

## **14. Other Committee procedures**

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### **14.1 Which committees do these procedures apply to?**

These procedures apply to the:

- Appointments Committee (Part 20 (Employment Rules))
- Oxford City Planning Committee
- Audit and Governance Committee
- Disciplinary Committee for Chief Executive, Deputy Chief Executives, Service Directors and Statutory Officers (Part 20 (Employment Rules))
- General Purposes Licensing Committee
- General Purposes Licensing Casework Sub-Committee
- Licensing and Gambling Acts Committee
- Licensing and Gambling Acts Casework Sub-Committee
- Planning Review Committee
- Standards Committee

### **14.2 Appointment and membership of committees**

Council is responsible for appointing and dissolving committees and for agreeing their membership and roles. Committees are responsible for appointing any sub-committees. Apart from the Licensing and Gambling Acts Committee and any sub-committees it appoints the number of members from each political group on committees will be in proportion to the size of the group. When appointing to committees or sub-committees where political balance requirements apply, Council or the committee making the appointment will have regard to the nominations made by political groups and will only deviate from appointing those members in exceptional circumstances with reasons.

There must always be at least one scrutiny committee and a committee that carries out responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

### 14.3 Quorums and substitutes

<b>Committee</b>	<b>Size</b>	<b>Quorum</b>	<b>Substitutes</b>
Appointments Committee	5 (including at least one member of the Cabinet)	3 (including at least one member of the Cabinet)	Permitted
Planning Review Committee	9	5	Permitted. Councillors should not sit or substitute unless they have undertaken compulsory planning and development control training (held every two years)
Oxford City Planning Committee	11	5	Permitted. Councillors should not sit or substitute unless they have undertaken compulsory planning and development control training (held every two years)
Audit and Governance Committee	7	3	Permitted

<b>Committee</b>	<b>Size</b>	<b>Quorum</b>	<b>Substitutes</b>
Investigation and Disciplinary Committee	4 (including at least one member of the Cabinet)	3 (including at least one member of the Cabinet)	Permitted but unless they are unavoidably indisposed or conflicted Members should comprise the Committee over the course of a matter (or related matter) until it is disposed of
General Purposes Licensing Committee	15	5	Not permitted
General Purposes Licensing Casework Sub-Committees	3	2 (but the meeting can only proceed at quorum if the person appearing before it agrees)	Permitted from members of General Purposes Licensing Committee. Councillors should not sit or substitute unless they have undertaken compulsory licensing training (held annually)
Licensing and Gambling Acts Committee	15	5	Not permitted
Licensing and Gambling Acts Casework Sub-Committees	3	3	Permitted from members of the Licensing and Gambling Acts Committee. Councillors should not sit or substitute unless they have undertaken compulsory licensing training (held annually)
Standards Committee	7 Councillors 1 non-voting co-opted member representing the Oxford Parish Council	3 Councillors	Permitted

If quorum cannot be made 15 minutes after the advertised start of the meeting, the meeting is cancelled.

### 14.4 Vacancies on committee

#### (a) Procedure when a councillor resigns from a committee

A councillor can resign from a committee by writing to the Director of Law, Governance and Strategy. A replacement will be appointed at the next Council meeting.

#### (b) Procedure when someone stops being a councillor

If someone stops being a councillor, any replacement committee member will be appointed at the next Council meeting.

### 14.5 Chair and Vice Chair

#### (a) Election of Chair and Vice Chair

The Chair and Vice Chair are elected each year at the first meeting of the committee after Annual Council.

The Chair and Vice Chair of all the committees must be councillors.

The Chair of the Audit and Governance Committee must not be a member of the Cabinet.

The voting procedure for the election of Chair (and in so far as the same principles apply, Vice Chair) is as follows:

- (i) Each voting member of the committee will be entitled to one vote.
- (ii) The Committee and Member Services Officer will invite nominations for Chair, which will need a proposer and seconder.
- (iii) Proposers and nominees may be invited to briefly address the committee on why they should be elected.
- (iv) Where there are one or two nominations, the Chair will be elected by a majority of those present and voting. Where there is one nomination, the nominee must be proposed and seconded but no vote is required; the Chair would be elected unopposed.
- (v) Where there are more than two nominations, votes will be taken for each nominee (each member can only vote for one candidate). If one nominee receives a majority of the votes from those members present and voting, then they will be elected as Chair. If not, then the candidate with the lowest number of votes will be eliminated and the committee will vote again (as before each voting members has one vote), until one nominee receives a majority of the votes from those members present and voting.
- (vi) In circumstances where there is a tie in the number of votes for nominees, lots will be drawn (or similar). This would also apply to members tied for elimination in circumstances where there are more than two nominees.

(vii) Members can be nominated and elected as Chair in their absence in which case the Vice Chair will assume the chair for the meeting.

