Committee Procedure Rules

1. **TIME AND PLACE OF MEETING OF COMMITTEES AND SUB-COMMITTEES**

   The time and place of meetings will be determined by the Council, but if the Council does not fix the time and place of meetings, the committee or sub-committee may do so. No meeting shall be held on a Saturday (except in an emergency), Sunday or Public Holiday.

2. **NOTICE OF AND SUMMONS OF MEETINGS**

   The Director of Corporate Performance will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules and a summons shall be sent to every member of the Committee or left at their usual place of residence with a copy sent to any other member of the Council who has requested them. The summons 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. **ELECTION OF CHAIRMEN OF COMMITTEES**

   A Committee shall at its first meeting immediately following the Council’s Annual Meeting, and before proceeding to any other business, elect a Chairman and Vice-Chairman for the year. A member who is already a Chairman of a Standing Regulatory Committee is not eligible for election to the Chair of any other Standing Regulatory Committee. Standing Regulatory Committees are defined as the Council’s Planning, Licensing and Regulation, and Audit Committees.

   In the absence from a meeting of the Chairman and Vice-Chairman, a Chairman for the meeting shall be appointed.

4. **QUORUM**

   The quorum of a Committee shall be a quarter of the voting membership.

   During any meeting if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. 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. **ATTENDANCE OF LEADER**

   The Leader, and/or the appropriate Portfolio Holder(s) may attend and speak but not vote, except if a member(s) of the Committee, at Committee meetings.
6. **MOTIONS**

The following motions may be moved:

(a) to appoint a Chairman of the meeting at which the motion is moved;

(b) in relation to the accuracy of the minutes;

(c) to change the order of business in the Agenda;

(d) to refer something to an appropriate body or individual;

(e) to receive, adopt or otherwise reports or recommendations of officers and to consider any motion directly arising from the business on the Agenda to be transacted;

(f) to withdraw a motion;

(g) to amend a motion;

(h) to proceed to the next business;

(i) that the question be now put;

(j) to adjourn a debate;

(k) to adjourn a meeting;

(l) to suspend a particular Committee procedure rule, subject to Rule 16;

(m) to exclude the public and press in accordance with the Access to Information Rules;

(n) to not hear further a member named under Rule 12.2 or to exclude them from the meeting under Rule 12.3.

7. **RULES OF DEBATE**

7.1 **No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

7.2 **Right to require motion in writing**

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him / her before it is discussed.
7.3 **Seconder’s speech**

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

7.4 **Content of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order.

7.5 **Only one member to speak at a time**

If two or more members speak, the Chairman shall call one to speak; the others shall then be silent. While a member is speaking the other member shall remain silent, unless raising a point of order in personal explanation.

7.6 **Amendments to motions**

(a) An amendment to a motion must be relevant to the motion and will either be:

(i) to leave out words;

(ii) to leave out words and insert or add others; or

(iii) to insert or add words.

as long as the effect of (i) to (iii) is not to negate the motion.

(b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

(c) If an amendment is not carried, other amendments to the original motion may be moved.

(d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

(e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

(f) A further amendment shall not be moved

- unless the proposer gives notice of the terms of a further amendment before any amendment is put to the vote; and

- until the Committee has disposed of every amendment previously moved
provided that the Chairman may permit two amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the conduct of the Committee’s business.

(g) If the further amendment is lost, the original motion or the amendment which has been carried (and which becomes the substantive motion) still stands.

7.7 Alteration of motion

(a) A member may alter a motion of which he / she has given notice with the consent of the meeting. The meeting’s consent will be signified without discussion.

(b) A member may alter a motion which he / she has moved without notice with the consent of both the meeting and the seconder. The meeting’s consent will be signified without discussion.

(c) Only alterations which could be made as an amendment may be made.

7.8 Withdrawal of motion

A member may withdraw a motion which he / she has moved with the consent of both the meeting and the seconder. The meeting’s consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

7.9 Right of reply

(a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

(b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

(c) The mover of the amendment has not right of reply to the debate on his or her amendment.

