

COMMITTEE PROCEDURE RULES

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Reference:

Schedule 12, Local Government Act 1972

Sections 8 and 20, Local Government and Housing Act 1989

Local Government Act 2000

DETR Guidance on New Council Constitutions - Modular Constitutions

1. To which Committees will these rules apply?

These rules will apply to all Committees of the Council except the scrutiny panels, which are governed by the Overview and Scrutiny Procedure Rules.

2. Appointment of sub committees

- (a) A Council committee may appoint sub committees for purposes specified by the committee.
- (b) The Chairs of sub committees shall be appointed by the committee.
- (c) Where a sub committee is appointed the Committee Procedure Rules shall apply to the sub committee.

3. Who may sit on a Council committee?

All Councillors may be members of a Council committee subject to the following rules:-

- (i) The Employment Committee must include at least one member of the Cabinet.
- (ii) A Licensing Sub Committee can only include members of the Licensing and Regulatory Committee.
- (iii) A Standards Hearings Panel can only include Members of the Standards Committee.

4. Appointment of substitute members

4.1 Allocation

Where substitute members are to be appointed, the Council will appoint the same number of substitute members for each political group as that group holds ordinary seats on a committee, subject to each political group having no less than three substitute members for each committee and no less than six substitute members for the Planning Committee.

In relation to a Licensing Sub Committee the above arrangement will not apply and all the remaining Members of the Licensing and Regulatory Committee who are not members of the Sub Committee will be appointed as substitute Members for the Sub Committee.

In relation to a Standards Hearings Panel the above arrangements will not apply and all remaining Members and Co-opted members of the Standards Committee (except the Co-opted member Chair) who are not members of the Hearings Panel will be appointed as substitute members of the Hearings Panel.

4.2 Powers and duties

Substitute members will have all the powers and duties of any ordinary member of a committee.

4.3 Substitution

(a) Substitute members may attend meetings in that capacity only:-

- (i) to take the place of the ordinary member for whom they are the designated substitute;
- (ii) where the ordinary member will be absent for the whole of the meeting; and
- (iii) after notifying in writing the Head of Democratic and Partnership Services of the intended substitution before the time for the start of the meeting.

(b) A notification of substitution for a meeting must be given by the ordinary member and once given cannot be revoked.

5. Co-optees

Each committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.

6. Meetings of Committees

There shall be at least 15 ordinary meetings of the Planning Committee and at least 5 ordinary meetings of the Audit Committee, Governance and Business Committee and Standards Committee in each year in accordance with the programme of meetings agreed by the Council. In addition, extraordinary meetings may be called from time to time as and when appropriate. Meetings of other committees will be held as required. A committee meeting may be called by the chair of the relevant committee or by any three members of the committee.

7. Quorum

- (a) The quorum for a committee shall be three elected members.
- (b) The quorum for a Sub Committee shall be two elected Members.

8. Voting

- (a) All decisions of the committee shall be arrived at by a majority of votes taken by a show of hands. The person chairing the meeting shall have a second or casting vote in the case of an equality of votes.
- (b) four members may request that the names of those voting for and against any decision and those abstaining shall be recorded.
- (c) Any member may request that their vote (for or against) or their abstention shall be recorded.
- (d) On the vote of three Members at the meeting a matter determined by the Governance and Business Committee under its delegated functions can be referred to the Council for approval.

9. Motions and Amendments

- (a) A motion or an amendment shall not be considered unless it has been proposed and seconded.
- (b) An amendment shall be relevant to the motion on which it is moved. Only one amendment shall be moved and discussed at a time and no other amendment shall be moved until the original amendment has been voted on.
- (c) A motion or an amendment may be either altered or withdrawn by the mover with the consent of the committee.

10. Disorderly Conduct

If any Member or member of the public persistently disregards the ruling of the person chairing the meeting by behaving improperly or offensively or deliberately obstructs the business of the meeting, the person chairing the meeting may direct that person or those persons leave the meeting or that the meeting be adjourned for a specified period.

11. Who chairs committee meetings?

- (a) The Chair and Deputy Chair of each committee will be appointed by the Council, and the Chair of the Standards Committee will be a Co-opted member.
- (b) The Chair will preside at each meeting and in his/her absence the Deputy Chair will preside.
- (c) In the absence of both the Chair and Deputy Chair, a person appointed at the meeting will preside.

12. Agenda items

- (a) Any member of the Council shall be entitled to give notice to the Head of Democratic and Partnership Services that he/she wishes an item relevant to the functions of the committee to be included on the agenda for the next available meeting of the committee. On receipt of such a request the Head of Democratic and Partnership Services will ensure that it is included on the next available agenda and the Member will be allowed to address the meeting.
- (b) The Head of Democratic and Partnership Services will include on the agenda of the appropriate committee items which:-
 - (i) have been agreed by the committee at an earlier meeting
 - (ii) have been requested by the chair of the committee
 - (iii) have been agreed by the chair following a request from individual members (paragraph (iv) below would continue to be available to members where the chair did not agree to a request)
 - (iv) have been requested by individual members under Rule 12(a) above
 - (v) have been notified by Chief Officers.

13. Procedure at committee meetings

- (a) Committees shall consider the following business:
 - (i) substitutes appointed for this meeting, where appropriate;

- (ii) declarations of interest;
- (iii) consideration of whether the public should be excluded for any item of business;
- (iv) minutes of the last meeting;
- (v) the business otherwise set out on the agenda for the meeting.

14. Attendance by Members of the Council

- (a) It be at the discretion of the Chair to allow a Member of the Council to address the meeting where a request to do so is made to the Chair prior to the commencement of the meeting.
- (b) A Ward Councillor shall be entitled to address the meeting for up to five minutes where prior notice has been given to the Chair and the item is one which has been specifically identified on the report as affecting that Member's Ward.

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