(b) If the Chair and Vice Chair are absent

If the Chair and Vice Chair are absent, a committee can elect another councillor to chair the meeting. If the Chair or Vice Chair arrives part of the way through the meeting, the acting chair will finish the agenda item they are on and hand over the Chair (unless the Chair or Vice-Chair has appointed a substitute) (14.7)

(c) Resigning as chair or vice chair

If a councillor wants to resign as Chair or Vice Chair, they must write to the Director of Law, Governance and Strategy. A new chair or vice chair will be elected at the committee's next ordinary meeting.

### 14.6 Meetings of committees and sub-committees

(a) Cancelling or rescheduling a meeting

If a committee has insufficient business for one of its fixed meetings, the Director of Law, Governance and Strategy can cancel or reschedule it after consulting the chair of the committee or sub-committee.

The Director of Law, Governance and Strategy may cancel or reschedule a meeting in exceptional circumstances in consultation with the Chair, Group Leaders and the Chief Executive, if the agenda has already been published.

(b) Special meetings

The Director of Law, Governance and Strategy or the Chief Executive can arrange a special meeting after consulting the chair of the committee or sub-committee.

Special meetings will only deal with the business they have been called to deal with.

(c) Time and Place of Committee Meetings

Ordinary meetings usually start at 6.00 p.m unless otherwise agreed by the Committee.

Meetings shall conclude no more than four hours after the published start time.

### 14.7 Substitutes

Substitutes are not permitted for the Licensing and Gambling Acts Committee or the General Purposes Licensing Committee.

Only members of the parent committee can act as substitutes on a licensing sub-committee.

For other committees, a member of the Committee can send another councillor as their substitutes. The substitute will have the powers of an ordinary member of the committee for that meeting.

Substitutions must be for the whole meeting. A member of a committee cannot take over from their substitute or hand over to them part of the way through the meeting.

Substitutes cannot appoint substitutes of their own.

If a member of a committee wants to send a substitute, they must tell the Committee and Member Services Manager the name of their substitute before the meeting.

### **14.8 Speaking on agenda items**

Specific rules on public speaking apply to meetings of Planning Committee, Planning Review Committee, General Purposes Licensing Casework Sub-Committee and Licensing and Gambling Acts Casework Sub-Committee.

For all other committees where the press and public are not excluded (Council, Cabinet, Scrutiny Committee, Audit and Governance Committee, Standards Committee, General Purposes Licensing Committee and Licensing and Gambling Acts Committee) any member of the public can speak on any agenda item for up to five minutes and should register to speak by 5.00 pm three clear working days before the meeting, including the full text of the address speech submitted to the Director of Law, Governance and Strategy ([democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)). The public speaker must stick to the submitted address except with the Chair's permission and the Chair of the Committee has discretion to curtail the address if the public speaker departs from the submitted address.

Addresses may be rejected by the Monitoring Officer on the basis as set out at Part 11.13 of this Constitution.

### **14.9 Councillors Speaking on agenda items**

For all other committees where the press and public are not excluded (Cabinet, Scrutiny Committee, Audit and Governance Committee, Standards Committee, General Purposes Licensing Committee and Licensing and Gambling Acts Committee) Oxford City councillors can register to speak for up to five minutes on any agenda item by notifying the Director of Law, Governance and Strategy ([democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)) by 5.00 pm three clear working days before the meeting.

### **14.10 Disruption by the public**

#### **(a) Disruption by an individual**

If a member of the public is disrupting the meeting, the chair will warn them that unless they desist they will be asked to leave. If they carry on disrupting the meeting, the chair can adjourn the meeting until they leave.

#### **(b) Clearing part of the meeting room**

If there is a general disturbance in a part of a meeting room open to the public, the chair can have the area cleared.

### **14.11 Voting at committee meetings**

The following voting rules will apply other than for voting to elect a Chair or Vice Chair (14.5(a))

(a) Majority voting

Votes will be decided by a simple majority of councillors in their seats and voting.

(b) Chair's second or casting vote

If there is the same number of votes for or against, the chair will have a casting vote.

(c) Votes can be:

- By the general agreement of the meeting, if there is no one against
- By a show of hands
- Named or recorded

(d) Right to have individual vote recorded

Any councillor can ask for the minutes to record whether they voted for or against or abstained on a vote. The request must be made immediately after the vote.

(e) Recorded votes

Any two councillors present at a meeting can ask for the minutes to name who voted for, who voted against, and who abstained on a vote.

### 14.12 Planning committee procedures

(a) Appointments to planning committees

Council may not appoint a councillor to more than one planning committee. Any councillor that determines an application at the Oxford City Planning Committee cannot re-determine the same application at the Planning Review Committee.

The Oxford City Planning Committee shall be responsible for reaching decisions on the matters in 5.3 within all wards

(b) Who can put items on planning committee agendas?

The Director of Planning and Regulation, the Director of Law, Governance and Strategy and the relevant proper officer can put items on planning committee agendas.

