

Council
4 March 2014

REPORT OF THE HEAD OF GOVERNANCE

1. RECORDED VOTES AT THE COUNCIL'S BUDGET MEETINGS

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 come into force on the 25th February 2014. This will mean that the votes of each individual Councillor on the budget (and alternative budgets) will be recorded by name in the minutes of the meeting.

The Government has published Regulations which make it mandatory for Councils, as soon as practicable once the Regulations come into force, to amend their Standing Orders to include provisions requiring recorded votes at budget meetings as follows:

“Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.”; and

“References to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be” – i.e. these requirements also apply to any vote on amendments, such as the vote on the alternative budget.

Attached at Appendices 1 and 2 are two letters received on 4 February from the Department for Communities and Local Government.

Appendix 3 is an extract of the Council Meeting Procedure Rules, reflecting the change to the relevant section.

RECOMMEND -

- 1. That Council approve the amendments to the Council Meeting Procedure Rules, paragraph 15, Voting, to reflect the recording in the minutes of the Council budget meeting on how each Member present voted, on any decision relating to the budget or Council tax.**
- 2. That the amendment take effect immediately.**

2. REPORT EXEMPT FROM CALL IN

These matters are reported to the Council to meet Constitutional requirements (Overview and Scrutiny Procedure Rule 16.8). No action is required by the Council and the decision has been implemented.

In the case listed below, the Chairman of the Business Management Overview and Scrutiny Committee agreed that the decision proposed was reasonable in all the circumstances, was urgent and therefore had consented to the proposed decision being exempted from call-in:

Delegated Powers Report - Sale of Claim in LBI

The Leader of the Council on 20 January 2014 authorised the London Borough of Barnet to, through its lawyers, Bevan Brittan, and the Local Government Association, to instruct Deutsche Bank to approach the market on its behalf with a view to selling its priority claim against the insolvent estate of LBI.

Any sale of the claim is subject to receipt of a bid price that is acceptable to the Council. The administration of the insolvent estate of LBI is likely to continue for several years given the complexity of the ongoing issues in Iceland which creates a level of uncertainty around the timing of recoveries through the administration process. A sale of the claim would remove the uncertainty and allow immediate access to funds owed to the Council.

The decision could not be reasonably deferred was identified a matter of urgency and provided the Council the ability to take part in the auction. The next meeting of the Business Management Overview and Scrutiny Committee is not until 11 March 2014.

RECOMMEND - That Council note the report exempt from call-in.

3. CHANGE TO COMMITTEE MEETING DATE

| Committee | Date of Meeting | New date of Meeting |
|--|-----------------|---------------------|
| Constitution, Ethics and Probity Committee | 26/02/2014 | 24/03/2014 |

RECOMMEND – That Council note the change of meeting date contained in the table above.