

407677STANDING COMMITTEE PROCEDURE RULES

1.0 Scope

- 1.1 These Rules apply to all Committees and Sub-Committees appointed by the Council with delegated authority to take decisions on Council functions
- 1.2 Rules 5-8, 17-19, 21-23 of the Council Procedure Rules will, except for Rule 22.1 equally apply to meetings of Standing Committees and Sub-Committees unless a separate Rule is provided below, in which case that Rule takes precedence.

2.0 Quorum

- 2.1 No business shall be conducted at any Committee or Sub-Committee unless at least 2 members of that Committee or Sub-Committee are present. Except where authorised by Statute or ordered by the Council, where less than $\frac{1}{2}$ the number of members of a Committee or Sub-Committee are present at a meeting, then all business transacted shall be submitted as recommendation for decision by the Council or parent Committee. This Rule does not apply to the Standards Committee.
- 2.2.1 A meeting of the Council's Standards Committee shall not be quorate unless at least 3 members of that Committee are present for its duration.

3.0 Chair and Vice-Chair

- 3.1 The Chair and Vice-Chair of every Committee and Sub-Committee, shall be elected at the annual Council meeting.
- 3.2 A Chair or Vice-Chair replaced under delegated authority for a meeting or a series of meetings shall retain their position once returning to the Committee without the need for re-election, unless a formal letter of resignation from the position has been received by the Monitoring Officer.
- 3.3 If the Chair is removed from the Committee under delegated authority, the Vice-Chair will take the Chair. If both the Chair and Vice-Chair are removed under delegated authority, a Chair shall be elected from those members of the Committee/Sub-Committee present at the meeting.

3.4 If the Chair and Vice-Chair are absent from any meeting, a Chair shall be elected from those members of the Committee/Sub-Committee present at the meeting for voting

4.0 **Voting**

4.1 Every question at a Committee or Sub-Committee meeting shall be determined by a majority of votes of the members present and voting on that question.

4.2 Voting at a meeting of a Committee or Sub-Committee shall be by show of hands unless any member of the Committee or Sub-Committee demands a recorded vote, whereupon the names of the members voting for and of those members voting against the motion or amendment, and of those abstaining from voting and of those absent from the meeting at the time of such division, shall be taken by the Monitoring Officer and recorded in the Minutes.

4.3 A recorded vote shall also be taken on any question after voting has taken place by a show of hands if such recorded vote be demanded by a member of the Committee or Sub-Committee immediately after the result has been declared from the Chair. If the voting by recorded vote differs from the previous voting by the show of hands, the result as shown by the recorded vote shall prevail.

4.4 In the case of an equal division of votes, the presiding Chair shall have a second or casting vote.

4.5 Where immediately after a vote is taken, any member so requires, there shall be recorded in the Minutes whether that member cast his/her vote for or against the question or abstained from voting.

4.6 If any resolution is passed by a Committee which is not in the form of a recommendation for consideration by Council, then not less than 1/3rd of the members of the Committee then present and eligible to vote may require that the resolution be submitted as a recommendation to Council, and no action shall be taken on the resolution until the matter has been considered by the Council.

4.7 The Rule in 4.6 will also apply to Sub-Committees, but with the recommendation being to the appropriate parent Committee.

5.0 **Vacancy**

- 5.1 On a vacancy arising in a Committee or Sub-Committee, the Monitoring Officer shall take all necessary steps to enable the vacancy to be filled.
- 5.2 The proceedings of a Committee or Sub-Committee shall not be invalidated by reason of any vacancy or vacancies amongst its members, or any defect in the mode of appointment of such Committee or Sub-Committee or any member thereof.

6.0 **Order of Debate**

- 6.1 Members of a Committee or Sub-Committee may speak sitting and as often as the Chair may consider reasonable, and make motions without notice and without requiring a seconder. In other respects they shall comply with the Rules for the Order of Debate of the Council as set out in the Council's Procedure Rules.
- 6.2 Members must comply with the Council's Code of Conduct and the law in relation to Declarations of Interest in relation to items being discussed by Committees and Sub-Committees.