(c) Order of business at Oxford City Planning Committee meetings

The order of business at Oxford City Planning Committee meetings will normally be:

- Election of Chair (at the first meeting after annual Council or after the post becomes vacant or if the Chair and Vice Chair are absent)

- Election of Vice Chair (at the first meeting after annual Council or after the post becomes vacant)
- Apologies for absence
- Declarations of interest
- Minutes of the previous meeting
- Applications for decision
- Forthcoming applications
- Dates of future meetings

The order of business at Planning Review Committee meetings will be:

- Apologies for absence
- Declarations of interest
- Minutes of the previous meeting
- Applications for decision that have been called in following consideration by the Oxford City Planning Committee
- Dates of future meetings

### (d) Public speaking at planning committees

Members of the public and councillors (Part 24.17) can speak to planning committees in support of an application, against it, or to request changes or conditions.

Those wishing to speak must register with the Committee Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on, and whether they are objecting to or supporting the application.

Those objecting to an application may speak for up to five minutes in total. Those in support may speak for the same length of time. Where more than one person wishes to speak for or against an application the time will be shared. Unless the persons concerned nominate a spokesperson, priority will be given to the first person to have indicated a wish to speak, or otherwise at the discretion of the Chair.

### (e) Written statements at planning committee meetings

Any written statements that members of the public or councillors wish to be considered must be sent to the Planning Officer by noon two working days before the day of the meeting.

Any material received at the meeting will not be accepted or circulated.

## 14.13 Licensing committee procedures

### (a) Who can put items on licensing agendas?

The Director of Law, Governance and Strategy, The Director of Planning and Regulation and the relevant proper officer and the relevant proper officer can put items on licensing committee and sub-committee agendas.

### (b) Order of business at licensing committee meetings

The order of business at licensing committee meetings will normally be:

- Election of Chair (at the first meeting after annual Council or after the post becomes vacant or if the Chair and Vice Chair are absent)
- Election of Vice Chair (at the first meeting after annual Council or after the post becomes vacant)
- Apologies for absence
- Declarations of interest
- Minutes of the previous meeting
- Addresses by members of the public
- Councillor addresses on any item for decision
- Appointments to sub-committees (at the first meeting after annual Council)
- Items for decision or information
- Dates of future meetings

### (c) Public speaking at Licensing and Gambling Acts Casework Sub-Committee meetings

Members of the public and councillors can make a representation to object to or support a premises licence application. Only those people who have made representations in writing within 28 days of an application being made can speak at Licensing & Gambling Acts Casework Sub-Committee meetings.

### (d) Written statements at licensing sub-committee meetings

Any written statements that members of the public, applicants, or councillors wish to be considered by a licensing sub-committee must be submitted to the Licensing Authority at least two working days before the meeting.

### (e) Order of business for Licensing Sub-Committees

- Election of Chair (if the Chair is absent or a Chair has not been appointed for this hearing)
- Apologies for absence
- Declarations of interest
- Procedure to be followed at the meeting
- Items for decision or information
- Dates of future meetings

## 14.14 Audit and Governance Committee procedures

### (a) Who can put items on Audit and Governance Committee agendas?

The Group Finance Director, the Director of Law, Governance and Strategy, the relevant proper officer and the Council's internal and external auditors can put items on Audit and Governance Committee agendas.

(b) Order of business at Audit and Governance Committee meetings

The order of business at Audit and Governance Committee meetings will normally be:

- Election of Chair (at the first meeting after annual Council or after the post becomes vacant or if the Chair and Vice Chair are absent)
- Election of Vice Chair (at the first meeting after annual Council or after the post becomes vacant)
- Apologies for absence
- Declarations of interest
- Minutes of the previous meeting
- Addresses by members of the public
- Councillor addresses on any item for decision
- External audit reports
- Internal audit reports
- Reports from officers
- Dates of future meetings

### 14.15 Standards Committee procedures

(a) Who can put items on Standards Committee agendas?

The Monitoring Officer or Deputy Monitoring Officer can put items on Standards Committee agendas.

(b) Order of business at Standards Committee meetings

The order of business at Standards Committee meetings will normally be:

- Election of Chair (at the first meeting after annual Council or after the post becomes vacant or if the Chair is absent)
- Election of Vice Chair (at the first meeting after annual Council or after the post becomes vacant)
- Apologies for absence
- Declarations of interest
- Minutes of the previous meeting
- Addresses by members of the public
- Councillor addresses on any item for decision
- Items for decision or information
- Dates of Future Meetings

### 14.16 Appointments Committee

(a) Who can put items on Appointments Committee agendas?

The Chief Executive or the Monitoring Officer can put items on Appointment Committee agendas.

(b) Order of business at Appointments Committee meetings

The order of business at Appointments Committee meetings will normally be:

- Election of Chair (at the first meeting after annual Council or after the post becomes vacant or if the Chair is absent)
- Apologies for absence
- Declarations of interest
- Minutes of the previous meeting
- Items for decision or information
- Dates of future meetings

### 14.17 Gaps in these procedures

If there is a gap in these procedures, the Chair will decide what to do with reference to the Council procedures (Part 11) in respect of rules of debate, officers, excluding the public, councillors' behaviour and suspending and changing procedures.

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