

## Part 2: Committees and Outside Bodies

<b>12</b>	<b>Selection of Councillors on Committees and Outside Bodies</b>	
12.1	At the Annual meeting, the Council will:	
	(a)	decide which committees to establish for the municipal year;
	(b)	approve a programme of ordinary meetings of the committees for the year;
	(c)	decide the size and terms of reference for those committees;
	(d)	decide the allocation of seats to political groups in accordance with the political balance rules;
	(e)	receive nominations of councillors to serve on each committee and outside body; and
	(f)	appoint to those committees and outside bodies.
12.2	The committees listed in Part 3 of the Constitution shall be the standing committees and sub-committees of the Council and shall have the membership specified.	
12.3	The Committee and Outside Bodies Procedure Rules, set out in this Part, shall apply to meetings of Committees, Scrutiny Select Committees, Advisory Panels and Forums in accordance with the scheme for panels and forums to advise the Executive set out in Part 3 of the Constitution.	
<b>13</b>	<b>Rules for Convening Meetings</b>	
13.1	Ordinary meetings of committees will take place in accordance with a programme decided at the Council's annual meeting.	
13.2	The Chief Executive may at any time call an extraordinary meeting of a committee or sub-committee of their own motion and shall do so at the request of the Chair of the committee or sub-committee, the Mayor or the Leader. The Chief Executive may also call an extraordinary meeting of a committee or sub-committee on the requisition delivered to them in writing or by electronic mail of not less than three members of the committee or sub-committee.	
13.3	Meetings will normally begin at 1930 hours and will be held at the Council's principal offices at Gibson Building, Gibson Drive, Kings Hill, or otherwise as determined by the Chair of the committee in consultation with the Chief Executive.	

13.4	The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules.
13.5	<p>At least five clear days* before a meeting, the Chief Executive will send a summons to every member of the committee or sub-committee by an appropriate method, in accordance with the provisions of the Local Government Act 1972. This may include electronic summonses.</p> <p>*“clear days” refers to weekday working days and does not include the day of publication or the day of the meeting</p>
13.6	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. No business other than that set out in the summons may be considered at the meeting.
13.7	The Chief Executive may agree with a member to send the summons and accompanying reports to them in such format, to such address and by such means as may be agreed.
<b>14.</b>	<b>Rules for Conduct of Meetings</b>
14.1	The Council’s Procedure Rules (set out in Part 1) for the conduct of meetings shall not apply to meetings of committees and sub-committees.
<b>Chair of Meeting</b>	
14.2.	The Chair and Vice-Chair of each committee and sub-committee shall be appointed by the Council at its annual meeting.
14.3	The Council may also appoint a second Vice-Chair for any committee or sub-committee.
14.4	If present, the Chair shall preside at the meeting.
14.5	If the Chair is not present, the Vice-Chair shall preside at the meeting.
14.6	In the case of a committee or sub-committee for which a second Vice- Chair has been appointed, if neither the Chair nor Vice-Chair are present the second Vice-Chair shall preside at the meeting.
14.7	If the Chair, Vice-Chair or any second Vice-Chair are not present, the committee or sub-committee may elect a member from among their number to preside at the meeting.

14.8	If, during the course of a meeting, the person in the chair is unable for any reason to preside over some business of the committee or sub-committee, the chair shall be taken by the member whom in accordance with this rule, would have taken the chair had the person vacating the chair not been present.
14.9	The person presiding at the meeting may exercise any power or duty of the Mayor.
<b>Quorum</b>	
14.10	Except as otherwise provided by law, and subject to rule 14.11, the quorum of a meeting of a committee will be four members and of a sub-committee will be three members.
14.11	The quorum of a meeting of the Audit Committee will be three members.
14.12	The quorum of a meeting of a panel or board to advise the Executive will be four members.
14.13	The quorum of a meeting of other member working groups will be three members.
14.14	During any meeting if the Chair of the meeting counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately.
<b>Unfinished Business</b>	
14.15	If, at the time a meeting of a committee or sub-committee is adjourned, there remains unfinished business, the Chair of the meeting, after consultation with the Chief Executive, may fix a time and date for the consideration of the remaining business. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.
<b>15.</b>	<b>Rules of Debate for Committee and Sub-Committee Meetings</b>
15.1	The Council's rules of debate shall not apply to meetings of committees and sub-committees.
<b>No Speeches until Motion Seconded</b>	
15.2	Unless proposed by the Chair of the meeting, no speeches may be made after the mover had moved a proposal and explained the purpose of it until the motion has been seconded.