7.10 Procedural motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

(a) to withdraw a motion;

(b) to amend a motion;

(c) to proceed to the next business;

(d) that the question be now put;
(e) to adjourn a debate;
(f) to adjourn a meeting;
(g) to exclude the public and press in accordance with the Access to Information Rules; and
(h) to not hear further a member named under Rule 12.2 or to exclude them from the meeting under Rule 12.3.

7.11 Closure motions

(a) A member may move, without comment, the following motions at the end of a speech of another member:

(i) to proceed to the next business;
(ii) that the question be now put;
(iii) to adjourn a debate; or
(iv) to adjourn a meeting.

(b) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

(c) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he / she will put the procedural motion to the vote. If it is passed he / she will give the mover of the original motion a right of reply before putting his / her motion to the vote.

(d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he / she will put the procedural motion to the vote without giving the mover or the original motion the right of reply.

7.12 Point of order

A member may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Committee Rules of Procedure or the law. The member must indicate the rule or law and the way in which he / she considers it has been broken. The ruling of the Chairman of the matter will be final.
7.13 **Personal explanation**

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

7.14 **Motions affecting persons employed by the council**

If any issue arises at a meeting of a Committee 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 on the exercise of the power of exclusion of the public under the terms of Paragraph 1 of Part 1 of Schedule 12A to the 1972 Act.

8. **VOTING**

8.1 **Majority**

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

8.2 **Chairman’s casting vote**

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.

8.3 **Voting**

Voting at a Meeting of a Committee shall be by show of hands, provided that a Committee may by resolution adopt such other method of voting as they may consider expedient on any particular matter.

8.4 **Right to require individual vote to be recorded**

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

8.4 **Voting on appointments**

Where a vote is required on a motion to appoint a person to any paid position to be filled by the Council, voting shall be by ballot and where there are two or more candidates for that appointment, their names shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting 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 a majority of votes is given in favour of one person.
9. **MINUTES**

**Signing the minutes**

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. Only issues of accuracy can be raised.

10. **RECORD OF ATTENDANCE**

(a) All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

(b) Members should formally declare if they are leaving the meeting permanently before it ends.

11. **EXCLUSION OF PUBLIC**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 13 (Disturbance by Public).

12. **MEMBERS’ CONDUCT**

12.1 **Chairman standing**

When the Chairman stands during a debate, any member speaking at the time must stop. The meeting must be silent.

12.2 **Member not to be heard further**

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.

12.3 **Member to leave the meeting**

If the member named continues his / her misconduct after a motion under the previous rule has been carried the Chairman may:

- **either** move “That the member named do leave the meeting” (in which case the motion shall be put and determined without seconding or discussion);

- **or** adjourn the meeting of the Committee for such period as he / she in his / her discretion shall consider expedient.
12.4 **General disturbance**

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

13. **DISTURBANCE BY PUBLIC**

13.1 **Removal of member of the public**

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.

13.2 **Clearance of part of meeting room**

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.

Every member of the Council shall have the right to speak, but not vote on any matter specified on the agenda of any committee or sub-committee of which he / she is not a member, provided notification is given to the Director of Corporate Performance not later than 2 full clear working days before the meeting or such shorter period as the chairman may allow.

14. **MEMBER ATTENDING MEETINGS**

A member of the Council may attend a speak at meetings of committee and sub-committees in relation to items which affects the member’s own electoral division, but not where the circumstances apply on a similar basis to other parts of the County Borough.

15. **SUSPENSION OF PROCEDURE RULES**

All of these Committee Rules of Procedure, except Rule 8.4, may be suspended by motion if at least one half of the whole number of members of the Committee are present and at least two thirds vote for the suspension can only be for the duration of the meeting.

16. **CHAIRMAN’S RULING**

The ruling of the Chairman of a committee or sub-committee as to the Constitution or application of these procedure rules shall be final and shall not be challenged.