

## **Committee and Sub-Committee Procedure Rules**

### **1. APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES**

- 1.1 The Council may appoint Committees and Sub-Committees to carry out its non-Executive work.
- 1.2 Committees may appoint additional Sub-Committees with the approval of the Council.

### **2. MEMBERSHIP**

- 2.1 With the exception of Licensing Committee and Licensing Sub-Committees and unless the Council decides otherwise, with no Member voting against, the Council and Committees shall appoint Members to Committees and Sub-Committees respectively in accordance with the statutory requirements for political balance.
- 2.2 For the Licensing Committee and Licensing Sub-Committees there is no statutory requirement for political balance but the spirit of this shall be followed where practical. For the Sub-Committees in addition to Chairman, the remaining membership shall be drawn from the Licensing Committee, excluding the substitutes appointed to serve thereon.
- 2.3 The Council shall review the allocation of seats on Committees and Sub-Committees to the Political Groups on the Council at its Annual Meeting and following any change in the membership of the Council as required by statute.

### **3. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

- 3.1 With the exception of Licensing Sub-Committees when appointing Committees and Sub-Committees the Council or Committee respectively may appoint to each Committee or Sub-Committee substitute Members for each Political Group on the Council in accordance with the wishes of the Group and such substitute may take the place of any Member of that Group who is a Member of the particular Committee or Sub-Committee for the meeting when such Member is absent;

Subject to:

- (i) the substitution being notified to the Chief Executive (or an Officer representing the Chief Executive) no later than when the “Apologies for Absence and Substitutions” item is called on the Agenda;
- (ii) in the event of the Committee Member arriving after the substitution has been made that Member shall forthwith resume membership of the Committee or Sub-Committee and the substitute Member shall forthwith cease to be a member of the Committee or Sub-Committee and such member shall then only have the rights set out in Procedure Rule 20; and
- (iii) substitutions may only take effect from when the “Apologies for Absence and Substitutions” item is called on the Agenda and may not be expressed to take effect at any later time.

(NOTE: Group Leaders will be expected to ensure that nominated substitutes have received appropriate training on the role and functions of the relevant Committee).

**Update No.6 – January 2005**

#### 4. **SUSPENSION OF COMMITTEE AND SUB-COMMITTEE PROCEDURE RULES**

Subject to statutory provisions, a Committee or Sub-Committee may decide to suspend any Committee or Sub-Committee Procedure Rule at a Committee or Sub-Committee Meeting provided one half of its Members are present.

#### 5. **RULING OF THE CHAIRMAN**

The ruling of the Chairman on the application of Procedure Rules or any proceedings of the Committee or Sub-Committee shall not be challenged.

#### 6. **CONDUCT OF MEETINGS**

6.1 The conduct of the meeting shall be a matter for the Chairman.

6.2 When speaking a Member shall address the Chairman.

#### 7. **DISORDERLY CONDUCT**

##### 7.1 **Members**

The Chairman shall warn a Member who behaves improperly. If the Member continues the misconduct the Chairman may move that the Member be excluded from the meeting (in which case the Motion shall be put and determined without seconding or discussion); if the Motion is approved the Member shall leave the room.

##### 7.2 **Public**

The Chairman shall warn a member of the public who interrupts the proceedings at any meeting. If the interruption continues the Chairman shall order removal of the person concerned from the room. In the case of general disturbance the Chairman shall order the public gallery to be cleared and, if appropriate, adjourn the meeting.

#### 8. **MEETINGS OF COMMITTEES AND SUB-COMMITTEES**

##### 8.1 **Ordinary Meetings**

Ordinary Meetings will be held on the dates set out in a Schedule of Meetings agreed by the Council.

##### 8.2 **Special Meetings**

The Chairman may call a Special Meeting of a Committee or Sub-Committee at any time.

If, following a request from five Members of the Committee or Sub-Committee or one third of its membership, whichever is the greater, the Chairman refuses to call a Special Meeting or fails to call it within seven days, then any five Members of the Committee or Sub-Committee may call the meeting.

##### 8.3 **Time**

8.3.1 With the exception of Licensing Sub-Committees all Committee and Sub-Committee Meetings shall start at 7.30 p.m. unless otherwise agreed by the Committee or Sub-Committee or the Chairman of the Committee or Sub-Committee.

8.3.2 In the case of Licensing Sub-Committees, meeting shall be held during the day or evening at a time to be agreed by the Chairman.

##### 8.4 **Change of Date or Time of Meetings**

The Committee or Sub-Committee or the Chairman may change the date and/or time or cancel a meeting of the Committee or Sub-Committee due to lack of business or other special circumstances.

9. **QUORUM**

- 9.1 The quorum of a Committee or Sub-Committee Meeting shall be one third of the membership but not less than three Members.
- 9.2 If there is not a quorum present, the meeting shall be adjourned for fifteen minutes.
- 9.3 If after fifteen minutes there is still no quorum, all uncompleted business shall be deferred to the next Ordinary Meeting or such other date as may be determined by the Chairman.

10. **ADJOURNMENT**

- 10.1 A Committee or Sub-Committee may adjourn a meeting at any time.
- 10.2 If the business is not completed by 10.30 p.m., the Committee or Sub-Committee may decide in relation to all or part of the remaining business to:
  - (a) approve items without debate;
  - (b) continue the meeting to complete the business;
  - (c) refer the business to the next Ordinary Meeting;
  - (d) adjourn to a specific date.

11. **ORDER OF BUSINESS AT FIRST MEETING OF COMMITTEES AND SUB-COMMITTEES**

- 11.1 The order of business at the first meeting of each Committee in the Municipal Year shall be:

Consent for the Mayor to take the Chair.