7.0 **Adjournment**

- 7.1 A Committee or Sub-Committee may meet and adjourn as it thinks proper.
- 7.2 Smoking is banned at all meetings of Committees, but to accommodate smokers a 10 minute break is allowed, subject to their request, after each period of 1½ hours from the start of the meeting.
- 7.3 All meetings of Committees and Sub-Committees must finish by 10.30 pm.

8.0 **Form of Agenda for Committees and Sub-Committees**

- 8.1 Agenda for Committees and Sub-Committees shall be prepared so as to indicate those items during the consideration of which the meeting is likely not to be open to the public in accordance with the Access to Information Procedure Rules and the Local Government Act 1972.

9.0 **Report of Committees**

- 9.1 Minutes of the proceedings of all Committees shall be provided to every Member of the Council.
- 9.2 Recommendations for decisions by Council of any matter considered by a Committee shall be included in a report to the next suitable meeting of the Council, together with any other matter that the Committee decide shall be included in such report.

10.0 Procedure in relation to the public being permitted to speak at committees

- 10.1 The Council has adopted the following Procedure to allow public speaking at committees, with the exception of Development Management and Licensing Committees which are dealt with in the Procedure Rules below and any items appearing in Part B of a committee agenda.
- 10.2 Only 1 person will be permitted to speak on any one item on the agenda. In order to speak a person must register their intention to do so by 12:00 noon of the day of the meeting with the Democratic Services team. Entitlement to speak will be strictly on a first come first served basis.
- 10.3 At the commencement of the item where there has been a request to speak, the Chair will notify the committee that a request to speak has been received and give the name of the speaker. The Chair will ask for the report to be introduced and then invite the member of the public to address the meeting for up to 5 minutes. At the end of the allotted 5 minutes it will be entirely at the discretion of the Chair if any member has any questions for the member of the public following their speech as to whether the member of the public will be given the opportunity of answering those questions.
- 10.4 Members of any of the Watford Divisions of Hertfordshire County Council who are not also members of Watford Borough Council will also be afforded the same rights to address a meeting of a committee including Development Management but excluding Licensing and Part B items as a member of the public, if they wish to speak on an item where a member of the public has already registered to speak they will also be permitted to speak.

11.0 Procedure in relation to applications for planning permission considered by the Development Management Committee

- 11.1 The Council has adopted the following Procedure to allow public speaking in relation to matters considered at the Development Management Committee.
- 11.2 Only 1 person will be permitted to speak on behalf of objectors, and 1 in support of a proposal. Precedence to speak in favour of the proposal will be given to the applicant or their representative.
- 11.3 In order to speak, a person must register their intention to do so by 12.00 noon of the day of the meeting with the Democratic Services team.
- 11.4 Every name and telephone number of persons registering an intention to speak either in favour or opposed to an application will be taken and entered on a list. If others phone or call later to register to speak, the first person's name will be given to them so that arrangements can be made for 1 person to be nominated to speak both either in favour of or against the application.
- 11.5 If a speaker wishes the Development Management Committee to consider any documentation at its meeting then that written documentation must be submitted to the Democratic Services Manager by 12.00 noon of the day of the meeting.

11.5 Protocol for each Application

11.6 The officer will present the application as requested by the Chair.

11.7 The Chair will call upon the person objecting to, or representing objectors, to speak for a maximum of 5 minutes.

11.8 The Chair will ask the person in support of the application, or representing those in support of the application, to speak for a maximum of 5 minutes.

11.9 During stages nos. 11.7 and 11.8 speakers will be allowed to address the Committee only. Speakers will not be allowed to ask questions of Councillors, officers or other speakers. Councillors (and officers with the discretion of the Chair) will be allowed to ask questions of speakers.

11.10 If requested by the Committee, officers will clarify any issues raised by speakers during stages 11.7 and 11.8 above.

