

UK Parliament SIs 2010-Present/2014/151-200/Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165)

2014 No 165

## Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

### LOCAL GOVERNMENT, ENGLAND

Made	29th January 2014
Laid before Parliament	31st January 2014
Coming into force	25th February 2014

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 8, 20 and 190 of the Local Government and Housing Act 1989, makes the following Regulations:

- 1 Citation, commencement and interpretation
- 2 Amendments relating to recording votes for budget meetings
- 3 Amendments consequential on the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011
- 4 Transitional provision

Signature(s)

EXPLANATORY NOTE

<b>Document information</b>
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Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

**Date made**

Made 29th January 2014

UK Parliament SIs 2010-Present/2014/151-200/Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165)/1 Citation, commencement and interpretation

### 1 Citation, commencement and interpretation

(1) These Regulations may be cited as the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 and come into force on 25th February 2014.

(2) In these Regulations "the 2001 Regulations" means the Local Authorities (Standing Orders) (England) Regulations 2001.

<b>Document information</b>
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Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

**Date made**  
29/01/2014

UK Parliament SIs 2010-Present/2014/151-200/Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165)/2 Amendments relating to recording votes for budget meetings

## **2 Amendments relating to recording votes for budget meetings**

- (1) The 2001 Regulations are amended as follows--
- (2) In regulation 4 (alternative arrangements--standing orders relating to staff)--
  - (a) for the heading substitute "Committee system--standing orders relating to staff, proceedings and business";
  - (b) after paragraph (a) insert--
 

"(aa) incorporate in standing orders the provisions set out in Part 3 of Schedule 2 or provisions to the like effect;"
  - (c) in paragraph (b) after "(a)" insert "or (aa)".
- (3) In Schedule 2 (provisions to be incorporated in standing orders regulating proceedings and business)--
  - (a) after paragraph 14 of Part 1 insert--

### **"15**

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.

### **16**

In paragraph 15--

- (a) "budget decision meeting" means a meeting of the relevant body at which it--
  - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or
  - (ii) issues a precept under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;

- (b) 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.;"

- (b) after paragraph 10 of Part 2 insert--

### **"11**

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.

**12**

In paragraph 11--

- (a) "budget decision" means a meeting of the relevant body at which it--
  - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or
  - (ii) issues a precept under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;

- (b) 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.";

- (c) after Part 2 insert--

**"Part 3  
Authority Operating Committee System**

**1**

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.

**2**

In paragraph 1--

- (a) "budget decision" means a meeting of the authority at which it--
  - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or
  - (ii) issues a precept under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting;

- (b) 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.".

<b>Document information</b>
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**Date made**  
29/01/2014

UK Parliament SIs 2010-Present/2014/151-200/Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165)/3 Amendments consequential on the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011

**3 Amendments consequential on the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011**

- (1) The 2001 Regulations are amended as follows.
- (2) In regulation 2 (interpretation)--
- (a) omit the definitions of "alternative arrangements" and "council manager";
- (b) after the definition of "chief finance officer" insert--
- ""committee system" has the same meaning as in Part 1A of the 2000 Act";
- (c) in the definition of "elected mayor", "executive", "executive arrangements" and "executive leader" for "Part II" substitute "Part 1A".
- (3) In regulation 3 (executive arrangements--standing orders relating to staff, proceedings and business)--
- (a) in paragraph (1)--
- (i) for "Part II" substitute "Part 1A";
- (ii) in sub-paragraph (a) for "11(2)" substitute "9C(2)";
- (iii) in sub-paragraph (b) for "11(3)" substitute "9C(3)" and at the end of the sub-paragraph insert "and";
- (iv) omit sub-paragraph (c);
- (v) in sub-paragraph (d) for "(a), (b) and (c)" substitute "(a) and (b)"; and
- (b) in paragraph (2) for "(a), (b), (c) or (d)" substitute "(a), (b) or (d)".
- (4) In regulation 4 for "alternative arrangements under Part II" substitute "committee system under Part 1A".
- (5) In Schedule 1--
- (a) in Part 1--
- (i) in paragraph 1 in the definition of "elected mayor" and "executive" for "Part II" substitute "Part 1A";
- (ii) in paragraph 3(f) for "paragraph 6 of Schedule 1" substitute "paragraph 5 of Schedule A1";
- (b) in Part 2 in paragraph 1 in the definition of "elected mayor" and "executive" for "Part II" substitute "Part 1A";
- (c) omit Part 3; and

- (d) in Part 4 in the heading for "Alternative Arrangements" substitute "Committee System".
- (6) In Schedule 2--
  - (a) in Part 1--
    - (i) in the heading omit "or Mayor and Council Manager Executive";
    - (ii) in paragraph 1 in the definition of "elected mayor" and "executive" for "Part II" substitute "Part 1A";
    - (iii) in paragraph 8(a) for "32 to 37 or 43 to 49" substitute "31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ";
  - (b) in Part 2--
    - (i) in paragraph 1 in the definition of "executive" and "executive leader" for "Part II" substitute "Part 1A";
    - (ii) in paragraph 6(a) for "32 to 37 or 43 to 49" substitute "31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ".

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UK Parliament SIs 2010-Present/2014/151-200/Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165)/4 Transitional provision

#### **4 Transitional provision**

(1) A relevant authority which is already operating executive arrangements or the committee system, as the case may be, shall modify its standing orders in accordance with the amendments made to the 2001 Regulations by these Regulations as soon as reasonably practicable after the day on which these Regulations come into force.

(2) In paragraph (1), "relevant authority" means a county council, a district council or a London borough council.

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Signed by authority of the Secretary of State for Communities and Local Government

*Brandon Lewis*

Parliamentary Under Secretary of State

Department for Communities and Local Government

29th January 2014

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UK Parliament SIs 2010-Present/2014/151-200/Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165)/EXPLANATORY NOTE

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Local Authorities (Standing Orders) (England) Regulations 2001 which require certain local authorities in England to make or modify standing orders so that they include certain provisions relating to staff and other matters.

Regulation 2 provides that the votes at key budget decision meetings by local authorities are recorded. Regulation 3 makes amendments consequential on Part 3 of the Local Government and Public Involvement in Health Act 2007 (which provided for the discontinuance of the mayor and council manager form of executive) and Part 1 of the Localism Act 2011 (which provided for local authorities to adopt either executive arrangements or the committee system).

Regulation 4 makes transitional provision.

No impact assessment has been prepared in relation to these Regulations because no impact on the private or voluntary sectors is foreseen.

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Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

**Date made**

29/01/2014