
CHAIR'S GUIDE TO PROCEDURE AT MEETINGS

Committees attendance:

- The Chair and Deputy Chair of the Authority and a Chair of a Committee may attend a meeting of a Standing Committee
- The Vice Chair of a Committee can attend a Committee meeting as a substitute for their Chair.
- Any Member can attend a committee meeting of which they are not a Member, as an observer including that part of the meeting when exempt or confidential information is being considered. A Member with a prejudicial interest under the code of conduct must leave the meeting.
- Members of the public, having given notice, may address a meeting, under the Public Participation Scheme, on any item of business that is included in Part A of the Agenda. They cannot speak on any Part B (exempt, confidential) items, items for information, items not for discussion and agenda items without supporting reports.
- A Member, having given notice, may address a committee meeting, of which they are not a Member, on any item of business on the Agenda.
- A Member with a prejudicial interest, having given notice, may address a meeting only on an item of business that is included in Part A of the Agenda. The Member must then leave the room.

Quorum:

- Authority meetings – One third of the total Membership (10 Members)
- Committee meetings – One quarter of the total Membership of the committee (4 Members).
- A quorum must always include at least one Local Authority appointed Member and one Secretary of State appointed Member (national or parish).
- If the attendance falls below the quorum at any time the meeting must be adjourned to a date fixed at the time of the adjournment.

Business:

The Chair has the discretion:

- To vary the order of the business.
- To take an urgent item of business, not on the agenda, provided they are satisfied with the reasons given for the matter being urgent.

Minutes:

- Questions on the accuracy of minutes only to be considered. We do not consider matters arising.

Exempt Business:

- Exempt business should be put at the end of the Agenda so that any public are not inconvenienced by having to be excluded during the meeting when the item is being considered.
- The motion to exclude the public from the meeting should always be moved and seconded and then voted upon.

CONDUCT OF MEETINGS

Chair's Ruling:

The Chair's interpretation of and application of the Authority's procedure rules cannot be challenged other than by a High Court action after the event.

RECOMMENDATIONS AND MOTIONS

- If a Member moves a motion, it must be seconded.
- When a motion is under debate no other motion shall be moved except the following:
 - (a) to amend the original motion;
 - (b) to adjourn the meeting;
 - (c) to adjourn the debate;
 - (d) to proceed to the next business;
 - (e) that the question be now put;
 - (f) that a Member be not further heard;
 - (g) by the Chair that a Member leaves the meeting;
 - (h) a motion under Section 100A of the Local Government Act 1972 to exclude the public.

AMENDMENTS TO RECOMMENDATIONS AND MOTIONS

Limitations to amendments:

- An amendment cannot introduce anything completely unrelated to the original motion.
- An amendment cannot be a direct negative to the motion that has been proposed and seconded (i.e. simply voting against the original motion would have the same effect).

Procedure:

- Amendments can add or delete words in the motion and must be seconded.
- If there is a request for more than one amendment they should be taken one at a time in the order proposed and seconded.
- If an amendment is carried, the substantive motion (i.e. the original motion as amended) must then be put to the meeting for approval.
- The substantive motion can be further amended.
- At the conclusion of the amendment process, a final vote on the substantive motion must be taken.

RULES OF DEBATE

- The Chair has discretion as to how far rules of debate are applied.
- Rules of debate for Authority meetings can be applied to a committee at the discretion of the Chair.
- The practice of “questions – debate - decision” is often used, although this is not essential.

Speaking:

A Member may only speak once on a motion except:

- to explain a point made earlier that may have been misunderstood.
- on a point of order.
- on an amendment.
- on the “substantive motion”.
- to move an amendment on the “substantive motion”.
- as the mover of the motion to withdraw or amend the motion with the seconder’s consent and the consent of the meeting.
- as the mover of the motion as a “right of reply”.
- as the mover of the original motion as a “right of reply” only on the amendment (The mover of the original motion may not otherwise speak on the amendment).

The mover of an amendment does not have a “right of reply”.

VOTING

General:

- A show of hands is not necessary if “all agreed” but advisable at Planning Committee.
- If there is dissension, a vote by show of hands must be taken.

Second or Casting Vote:

- Only the Chair has a second or casting vote.
- There is no requirement to use a casting vote in the event of a tie; the matter would simply be ‘not carried’ and other action such as withdrawal, deferral or amendment would need to be considered.
- There is no requirement that the Chair must have voted originally, nor that they have to vote the same way as originally.
- There is no requirement that a casting vote must be used to support the option closest to retaining the status quo.

Recording of votes:

- A Member, supported by four other Members, may request before a vote is taken that the vote be recorded in the minutes of the meeting. The vote is taken by reading out the Member’s names who then state what their vote is.
- An individual Member can ask for the way that they voted to be recorded in the minutes.

Voting on Appointments:

- If the number of nominations exceeds the number of vacancies, the vote is taken for each nominee in the order that they were proposed; the candidate with the least number of votes is deleted and the vote taken again until there is a majority in favour of one candidate.
- Where there is more than one vacancy, each Member has the same number of votes as there are vacancies and those that receive the largest number of votes are appointed.

DISORDERLY CONDUCT

Members:

- A meeting can agree that a Member be no longer heard, or that they leave the meeting.
- The Chairman can adjourn the meeting if necessary.

Public:

- A Member of the public who interrupts the proceedings at any meeting shall be warned by the Chair. If the interruption continues the Chair shall order their removal from the meeting room. In the case of general disturbance in any part of the meeting room open to the public the Chair shall order that part to be cleared.
- The Chair can adjourn the meeting if necessary.

DECLARATIONS OF INTERESTS

This is a complex area and Members should contact the Monitoring Officer or Democratic Support Officers for advice, prior to the Meeting.

Declarations of interest are a Member's own personal responsibility and a meeting should not discuss or form any view on whether or not an interest should be declared.