

## **E3 COMMITTEE PROCEDURE RULES**

### **1. Time and Place of Meeting**

- 1.1 The frequency, time and place of meetings shall be as set out in **Part E2** and the approved Calendar of Meetings although the chairman of the committee and Monitoring Officer or the committee by resolution, may determine that an ordinary meeting shall be held at such other place as they consider appropriate. The chairman and/or Monitoring Officer may determine, having regard to special circumstances, that a particular ordinary meeting be held at such time as they consider appropriate.
- 1.2 The Monitoring Officer, after consultation with the chairman of the relevant committee (or in his/her absence, the vice-chairman), shall be authorised to cancel an ordinary meeting where there is insufficient business.
- 1.3 An extraordinary meeting of a committee may be called by the chairman, by a quorum of members of the committee or by the Monitoring Officer if he/she considers appropriate.

### **2. Notice of Summons to Meeting**

- 2.1 The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules at **Part G2** of the Constitution. The notice will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

### **3. Chairman of Meeting**

- 3.1 The person presiding at the meeting may exercise any power or duty of the chairman.

### **4. Quorum**

- 4.1 The quorum for each committee is set out in the relevant committee's terms of reference in **Part E2** of the Constitution. During the meeting if the chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn for 15 minutes. If after that time the chairman counts the number of members present and declares that there is still no quorum, the meeting will adjourn. Remaining business will be considered at a time and date fixed by the chairman. If he/she does not fix a date the remaining business will be considered at the next ordinary meeting.

## **5. Business**

At each meeting of a committee of the Council, the following business will be conducted: -

- 5.1 Minutes of the last meeting;
- 5.2 Declarations of interest, if any;
- 5.3 Chairman's announcements and communications;
- 5.4 The receipt of petitions relevant to the committee's terms of reference, in accordance with the Public Participation Procedure as set out in **Part A4** of the constitution;
- 5.5 Public questions, statements or depositions in accordance with the Public Participation Procedure as set out in **Part A4** of the constitution; and
- 5.6 Any other business specified in the agenda for the meeting.

## **6. Substitutes**

- 6.1 A Member who is unable to attend a meeting may arrange for one of the named substitutes appointed by the Council to attend in his/her place. Where such an arrangement has not been made, any of the named substitutes will be entitled to act as substitute for an absent member of their group.
- 6.2 Substitute members may attend the meeting in the capacity only:-
  - 6.2.1 to take the place of the ordinary Member for whom they are the designated substitute;
  - 6.2.2 after the Monitoring Officer, or his/her nominee, has been notified before the meeting of the intended substitution;
  - 6.2.3 after declaring his or her status as a substitute Member at the start of the meeting.
- 6.3 The Member substituted for shall cease to be a member of the forum concerned throughout the meeting, including any adjournment, and the substitute attending the meeting shall be a full member of that forum for the same period.

## **7. Sub-Committees**

7.1 Each committee may appoint such sub-committees as it deems necessary, having power to act within any limitations set by the committee. The Licensing Committee may appoint one or more sub-committees to discharge its functions by virtue of Section 9 of the Licensing Act 2003.

## **8. Delegation of Functions**

8.1 Unless the Council directs otherwise, a committee or sub-committee may delegate further to an officer.

8.2 Where a committee makes arrangements for the discharge of any of its functions either under paragraphs 7.1 or 8.1 above, the Monitoring Officer will, after consultation with the General Purposes Committee, report to the next ordinary meeting of the Council on either the amendment to the Terms of Reference or the Scheme of Delegation to Officers, as appropriate.

## **9. Voting**

9.1 Majority

9.1.1 Unless this constitution provides otherwise, any matter will be decided by a simple majority of those members present and voting at the time the question was put.

9.2 Chairman's casting vote

9.2.1 If there are equal numbers of votes for and against, the chairman will have a second or casting vote. There will be no restriction on how the chairman chooses to exercise a casting vote.

9.3 Show of hands

9.3.1 Unless a recorded vote is demanded under Rules 9.4 or 9.5, the chairman will take the vote by a show of hands, or if there is no dissent, by the affirmation of the meeting.

