



2014 CHAPTER 8

PART 7

MEETINGS AND PROCEEDINGS

Decision-making

Power to require decisions to be reconsidered

41.—(1) Standing orders must make provision requiring reconsideration of a decision if 15 per cent. of the members of the council (rounded up to the next highest whole number if necessary) present to the clerk of the council a requisition on either or both of the following grounds—

- (a) that the decision was not arrived at after a proper consideration of the relevant facts and issues;
- (b) that the decision would disproportionately affect adversely any section of the inhabitants of the district.

(2) Standing orders must require the clerk of the council to obtain an opinion from a practising barrister or solicitor before reconsideration of a decision on a requisition made wholly or partly on the ground mentioned in subsection (1)(b).

(3) Regulations may amend the percentage mentioned in subsection (1) and the process by which a legal opinion is obtained in subsection (2).

(4) In this section—

“decision” means a decision of the council or a committee of the council and includes a decision to make a recommendation;

“reconsideration” means—

- (a) in the case of a decision of the council, reconsideration by the council;

(b) in any other case, consideration by the council or any specified committee of the council (whether or not the decision is a decision of that committee);

“section”, in relation to the inhabitants of a district, means a section of a specified description;

“specified” means specified in standing orders.