

CHESHIRE EAST COUNCIL

Governance and Constitution Committee

Date of Meeting: 27th May 2010
Report of: Borough Solicitor
Subject/Title: Committee Procedure Rules – Recorded Votes

1.0 Report Summary

- 1.1 This report considers an amendment to the Constitution to include a provision relating to recorded votes at committee and sub-committee meetings.

2.0 Recommendation

- 2.1 That the Committee recommend to Council the adoption of the following provision and its incorporation into the Council's Committee Procedure Rules, subject to any amendments which the Committee might wish to suggest:

“31.2 At Committees, Sub-Committees or Special Committees comprising ten or more elected Members, when a Member asks for a recorded vote to be taken, and five other Members stand in their place to support the request, the vote will be recorded to show whether each Member voted for or against the motion or abstained. At Committees, Sub-Committees or Special Committees comprising nine or fewer elected Members, a recorded vote may be requisitioned where one Member stands and asks for a recorded vote to be taken and he/she is supported by one other elected Member.”

3.0 Reasons for Recommendations

- 3.1 To ensure that the Council's Constitution is accurate and complete.

4.0 Wards Affected

- 4.1 N/A

5.0 Local Ward Members

- 5.1 N/A

6.0 Policy Implications including - Climate change - Health

- 6.1 N/A

7.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

7.1 N/A

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 The purpose of the proposed amendment to the Constitution as outlined in this report is to include a provision within the Council's Committee Procedure Rules relating to the recording of votes.

9.0 Risk Management

9.1 There are no risks associated with this proposal.

10.0 Background and Options

10.1 Paragraph 31 of the Committee Procedure Rules deals with voting arrangements at committee and sub-committee meetings and currently reads as follows:

“31 Voting

31.1 Voting at Committee and Sub-Committee meetings will be by a show of hands.

31.3 A recorded vote will not be taken if the vote has already begun to be taken by a show of hands.”

10.2 It is clear that what needs to be added to complete these provisions is a paragraph on the requirements for taking recorded votes. The following is suggested:

“31.2 At Committees, Sub-Committees or Special Committees comprising ten or more elected Members, when a Member asks for a recorded vote to be taken, and five other Members stand in their place to support the request, the vote will be recorded to show whether each Member voted for or against the motion or abstained. At Committees, Sub-Committees or Special Committees comprising nine or fewer elected Members, a recorded vote may be requisitioned where one Member stands and asks for a recorded vote to be taken and he/she is supported by one other elected Member.”

Members may have a particular view as to whether the terms of the proposed provision on recorded votes are appropriate, for instance with regard to the number of Members required to stand in their place to require a recorded vote, or indeed whether the requirement to stand is appropriate for a committee or sub-committee.

10.5 The Committee is therefore asked to recommend to Council the inclusion of the

paragraph within the Council's Committee Procedure Rules, subject to any amendments to the wording of the paragraph which the Committee might wish to suggest.

11.0 Overview of Year One and Term One Issues

11.1 N/A

12.0 Access to Information

Any background papers used in preparing this report can be inspected by contacting the report writer:

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