

Amendment to Standing Orders: Voting

Report by Solicitor and Monitoring Officer

Summary: Following a “needs attention” recommendation by Head of Internal Audit, an amendment to the Standing Orders on the conduct of Authority business is proposed on voting.

Recommendation: That the Broads Authority notes and adopts the amendment on voting as set out below in paragraph 2.2.

1 Background

- 1.1 As part of the Internal Audit Annual for 2016/17, an audit review was undertaken of the decision-making process within the Authority. In particular, executive and non-executive decision-making in accordance with the constitution and the systems and processes in place for the preparation of reports requiring executive and non-executive decisions.
- 1.2 One of the “needs attention” recommendations was as a result of an analysis of the current terms of reference of Committees. It was concluded by the Head of Internal Audit that an amendment to Standing Orders should be made to stipulate that decisions are made by a majority vote and who has a casting vote.
- 1.3 It is considered standard practice within local government framework for decisions to be made by simple majority voting (with some limited exceptions), with the Chairman having a casting vote. In practice this has been observed by the Broads Authority.

2 Amendments to Standing Orders

- 2.1 The proposed amendments are small and it is considered appropriate to set out the amendment proposed, rather than attach the entire Standing Orders. The current relevant wording in the Standing Orders is below:

14 Voting

Except in cases falling within Standing Order 15 (2) voting is by show of hands. But any member who wants the individual votes on any matter recorded to show how each member voted must ask for this to be done either before or immediately after a vote is taken, and the request will be allowed if at least one third of the members present show their support by raising their hand at the time of the request. An individual's vote will only be recorded if the named member says "Yes" or "No" immediately after being called to do so.

2.2 The proposed new wording is:

14 Voting

14 (1) Save where specifically provided to the contrary within Standing Orders or in circumstances required by law, voting is by a simple majority vote of those present. Save for cases falling within Standing Order 15 (2) voting is by show of hands. But any member who wants the individual votes on any matter recorded to show how each member voted must ask for this to be done either before or immediately after a vote is taken, and the request will be allowed if at least one third of the members present show their support by raising their hand at the time of the request. An individual's vote will only be recorded if the named member says "Yes" or "No" immediately after being called to do so.

14(2) Where an equality of votes occurs during the course of any meeting, the person presiding at that meeting shall have a second or casting vote. For the avoidance of doubt the casting vote is where the person presiding has previously voted or has abstained on the same matter being voted upon.

3 Conclusion and Recommendation

3.1 The Authority is asked to approve the amendments highlighted above.

Author: David Harris

Date of report: 11th July 2017

Background documents: Standing Orders for the Regulation of Authority Business

Appendices: None