<b>Right to Require Motion in Writing</b>	
15.3	The Chair of the meeting may require any motion (incorporating any agreed amendments) to be written down and handed to them before it is discussed.
<b>Content of Speeches</b>	
15.4	Speeches must be directed to the question under discussion or to a personal explanation or point of order.
<b>Amendments to Motions</b>	
15.5	An amendment to a motion must be relevant to the motion and will either be:
	(a) to delete words, numbers or figures;
	(b) to insert words, numbers or figures;
	(c) to substitute words, numbers or figures;
	(d) combining matters referred to at (a), (b) and (c) above,
	as long as the aggregate effect of (b) to (d) is not to negate the motion.
15.6	Normally 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. However, if the Chair of the meeting considers that the conduct of the committee or sub-committee's business would be helped they may allow two or more amendments to be discussed together but not voted on.
15.7	If an amendment is not carried, other amendments to the original motion may be moved.
15.8	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 may be proposed.
15.9	After an amendment has been carried, the Chair of the meeting will read out the amended motion before accepting any further amendments or, if there are none, put it to the vote.

Alteration of Motion		
15.10	A member may alter a motion which they have moved with the consent of both the meeting and the seconder. The consent will be signified without discussion. Only alterations which could be made as an amendment may be made.	
Withdrawal of Motion		
15.11	A member may withdraw a motion which they have moved with the consent of both the meeting and any seconder. The 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.	
Motions which may be Moved during Debate		
15.12	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 not hear further a member named under rule 10.6 or to exclude them from the meeting under rule 10.7; and
	(h)	to exclude the public and press in accordance with the Access to Information Rules.
Closure Motions		
15.13	A member may move, without comment, the following motions at the end of a speech of another member:	
	(a)	to proceed to the next business;
	(b)	that the question be now put;
	(c)	to adjourn a debate; or
	(d)	to adjourn a meeting.

15.14	If a motion to proceed to next business is seconded and the Chair of the meeting thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
15.15	If a motion that the question be now put is seconded and the Chair of the meeting thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed they will give the mover of the original motion a right of reply before putting their motion to the vote.
15.16	If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair of the meeting thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.
15.17	If a motion to adjourn the debate or to adjourn the meeting is seconded and in the opinion of the Chair of the meeting the item has been sufficiently discussed the Chair shall, from the chair, move that the question be now put and will put the motion to the vote after giving the mover of the original motion the right of reply.
<b>Point of Order</b>	
15.18	A member may raise a point of order at any time. The Chair of the meeting will hear them immediately. A point of order may only relate to an alleged breach of the Council and Committee Procedure Rules or the law. The member must indicate the rule of law and the way in which they consider it has been broken. The ruling of the Chair of the meeting on the matter will be final.
<b>Personal Explanation</b>	
15.19	A member may raise a point of 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 Chair of the meeting on the admissibility of a personal explanation will be final.
<b>Miscellaneous</b>	
15.20	Part 1 of the Council and Committee Procedure Rules set out in sections 5.31 to 5.36 (Interests), 7 (Previous Decisions and Motions), 8 (Voting) (except rule 8.4), 9 (Minutes), 10 (Conduct of members and public) and rule 11.1 (Suspension of Council and Committee Procedure Rules) shall apply to meetings of committees and sub-committees, the Executive and panels and boards to advise the Executive.

