

Item: 11

Policy and Resources Committee: 19 June 2018.

Method of Voting at Meetings.

Report by Chief Executive.

1. Purpose of Report

To consider a variation to Standing Orders with regard to the method of voting at decision-making meetings of the Council.

2. Recommendations

The Committee is invited to note:

2.1.

That Standing Orders currently state that the usual method of voting shall be by a show of hands.

2.2.

The proposal that the usual method of voting be by Calling the Roll, subject to the practical considerations outlined in section 4 of this report.

It is recommended:

2.3.

That Standing Orders be amended to indicate that the usual method of voting be by Calling the Roll, subject to:

- All voting on procedural matters being retained as by a show of hands.
- Calling the Roll, as the usual method of voting, being limited to voting required at the following meetings:
 - The full Council.
 - Policy and Resources Committee.
 - Development and Infrastructure Committee.
 - Education, Leisure and Housing Committee.
 - Orkney Health and Care Committee.

3. Forms of Voting

3.1.

The Council's Standing Orders currently state that the usual method of voting will be by a show of hands. Any member can request an alternative method of voting, but only if a majority present vote in favour, and the member must state the alternative method.

3.2.

Alternative methods of voting include:

- Calling the Roll (recorded vote).
- Secret Ballot.
- Electronic Voting.

3.3.

Voting by secret ballot is restricted to appointments and/or nominations, where the number of candidates is greater than the number of vacancies. It is not proposed to make any change to this practice within Standing Orders.

3.4.

The Standing Orders currently make provision for electronic voting as the default method of voting, where such a system is available and in operation. There is currently no such system available nor in operation.

3.5.

Calling the Roll, or a recorded vote, has been requested more regularly, most recently during the budget setting process. Members have indicated a desire to see this method of voting as the default method, rather than a show of hands. Accordingly, it is proposed that Standing Orders be amended to indicate that, in principle, Calling the Roll be the default method of voting.

4. Practical Considerations

4.1.

Rather than adopting a blanket approach, consideration requires to be given to the practicalities of Calling the Roll, including at which meetings the procedure be adopted and when the procedure should not be adopted.

4.2.

Calling the Roll should not be used as the default method of voting for procedural matters, particularly where the vote is normally, and only, to indicate those in favour of the action, such as Suspension of Standing Orders. As stated in section 3.3 above, secret ballot should continue to be the method of voting for appointments and/or nominations.

4.3.

There are various options in respect of which meetings the procedure could be adopted as the default method, such as:

- Option 1 – Every meeting of the Council, its Committees and Sub-committees.
- Option 2 – Council meetings and meetings of Service Committees only.
- Option 3 – Council meetings and meetings of Standing Committees.

4.4.

Standing Orders contain definitions of Service and Standing Committees.

4.4.1.

Service Committee means the following committees:

- Policy and Resources Committee.
- Development and Infrastructure Committee.
- Education, Leisure and Housing Committee.
- Orkney Health and Care Committee.

4.4.2.

Standing Committees comprise the Service Committees listed above, together with the following:

- Monitoring and Audit Committee.
- Planning Committee.
- Local Review Body.
- Licensing Committee.

4.5.

With the exception of the Monitoring and Audit Committee, the committees listed in section 4.4.2 above operate on a quasi-judicial basis. The Monitoring and Audit Committee, as the name suggests, deals mainly with assurance and scrutiny matters, rather than individual policy and/or strategic matters.

4.6.

Given that voting is only required where there is a division, namely where there is no consensus, and this normally occurs when considering policy or strategic matters, it is suggested that Option 2 is the preferred course of action at this time. The option to request a vote by Calling the Roll would still however remain in place for meetings not covered by Option 2.

4.7.

As the method of voting affects a number of Standing Orders, it is proposed that, should the Council approve the principle of recorded votes being the default method, subject to the practical considerations outlined above, the Chief Executive will make the necessary amendments and issue the updated Standing Orders, including publishing on the Council's website.

5. Corporate Governance

This report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

6. Financial Implications

There are no significant financial implications arising directly from the report recommendations, namely to amend Standing Orders to allow recorded votes in certain situations.

7. Legal Aspects

7.1.

The Local Government (Scotland) Act 1973, as amended, makes provision for the regulation of meetings of local authorities and specifically authorises the Council to make Standing Orders for the regulation of its proceedings and business.

7.2.

There is nothing in legislation prescribing the method of voting to be used during meetings of local authorities but ordinarily it is by show of hands, unless alternative methods are outlined in individual authorities' Standing Orders.

8. Contact Officers

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