

**MINUTE EXTRACT  
STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE  
26 FEBRUARY 2019**

27 **COUNCIL PROCEDURE RULES - STANDING ORDER CONCERNING VOTING  
AND ELECTRONIC VOTING**

The Director of Governance and Assurance introduced a report which sought to address deficiencies in Standing Order 18 of the Council Procedure Rules (Part 4(A) of the Constitution) concerning voting methods. It had regard to the model standing order contained in statutory Guidance and recommended a revised standing order to make improvements and to cater for use of the electronic voting system in the Council Chamber.

Attached to the report was:

- Appendix A - the Council's current standing order 18 on 'Voting'.
- Appendix B - the Model Standing Order upon which the above was based and to which the Council must have regard.
- Appendix C – the recommended revised Standing Order on Voting.

The Committee was informed that the Council was legally required to have regard to the statutory Guidance in drafting Council standing orders. The draft revision at Appendix C was based on the model standing order contained within the Guidance, together with:

- (a) those elements of the existing WBC standing order that appear to have been drafted with good reason and are not otherwise found in the Model; and
- (b) amended to cater for the addition of an electronic voting system and the Council's preferred custom and practice as set out in the report.

The Committee noted that another option available to it was that the current standing order remained unchanged. However, this would not address the issue of the current standing order requiring a vote at each meeting to allow for use of electronic voting. Alternatively, the standing order could be amended in some other way, perhaps as part of an overall review. This would mean a delay.

The Committee was aware that the Council Chamber's Electronic Voting System had been activated in mid-August 2018. Demonstrations for Elected Members had taken place on 26 September and on 3, 8 and 10 October 2018 and the first Council meeting utilising the new electronic voting system had taken place on 15 October 2018.

Following the installation of the new electronic voting system in the Council Chamber, and consultation with Members on its usage, it had been identified that the Council's Constitution would require revision of Standing Order 18 of the Council Procedure Rules. This was primarily that the default method of voting should be altered to

electronic voting as opposed to a 'show of hands'. This alteration would negate the need to vote and suspend standing orders at the beginning of every Council meeting, to enable use of the electronic voting system at future meetings.

Member's views had been sought on an alteration to the existing standing order. Following debate, the Committee had formed the view that the additional sections suggested that covered the issue of electronic voting, taken largely from a detailed standing order used in another council, would alter the balance and flow of the meeting. Rather, the Committee requested that the Council Procedure Rule 18 be re-considered in its entirety, with a further Council meeting taking place between that meeting and the Committee considering this matter again.

The Committee noted that the current standing orders included reference to and means of utilising electronic voting, including the Mayor's powers where the system had failed or was potentially misused. These were drafted for a previous electronic voting system, however, and missed several elements. In particular, the current standing order:

- presumed or required a vote on whether to use the electronic voting system at the beginning of each meeting (at 18(1)); and
- was confusing in relation to a recorded vote (referred to as a 'card vote') in that it did not necessarily differentiate between a recorded vote and the current means of electronic voting and did not specify the stating of the vote for the gallery and web-cast.

It was noted that the current standing orders, therefore, required a vote at the beginning of each meeting to permit the use of electronic voting system and to waive the standing order to provide clarity.

Members noted that the two were quite different in places and certain paragraphs appeared to be missing or worded in an entirely different way in the Council's standing order compared to the Model. Members also noted that this situation was repeated elsewhere in the Council's Constitution, hence Appendix C which was recommended to the Committee as a replacement standing order 18 of the Council Procedure Rules for adoption by the Council.

It was reported that having regard to the statutory Guidance, the draft at Appendix C was based on the model standing order, together with those elements of the Council's standing order that appear to have been drafted with good reason and were not otherwise found in the Model and amended to cater for the addition of an electronic voting system and the Council's preferred custom and practice.

The Committee was also made aware that adopting standing orders without obvious or evidenced regards having been had to the legal requirement to do so runs the risk of challenge and continuing to waive the existing standing orders in order for a Council meeting to operate was not conducive to good administration and not good practice.

Members then asked the Director of Governance and Assurance a number of questions and made a number of comments. They were all in favour of recorded votes (card votes) involving a roll call, taking precedence which meant that Members would

not be required to press the button to record their vote using the electronic voting system at the same time as voting orally. This would avoid the confusion that had been experienced at the Extraordinary Council meeting on 25 February 2019. It was noted that this was how the report and Appendix C had been written. When a recorded vote was not requested voting in the Council Chamber would involve the use of the electronic voting system.

**RESOLVED:**

**That the Council be recommended to adopt a revised Standing Order 18 of the Council Procedure Rules (Part 4(A) of the Constitution) as attached at Appendix C to the report.**