

## **The Role of Committee Chairs and Vice Chairs**

**Vice-Chairs will be required to step in and support the role of chair and all of the responsibilities below therefore apply equally to Chairs and Vice Chairs.**

### **1. Appointment**

1.1 The annual appointments made by the Council include the office of Chair and Vice Chair for each Committee and Sub-Committee. Vice Chairs are empowered and required to exercise the powers vested in the Chairs of their Committees, if the Chairs are not available to do so.

1.2 Nominations by political groups for appointments to these offices should be based on relevant skills, knowledge, experience and suitability.

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

### **2. Fulfilling the Role of Chair and Vice Chair**

The Council expects that its Chairs and Vice Chairs will:

2.1 Have a good working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee or Sub-Committee in question.

2.2 Attend all training sessions as required by the Council's Training and Development Plan.

2.3 Lead in the development of the work of their Committee or Sub-Committee. This should take into account of matters such as strategic, budgetary, corporate, cross-service and partnership issues, service delivery and the implementation of policies approved by the Council where these relate to their Committee or Sub-Committee.

2.4 Be the spokespersons for their Committee or Sub-Committee, in relation to external affairs and communications (this responsibility applies only to Vice Chairs in circumstances where the Chair is unable to do so).

2.5 Progress their 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 their Committee or Sub-Committee in the community and, if appropriate, at regionally and more widely.

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 their Committee or Sub-Committee are properly conducted, and

(b) reports of proceedings are appropriately administered, for example by the making of recommendations to full Council.

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

### **3. Preparation for the meeting**

3.1 To ensure that they are fully aware of the business and objectives of the meeting. To be familiar with the content of reports and, in all other respects, ensure that 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 To be responsible for the regulation of the conduct of the meeting they chair, 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 control discussion in order 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 procedurally appropriate, taking legal and procedural advice where necessary.

4.4 To formulate for debate and decision, questions that have been submitted for consideration at the meeting.

4.5 To decide points of order and other incidental questions that require decision at the time, taking into account legal and procedural advice.

4.6 Where appropriate, to ascertain the "sense of the meeting" by putting relevant questions to the meeting and conducting a vote.

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 conduct a vote upon any proposed adjournment of the meeting when circumstances justify or require that course of action.

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 person behaving in a disorderly manner to behave properly and to ask that person to withdraw from the meeting if they fail to do so, always taking account of the requirements of the Council's Procedure Rules and in line with the Rules:

5.2 Where necessary, 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 (or Vice Chair, in their absence) 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 contained within 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 of a meeting 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 their Committee or Sub-Committee make effective decisions, they 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 legal duties relevant to a proposed decision and
- (b) Has regard as necessary to any general duties such as:
- (c) compliance with the Human Rights Act 1998.

(d) equalities.

(e) the general fiduciary duties to its Council Taxpayers to act with financial prudence.

6.4 Finally, they will ensure that their 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 of Chairs, or Vice Chairs in their absence, 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 Manage the Agenda: they have power to direct that items of business are placed on the agenda of their Committee or Sub-Committee and the order in which business is arranged on the agenda.

7.2 Conducting the meeting: Under the Procedure Rules they control the proper conduct of meetings of their Committee or Sub-Committee. They have discretion to depart from the formality of the Rules of Debate applicable to full Council meetings.

7.3 Power to call special Meetings: The Council's Procedure Rules permit a Chair to call a special meeting of their Committee or Sub Committee at any time and agree that urgent reports be added to agendas.

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

7.5 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 putting before the Council.

7.6 Right to be consulted: Under the Council's Scheme of Delegations to Officers, a number of delegated powers can only be exercised by officers. Where there is a joint administration it is normally expected that the Chair and Vice Chair will be consulted