9.4 Recorded vote

9.4.1 If no fewer than one fifth of the Committee's membership demand it at the meeting, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

- 9.5 Right to require individual vote to be recorded
  - 9.5.1 Where any Member requests it immediately after a vote is taken, his/her vote will be so recorded in the minutes to show whether he/she voted for or against the motion or abstained from voting.
- 9.6 Voting on appointments
  - 9.6.1 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

## **10. Agenda Items**

- 10.1 Any member of the Council may, with 7 clear working days' notice, request the Monitoring Officer to include an item on the agenda of a relevant committee. Upon receipt of such a request the Monitoring Officer shall ensure that the item is included on the next available agenda for consideration by the relevant committee, and advise the chairman accordingly.
- 10.2 Any Member who submits a request will have the right to attend the meeting at which the item is to be considered and to explain the reasons for the request. The Committee will decide either:-
  - 10.2.1 If the matter is a simple one, to resolve it forthwith; or
  - 10.2.2 To request the officers to prepare a report for the next meeting; or
  - 10.2.3 To decide to take no further action upon the request, for stated reasons
- 10.3 A separate procedure provides for Members to refer planning applications for consideration by the Development Management Committee.

## **11. Minutes**

### 11.1 Signing the minutes

11.1.1 The Chairman will sign the minutes of the proceedings at the next ordinary meeting. The chairman will move that the minutes of the previous meeting be signed as an accurate record. No discussion shall take place upon the minutes, except where their accuracy is challenged by motion. If no such challenge is moved, or if moved then as soon as it has been disposed of, the chairman will sign the minutes.

### 11.2 Form of minutes

11.2.1 Minutes will contain all motions and amendments in the exact form and order as put to the meeting.

## **12. Exclusion of Public**

12.1 Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in **Part G2** of this Constitution or Rule 14 (Disturbance) below.

## **13. Members' Conduct**

### 13.1 Chairman Standing

13.1.1 When the chairman stands during a debate, any Member speaking at the time must stop. The meeting must be silent.

### 13.2 Member not to be heard further

13.2.1 If a Member persistently disregards the ruling of the chairman by behaving improperly or offensively or deliberately obstructs business, the chairman may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

### 13.3 Member to leave the meeting

13.3.1 If the Member continues to behave improperly after such a motion is carried, the chairman may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

## **14. Disturbance**

### 14.1 General disturbance

14.1.1 If there is a general disturbance making orderly business impossible, the chairman may adjourn the meeting for as long as he/she thinks necessary.

### 14.2 Removal of member of the public

14.2.1 If a member of the public interrupts proceedings, the chairman will warn the person concerned. If they continue to interrupt, the chairman will order their removal from the meeting room.

### 14.3 Clearance of part of a meeting room

14.3.1 If there is a general disturbance in any part of the meeting room open to the public, the chairman may call for that part to be cleared, and may adjourn the meeting for 15 minutes or other suitable period.

## **15. Motion affecting persons employed by the Council**

15.1 If any matter arises at a meeting to which the Local Government Act 1972 applies by virtue of Section 100 (A) (2) as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service or as to the conduct of any person employed by the Council, such matter shall not be the subject of discussion until the committee has decided whether or not the power to exclude the public under Section 100(A)(2) of the Local Government Act 1972 shall be exercised.

## **16. Rights of Non-Members**

16.1 Subject to paragraph 16.2, every member of the Council shall have the right to attend meetings of a committee. Such Members shall be entitled to speak once on any item and may, with the consent of the person presiding, contribute further but shall not vote.

16.2 This rule does not apply to committees or sub-committees such as the Licensing Sub-Committee which exercise quasi-judicial functions, where different arrangements are prescribed.

## **17. Public Participation and Petitions**

- 17.1 Public participation, including presentation of petitions, in committee meetings will operate on the basis of the Public Participation Procedure set out in **Appendix A to Part A4** of the constitution. However public participation at the Development Management Committee will operate on the basis of the Procedure set out **Annex 3 to Appendix A of Part A4** of the constitution when determining planning or other applications.

## **18. Rules of Debate**

- 18.1 The rules of debate that apply to Council meetings set out in Part B5 of the Constitution may be applied to meetings of committees to the extent that the Chairman considers appropriate.