- 2 Election of Chairman.
- 3 Election of Vice-Chairman.
- 4 Minutes.
- 5 Apologies for absence and substitutions.
- 6 Declarations of Interest.
- 7 Appointment and Membership of Sub-Committees.
- 8 Any other business specified on the Agenda.

- 11.2 For the election of the Chairman for the Municipal Year, the Mayor shall, with the agreement of the Committee, take the Chair. The Mayor shall not vote on the election of the Chairman but in the event of an equality of votes, shall have a casting vote. In the event that the Mayor chooses not to use a casting vote and an equality of votes prevails, the matter shall be deferred until the next meeting.

- 11.3 If the Mayor does not take the Chair, the Chief Executive's representative shall conduct the election of the Chairman. In the event of an equality of votes the matter shall be deferred to the next meeting.

- 11.4 Every Sub-Committee shall at its first meeting, before dealing with other business, elect a Chairman and Vice-Chairman for the Municipal Year.

12. **ABSENCE OF CHAIRMAN AND VICE-CHAIRMAN**

In the absence of the Chairman, the Vice-Chairman shall take the Chair. In the absence of the Chairman and Vice-Chairman, a Chairman for the meeting shall be elected. Any power or duty of the Chairman in relation to the conduct of the meeting may be exercised by the person in the Chair.

**13. VOTE OF NO CONFIDENCE IN CHAIRMAN**

- 13.1 A Member wishing to move a vote of no confidence in the Chairman shall ask for an appropriate item to be included on the Agenda of the next meeting of the Committee or Sub-Committee.
- 13.2 During consideration of the Motion the Chairman shall vacate the Chair which shall be taken by the Vice-Chairman. In the absence of the Vice-Chairman, another Member shall be elected for this purpose.
- 13.3 In the event of the Motion of no confidence being carried at a Committee or Sub-Committee the Member shall cease to be Chairman forthwith and the person presiding shall remain in the Chair for the rest of the meeting. The election of a new Chairman shall be the first item on the Agenda of the next meeting of the Committee or Sub-Committee.

**14. VOTING IN COMMITTEES AND SUB-COMMITTEES**

- 14.1 Voting at a Committee or Sub-Committee shall be by show of hands.
- 14.2 A Member's vote for or against (or abstention) shall be recorded in the Minutes provided a request to do so is made by the Member immediately after the vote is taken.
- 14.3 In the case of an equality of votes the Chairman shall have a second or casting vote. The casting vote may be used whether or not the Chairman has already voted.

**15. VOTING ON APPOINTMENTS**

Where there are two or more nominees for an appointment by the Council the appointment(s) shall be made as follows:-

- (a) by consensus of the Committee;
- (b) where there are two nominees for one position, by majority vote;
- (c) where there are more than two nominees for any position votes shall be cast for each nominee and if there is not an overall majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until the required number of nominees is achieved.

**16. MINUTES**

- 16.1 The Minutes of every Committee and Sub-Committee meeting shall be circulated to all Members and with the exception of the Licensing Sub-Committees presented to the next meeting for confirmation and signature by the Chairman. Where this is impractical, owing to the short time between meetings, or where the next meeting is a Special Meeting, the Minutes may be presented to the next following meeting.
- 16.2 The Minutes of Licensing Sub-Committee shall be submitted to either the next meeting of the Licensing Sub-Committee (provided the same three Members are present) or to the next meeting of the Licensing Committee for confirmation and signature by the Sub-Committee Chairman (provided the other two Members are present) whichever is the sooner.
- 16.3 No discussion shall take place upon the Minutes other than on their accuracy. If no point of accuracy is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the Minutes.

**17. URGENT BUSINESS**

If an item is not included on the Agenda it shall not be discussed unless the Chairman is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, it should be considered at the meeting as a matter of urgency. Items of urgent business must be in writing for circulation to the Members present (and Press and public, as appropriate) but may be supplemented by an oral report.

18. **PETITIONS**

Where a petition is referred to a Committee or Sub-Committee under Council Procedure Rule 11, a representative of the petitioners may address the Committee or Sub-Committee for up to 5 minutes.

19. **PUBLIC SPEAKING AT THE PLANNING COMMITTEE**

Public speaking at the Planning Committee shall be in accordance with Annex 2 to the Development Control Protocol in Part 5 of the Constitution.

20. **AGENDA ITEMS**

A Member may ask for an item to be included on the Agenda of a Committee or Sub-Committee.

21. **ATTENDANCE BY NON-MEMBERS**

21.1. All Members have the right to attend a meeting of a Committee or Sub-Committee except meetings of the Employment Committee where appointments/disciplinary/dismissal or appeals are being considered. Only the Leader or Deputy Leader and relevant Executive Member shall have the right to attend meetings of the Employment Committee for appointments.

21.2. A Member who moved a Motion at Council which has been referred to a Committee or Sub-Committee shall have the right to present the Motion to the Committee or Sub-Committee.

21.3. Subject to Procedure Rule 20.2 non-Members may only speak with the agreement of the Chairman. Update No.6 – January 2005

22. **NOTICE AND AGENDA OF MEETINGS**

22.1. All Members shall have Notice of Meetings of Committees and Sub-Committees.

22.2. All Members are entitled to receive Agenda of Committees and Sub-Committees.

23. **RECORDING OF PROCEEDINGS**

Making a written record of the discussion or decisions made at any meeting is permissible. The Committee or Sub-Committee should consider a request by any person to record, video, film, photograph or broadcast a meeting of a Committee or Sub-Committee.

