPORATE PLAN IMPLICATIONS**

This report supports all corporate aims by supporting good governance and ensuring compliance with regulations.

7. **CONSULTATION**

No consultation has been undertaken by the authority as adoption of the regulations is statutory.

8. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to amend the Constitution resulting in breach of legislation	Ensure timely decision to amend Constitution	Monitoring Officer

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

The recommendations in this report have no greater impact on any groups, parishes or communities than others as they relate to good governance and the implementation is a statutory requirement. The requirements to record votes at budget meetings will, however, lead to more open decision making and transparency for the residents and businesses of the borough.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None

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