

**Item 11 (d)**

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL**

**9<sup>th</sup> April 2014**

**Report of the Director of Legal Services**

**RECORDED VOTES AT BUDGET MEETINGS**

**1. Purpose of the Report**

To inform the Council of the requirements of the Local Authority's (Standing Orders) (England) (Amendment) Regulations 2014 in relation to the recording of votes relating to budget decisions.

**2. Information and analysis**

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 came into force on 25<sup>th</sup> February 2014 and relate to the recording of votes at local authorities' budget decision meetings. As Members will be aware, the Regulations came into effect after the Council had set the 2014/15 budget. The Regulations require authorities to amend their standing orders to provide for a record of the voting upon any budget proposal and for that to be reflected in the minutes. This covers voting not only on the substantive motion setting the budget, council tax or issuing precepts but also on any amendments.

In light of the new regulations, it is proposed that the Council's Standing Orders be amended to include a new paragraph 13.3 within the Council Procedure Rules at Part 4 of the Constitution to provide that:

*"Immediately after any vote on any decision relating to the making of the calculation or the issuing of the precept is taken at a budget decision meeting there must be recorded in the minutes the names of the persons who cast votes for the decision or against the decision or who abstained from voting".*

**3. Legal considerations**

As contained in the report.

**4. Other Considerations**

In preparing this report, the relevance of the following factors have also been considered: financial, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

## **5. Background Papers**

File held by the Director of Legal Services.

## **7. Officer Recommendation**

That the Council approves and adopts the proposed amendment to the Council's Standing Orders.

**JOHN MCELVANEY  
DIRECTOR OF LEGAL SERVICES**