	Sections 5.21 to 5.24 (Petitions) shall apply to meetings of the Executive and panels and boards to advise the Executive.
15.21	<p>Any member of the Council may attend meetings of any committee or sub-committee (and, exceptionally, of Working Parties by prior invitation of the Chair) of which they are not a member and may, with the permission of the Chair speak but not vote.</p> <p>Provided that this rule does not apply to meetings of the Licensing and Appeals Panel or the Standards Hearings Panel</p>
15.22	For the proper discharge of its responsibilities under Part 3 of the Constitution, the Audit Committee may require any member of the Council or officer to attend before it, to answer questions and to produce any documents which the committee may reasonably require to see in connection with the discharge of its responsibilities under part 3 of this Constitution.
15.23	Notwithstanding the provisions of rule 15.21, any member of the Council who has moved a motion at a meeting of the council which has been referred to a committee or sub-committee shall receive notice of the meeting of the committee or sub-committee which will consider their motion and they will have the right to attend the meeting and be given the opportunity of explaining the motion.
15.24	If, during discussion at an Area Planning Committee of an item of business and before the vote is taken, not less than three members of the Council require it, the item shall instead be referred direct to the Council for decision.
15.25	<p>If, contrary to a recommendation of the Director of Planning, Housing &amp; Environmental Health, an Area Planning Committee is minded to determine an application in a way or on grounds which the Director does not consider can be substantiated, a resolution by the committee to make such a determination will be a recommendation only and the application shall stand adjourned to the next meeting of the committee to enable the Director of Central Services and Monitoring Officer to submit a report on the possibility of costs or compensation being awarded against the Council in the event that the application is determined in that way.</p> <p>If the Director of Central Services and Monitoring Officer's report indicates that there is likely to be a risk of significant costs being awarded against the Council at any appeal, or a potential liability to pay compensation, the committee may not determine the application in a manner contrary to the advice set out in the report, and a resolution by the committee to make such a determination will be a recommendation only and the application shall stand adjourned to Council for determination.</p>

15.26	If an item of business relates to the area covered by more than one Area Planning Committee, the matter shall be reported to both of the Committees concerned and the recommendations of both Committees shall be reported to Council for decision. However, if both Committees are agreed on their recommendations, the Director of Planning, Housing & Environmental Health may proceed to determine the application in accordance with those recommendations prior to consideration of those recommendations by the Council.
<b>16.</b>	<b>Rules for Public Speaking in Respect of Planning Applications</b>
16.1	The rules contained in the scheme set out as Annex 1 to these rules shall apply for the purpose of enabling members of the public to address an Area Planning Committee in respect of applications for planning permission being considered by the committee. They also apply to planning applications being considered by the council when it has resolved itself into a committee of the Full Council.
<b>17</b>	<b>Use of Substitute Members on Committees, Boards, Panels and Groups</b>
17.1	Subject to the following provisions, a member may act as a substitute for a member of the same political group at any meeting of a Committee, Sub-committee, Board or Panel listed in Part 3 of the Constitution.
17.2	The Council will allocate seats for up to 5 substitute members per Committee/ Advisory Panel/ Board for each political group on the Council in accordance with the wishes of the political group. Allocations shall be made at Annual Council but may be reviewed on request from a political group at any ordinary meeting of Council.
17.3	No substitute members shall be appointed in respect of the following: - <ul style="list-style-type: none"> <li>• Cabinet</li> <li>• Licensing &amp; Appeals Committee (or any panels of the Licensing &amp; Appeals Committee)</li> <li>• Area Planning Committees</li> </ul>
17.4	Cabinet members may not act as substitute members on the following: - <ul style="list-style-type: none"> <li>• Audit Committee</li> <li>• Overview &amp; Scrutiny Committee</li> <li>• Scrutiny Select Committees</li> </ul>
17.5	A substitute member may only attend a meeting if the ordinary member for whom they are substituting cannot do so. Such substitute may take the place with the right to speak and vote of any member of that political group who is an ordinary member of the particular Committee or Board for the meeting (or part of the meeting) when such councillor is absent, subject to the substitution being notified to Democratic Services or their nominee:



	<ul style="list-style-type: none"> <li>• when the first item is called on the agenda;</li> <li>• at the commencement of a reconvened meeting; or</li> <li>• immediately upon the substitute member arriving at the meeting</li> </ul>
17.6	Once the meeting has been informed of the appointment of a substitute Member, the original Member may not resume membership of the Committee until after the conclusion of the meeting.
17.7	Such substitution shall not be used in relation to a specific item, but only to cover the absence of a councillor from the whole or part of a meeting.
17.8	Substitute Members will have all the powers and duties of any ordinary member of the Committee or Board but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.
17.9	<p>Substitute Members must be physically present in the Council Chamber in order for their formal attendance to be recorded and to exercise their right to vote.</p> <p>Substitute members may not attend remotely.</p>