

# The Role of Committee Chair

## 1. Appointment

1.1 The annual appointments made by the Council include Vice Chairs for each Committee and Sub-Committee, which are generally able to exercise the powers vested in their Chairs if the Chairs are unavailable.

1.2 Appointments should ~~will~~ be based on relevant skills, knowledge, experience and suitability.

1.3 As further explained below, the role of Chair has some aspects which are formally recognised by law and relate to the conduct of meetings.

## 2. Fulfilling the Role of Chair

The Council expects that its Chairs will:

2.1 Have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee or Sub-Committee which they chair.

2.2 Attend all training sessions as required.

2.3 Lead in the development of the work of the Committee or Sub-Committee which they chair. This should take into account the wider vision, such as corporate, cross-service and partnership issues; lead in service delivery and the implementation of policies approved by the Council where these relate to the Committee or Sub-Committee which they chair.

2.4 Be the spokesperson for the Committee or Sub-Committee in relation to external affairs and communications.

2.5 Progress the Committee's or Sub-Committee's objectives with officers and Members and, as appropriate, other people, groups and organisations.

2.6 Represent and pursue the interests of the Committee or Sub-Committee which they chair in the community and if appropriate at regional and wider levels.

2.7 Promote and uphold high standards of ethical conduct by Members and the Council's equalities policies.

2.8 In accordance with the Council's Constitution ensure that:

(a) the meetings of the Committee or Sub-Committee which they chair are properly conducted and

(b) reports of proceedings are forwarded on as necessary, for example to full Council.

2.9 Maintain professional working relationships and establish mutual respect with all Members and officers.

2.10 From ~~time to time~~ time-to-time Vice Chairs will be required to step in or support the role of chair and all these issues apply equally to them when acting as the Vice Chair.

### 3. Preparation for the meeting

3.1 To ~~inform himself/herself~~ be informed of the business and objects of the meeting, ~~familiarising himself/herself~~ be familiar with the content of reports and, in all other respects, ensuring that ~~he/she is~~ they are properly prepared for the meeting.

3.2 To be familiar with the rules of debate, as contained in the Council's Constitution.

3.3 To guide officers in the administration of committee business e.g. where meeting arrangements need to change, such as time and venue changes.

### 4. During the meeting

4.1 Regulation of the conduct of the meeting ~~he/she~~ they -chairs, including by adopting measures to aid debate:

- (a) To make the business of the meeting efficient and effective.
- (b) Encouraging members of the committee not to repeat points already made in debate.
- (c) Ensuring that all those participating keep to their allocated speaking time and are succinct in making contributions, always ensuring that appropriate opportunity is given for those entitled to speak to do so.
- (d) Taking appropriate advice from officers prior to, and in attendance at, the meeting.

4.2 To confine discussion to ensure that it is within the scope of the meeting and within reasonable limits of time.

4.3 To decide whether proposed motions and amendments are in order, taking legal advice where necessary.

4.4 To formulate for discussion and decision, questions that have been moved for consideration of the meeting.

4.5 To decide points of order and other incidental questions that require decision at the time.

4.6 To ascertain the sense of the meeting by putting relevant questions to the meeting and taking a vote thereon.

4.7 Where appropriate, to summarise the outcome of the debate.

4.8 To declare the result of each vote.

4.9 To determine when to take a vote upon the proposed adjournment of the meeting when circumstances justify or require that course.

- 4.10 To exercise a second or casting vote where there is an equality of votes cast.

## **5. Preserving order at the meeting**

- 5.1 To call upon any disorderly person to behave properly and to ask that person to withdraw from the meeting if they fail to do so.
- 5.2 To direct that such person be removed from the meeting, provided that only such force as is reasonable may be used in doing so.
- 5.3 To determine whether to call for the meeting to be suspended or adjourned in circumstances where there is disorder.
- 5.4 To determine whether to propose that a Member “be not further heard” in circumstances of misconduct and, where such misconduct continues after the vote:
- (a) to propose that the Member “do leave the meeting”.
  - (b) to order that such Member be removed from the meeting, provided that only such force as is reasonable may be used in doing so.
- 5.5 To determine whether to order, where general disturbance occurs, that the appropriate part of the meeting room be cleared.

## **6. Legal powers and Duties**

- 6.1 The responsibility of a Chair for the proper conduct of meetings is formally recognised in law. There are provisions in the Local Government Act 1972 which apply to the holding and chairing of meetings, but much of the detail is supplied in the Council’s Procedure Rules, which are standing orders made under powers in the 1972 Act. For any eventuality not covered in the legislation or the Procedure Rules, it may be possible to turn to the body of common law which the Courts have developed in relation to meetings.
- 6.2 The following are specific functions which a Chair has under the Local Government Act 1972:
- A power to exercise a second (casting) vote in the event of an equality of votes on any matter.
  - A duty to sign the minutes of the previous meeting.
  - A power to agree the addition of a late item of business to the agenda, if the Chair is of the opinion that it should be considered at the meeting as a matter of urgency.
- 6.3 To help the Committee or Sub-Committee which they chair make effective decisions, Chairs will not only ensure that the procedural rules applying to their Committee or Sub-Committee are observed, but also that any decisions made are sound in law. With assistance from officers as necessary, Chairs will ensure that the Committee or Sub-Committee:

- (a) Observes any particular legal duties relevant to a proposed decision and
- (b) Has regard as necessary to any general duties such as:
  - compliance with the Human Rights Act 1998.
  - equalities.
  - the general fiduciary duties to its Council Taxpayers to act with financial prudence.

6.4 Finally, the Chair will ensure that the Committee or Sub-Committee reaches its decisions rationally, taking into account relevant factors and disregarding those which are irrelevant, including advice taken from the Monitoring Officer and Section 151 Officer.

## 7. Powers and Duties under the Council's Constitution

Under the Council's constitution, the role and powers of Chairs and, in their absence, Vice Chairs, are recognised in a number of ways, including the following:

7.1 Appointment as Chair: Under the Council's Procedure Rules Chairs will ~~normally~~ be appointed at the Council's annual general meeting.

7.2 Setting the Agenda: Chairs have power to direct that items of business be placed on the agenda of their Committee or Sub-Committee and the order in which business is arranged on the agenda.

7.3 Conducting the meeting: Under the Procedure Rules the Chair controls the proper conduct of meetings of his or her Committee or Sub-Committee. The Chair has discretion to depart from the formality of the Rules of Debate applicable to full Council meetings and such discretion is regularly exercised.

7.4 Reserve Power to call special Meetings: The Council's Procedure Rules permit a Chair to call a special meeting of ~~his or her~~ their Committee or Sub Committee at any time.

7.5 Reporting to full Council: It usually falls to Chairs to present any reports which need approval of full Council.

7.6 Duty to be available for Questions: The Council's Procedure Rules permit any Member of the Council to ask questions of any Chair at full Council meetings. Also, a Chair can be questioned about any report which they are ~~he or she is~~ putting before the Council.

7.7 Right to be consulted: Under the Council's Scheme of Delegations to Officers, a number of delegated powers can only be exercised by officers after consultation with the relevant Chair.

7.8 Special Responsibility Allowance: In recognition of the role played by Chairs, Schedule 1 of the Council's Members Allowances Scheme allocates

differing levels of special responsibility allowance payment to Chairs, the levels of payment being based on the levels responsibility.