

Report to Council

Meeting Date: 9 November 2021
 Portfolio: Finance, Governance & Resources
 Key Decision: N/A
 Policy and Budget Framework: Yes
 Public / Private: Public

Title: Amendments to the Council Procedure Rules
 Report of: Corporate Director of Governance & Regulatory Services
 Report Number: GD.69/21

Purpose / Summary:

This Report seeks an amendment to Council Procedure Rule (CPR) 17 as regards methodology of voting. It also proposes the removal of CPR 27 which relates to Virtual Meetings.

Recommendations:

It is recommended that Council amend its Council Procedure Rules as set out in the report and particularly:

1. CPR 17.3 is amended to read as set out in paragraph 1.5.1; and,
2. CPR 27 relating to virtual meetings is deleted.

Tracking

Executive:	
Scrutiny:	
Council:	09/11/21

1. METHOD OF VOTING

- 1.1. CPR 17.3 provides that “[u]nless a recorded vote is demanded under Rule 17.4, the chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.”
- 1.2. Members will be aware that at the last meeting of the Council on 14 September 2021, on the authority of the Mayor as Chair of the Meeting and the consent of the Council, the Council trialled the use of electronic voting using the new equipment in the Council Chamber. The trial was successful with the new system proving effective and convenient.
- 1.3. Concern was expressed by some Members that they felt it needed to be seen at the Meeting which way individual Members of the Council voted on particular matters. Since the 14 September Meeting, officers have been in dialogue with the providers of the technology and arrangements have now been made so that the required information is able to be displayed on the large screen.
- 1.4. Whilst the proposal is to allow the use of the technology, it is important that we retain the ability to utilise a show of hands so as to cater for a technology failure and the Council committee meetings where the technology is not available. Given that there will now be an alternative within the rule, it is important that there is certainty as to which is the definitive method at any particular meeting, and it is proposed that the ruling of the Chair will be final.
- 1.5. Subject to the proposal in para 2, it is proposed that CPR 17.3 be amended to read as follows:
 - 1.5.1. Unless a recorded vote is demanded under Rule 17.4, the chairman will take the vote by either show of hands or electronic means, or if there is no dissent, by the affirmation of the meeting. The ruling of the Chairman as to the voting methodology to be used will be final.

2. CPR 27 – VIRTUAL MEETINGS AND PROTOCOL

- 2.1. At the onset of the Covid-19 pandemic, emergency legislation (the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020/392) was enacted to enable the Council to hold its formal meetings virtually. The legislation was time limited and expired on 6 May 2021 meaning that it was no longer lawful to hold such meetings.

2.2. CPR 27 is no longer required, and it is recommended that it is removed from the CPRs.

3. PROPOSALS

3.1. It is proposed that the changes to the Council's CPRs, as set out in sections 1 and 2 of this report be approved.

4. RISKS

4.1. Approving the proposals set out in the Report do not pose any risk to the Council.

5. CONSULTATION

5.1. No formal consultation has been carried out but the views of Members expressed in conversation have been taken account of. The removal of the CPR relating to virtual meetings simply reflects the current Law.

6. CONCLUSION AND REASONS FOR RECOMMENDATIONS

6.1. The proposed changes to the CPRs ensure that they are up to date and effective.

7. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

7.1. Effective CPRs ensure that the Council is best able to take procedurally correct democratic decisions to deliver its services and priorities.

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**Appendices None
attached to report:**

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS:

LEGAL – Incorporated into the Report

PROPERTY SERVICES - None

FINANCE – None

EQUALITY – None

INFORMATION GOVERNANCE – None