

ADDERBURY PARISH COUNCIL

Date of Parish Council Meeting	Tuesday 28 May 2019
Agenda Item Number	<i>Item 12 (iv)</i>
Author	Theresa Goss
Title of Report	Parish Council Documents – Standing Orders
Summary	To tighten up the procedure for the use of recorded votes – SO 2(s).
Recommendation	<p>Standing Order 2 (s) which reads:</p> <p><i>Such a request shall be made before moving on to the next item of business on the agenda.</i></p> <p>Be amended to read:</p> <p><i>Such a request shall be made before the vote is taken. Once Councillor have raised their hands to vote the Clerk will read out the name of each Councillor and asks him/her to confirm their vote. This is completed at each stage for those in favour/against/abstain and this is marked on a 'Recorded Vote' counting sheet. The Clerk then reads out the result once all votes have been cast. After this announcement, the meeting moves onto the next item of business on the agenda.</i></p>
Reasons for the Recommendation	Recorded votes are often asked for after a vote has been taken, however once a vote has been taken, the matter is closed and it is not good practice for a recorded vote to be written down by the Clerk retrospectively.
Impact on Budget	None
Risks	<p>If a recorded vote is requested after the vote is taken:</p> <ol style="list-style-type: none"> 1) this is procedurally incorrect because the item of business is closed once a vote has been taken; 2) the Clerk is unprepared to record the vote of each Councillor individually and the vote has to be taken again; and 3) the potential impact of (2) above is that a Councillor could change the way he/she voted originally when Councillors are asked to vote again, which could then lead to a decision being made unlawfully.
Background	<p>Standing Order 2(s) states that - <i>Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.</i></p> <p>The Local Government Act 1972 para 13 (ii) states that - <i>On the requisition</i></p>

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	<p><i>of any member of the council the voting on any question shall be recorded so as to show whether each member present and voting gave his vote for or against that question.</i></p> <p>Recorded votes are often requested after a vote has been taken. However once a vote has been taken, the matter is closed and a recorded vote should not be undertaken retrospectively.</p> <p>To ensure that the spirit of the provision for a recorded vote is maintained, the vote is lawful and for the avoidance of doubt, a request should be made at the point where the debate has finished and a motion has been proposed and seconded and the vote is about to commence.</p> <p>At this point, a recorded vote request should be made and then the Clerk reads out the name of each Councillor and asks him/her whether they vote in favour/against/abstain and this is marked on a 'Recorded Vote' counting sheet. The Clerk then reads out the result once all votes have been cast. After this announcement, the meeting moves onto the next item of business on the agenda.</p>
Supporting documents; advice, reports etc should always be attached to the report and listed here	Parish Council Standing Orders available on the PC web site. https://www.adderburypc.co.uk/documents.php?catid=3