11.11 Councillors will debate the application.

11.12 If requested by the Committee, an officer will clarify any issue raised as necessary.

11.13 The Committee will reach a decision.

12.0 Procedure in Relation to Applications for Licences Considered by the Licensing Committee

12.1 The Council has adopted the following procedure to allow public speaking in relation to matters considered at the Licensing Committee.

12.2 Only one person will be permitted to speak on behalf of objectors and one in support of a proposal. Precedence to speak in favour of the proposal will be given to the applicant or their representative.

12.3 In relation to licensing applications, the Responsible Authorities will be permitted to speak whether another person has registered to speak or not. In order to speak a person must register their intention to do so by 12 noon of the day of the meeting or 5 p.m. the previous day if the meeting is scheduled to take place before with the Democratic Services team.

12.4 Every name and telephone number of the persons registering an intention to speak either in favour or opposed to an application will be taken and entered on a list. If others phone or call later to register to speak, the first person's name will be given to them so that arrangements can be made for one person to be nominated to speak both either in favour of or against the application.

13.0 Protocol for each Application

13.1 The officer will present the application as requested by the Chair.

13.2 The applicant will be entitled to ask questions of the officer on any matter arising from the report.

- 13.3 Councillors may question the officer on any matter arising from the report.
- 13.4 The Chair will call upon the person objecting to it, or representing the objectors, and/or the Responsible Authorities, to speak for a maximum of 20 minutes each (including any video evidence).
- 13.5 The applicant will then have the opportunity of cross-examining the objector and/or the Responsible Authorities.
- 13.6 Councillors will have the opportunity of cross-examining the objector, the Responsible Authorities
- 13.7 The Chair will ask the person in support of the application or representing those in support of the application to speak for a maximum of 20 minutes (including any video evidence).
- 13.8 Councillors will be entitled to cross-examine the applicant or their representative.
- 13.9 Councillors may ask questions of any officer or objector, or Responsible Authorities or applicant to clarify any issues that may have arisen.
- 13.10 The applicant or their representative has a final opportunity to address the Committee for a maximum of 3 minutes. Councillors will then determine the application and give reasons for their determination.

14.0 Committee and Sub-Committee Meetings

- 14.1 A schedule for each Municipal Year of dates of Committee and Sub-Committee meetings shall be drawn up in advance by the Monitoring Officer following consultation with the secretary of each political group. Any changes to that schedule may only be made by the Monitoring Officer, following consultation with the Chair of the affected Committee or Sub-Committee, and having also sought the views of the secretary of each political group. Except in cases of extreme urgency no change to the date of any meeting shall be made less than 7 working days before the scheduled date. No cancellation of any meeting shall be made less than 6 working days before the scheduled date.

14.2 The Chair of a Committee or Sub-Committee, in consultation with the Monitoring Officer, and the secretary of each political group, may summon a special meeting of a Committee or Sub-Committee at any time. A special meeting shall also be summoned, on the requisition in writing, made to the Monitoring Officer, of not less than 5 members of the Committee or Sub-Committee, specifying the business proposed to be transacted thereat. The summons shall also set out the business to be considered at the special meeting and no other business than that set out shall be considered at that meeting unless, in the opinion of the Chair, any additional matter can be regarded as of extreme urgency.

14.3 The Monitoring Officer shall notify all Members of the Council if any changes to the scheduled dates as soon as practicable.

15.0 Sub-Committees

15.1 Every Committee appointed by the Council under these Rules may appoint Sub-Committees for the purposes to be specified by the Committee.

15.2 The Minutes of the proceedings of every meeting of a Sub-Committee shall be provided to every Member of the Council.

15.3 Recommendations and referrals to a Committee from a Sub-Committee shall be included in a report to that Committee from the Sub-Committee concerned.

16.0 Working Groups

16.1 Every working group appointed by the Council will be subject to the Standing Committee Procedure Rules and such Council Procedure Rules as are applicable to Standing Committees.

16.2 The minutes of the proceedings of every meeting of a working group shall be provided to every Member of the Council.

16.3 Recommendations from a working group shall be included in a report to the Cabinet, and/or Portfolio Holder as appropriate

