

Shared Revenues and Benefits Service Joint Committee Procedure Rules

1. JOINT COMMITTEE MEMBERSHIP

- 1.1 The Leader of each Council shall appoint two Executive Members to be Members of the Joint Committee and other Executive Members to be Substitute Members of the Joint Committee.
- 1.2 Unless the Executive of either Council directs otherwise, the Joint Committee may appoint one or more Sub-Committees and determine their terms of reference, Membership and quorum. Any Sub-Committee shall comprise such number of Members of the Joint Committee as the Joint Committee may determine from time to time provided that a Sub-Committee shall comprise an equal number of persons appointed by each Council.
- 1.3 The Chief Executive or other nominated officer of each Council shall provide notice of the appointment of Members and Substitute Members of the Joint Committee in writing to the Secretary of the Joint Committee.
- 1.4 The Leader of each Council may at any time remove and replace any Member so appointed to the Joint Committee.
- 1.5 A Member of the Joint Committee may resign his Membership by sending notice in writing to the Chief Executive or other nominated officer of the Council by whom the appointment was made who shall inform the Secretary to the Joint Committee accordingly.
- 1.6 Any vacancy shall be filled as soon as possible by the relevant Council Leader.
- 1.7 A Member shall cease to be a Member of the Joint Committee and of any Sub-Committee thereof if he ceases to be an Executive Member of the Council by whom he was appointed or to be eligible for appointment to the Joint Committee.
- 1.8 A named Substitute shall be entitled to attend, speak and vote as if an ordinary Member of the Joint Committee or any Sub-Committee, where 24 hours' notice has been given to the Secretary of the Joint Committee that:
 - 1.8.1 it is impractical for the named ordinary Member to attend a specified meeting;
 - 1.8.2 the named Substitute Member will attend in place of the named ordinary Member; and
 - 1.8.3 the named Substitute Member is also an Executive Member of the same Council as the appointed Executive Member.
- 1.9 The Members appointed to the Joint Committee shall have full voting rights.

2. ANNUAL MEETING

- 2.1 The Joint Committee shall in every year hold an Annual Meeting.
- 2.2 The first meeting held after 30 June in any Year shall be the Annual Meeting.
- 2.3 The Annual Meeting shall be held not later than 31st July every Year.

- 2.4 The Joint Committee may in every year hold in addition to the Annual Meeting such other meetings as they may determine.

3. APPOINTMENT OF CHAIR AND VICE-CHAIR

- 3.1 Subject to rule 3.4 below, the Joint Committee shall at their first meeting and thereafter at their Annual Meeting appoint one of their Members to be Chair who shall, unless he/she resigns his/her office or ceases to be a Member of the Joint Committee, continue in office for a period of one year or until his/her successor becomes entitled to act.
- 3.2 In the case of an equality of votes in respect of the appointment of a Chair the person presiding at the meeting shall have a casting vote in addition to any other vote he/she may have.
- 3.3 The Joint Committee shall at its Annual Meeting appoint one of its Members to be Vice-Chair who shall, unless he/she resigns his/her office or ceases to be a Member of the Joint Committee, continue in office for a period of one year or until his/her successor becomes entitled to act.
- 3.4 The office of Chair (otherwise than to fill a casual vacancy) shall be held by an appointee of each Council in rotation.

4. CASUAL VACANCIES

- 4.1 On a casual vacancy occurring in the office of Chair or Vice-Chair of the Joint Committee the vacancy shall be filled by the appointment, by the Joint Committee, of one of its Members at the next meeting and the person so appointed shall hold office until the date upon which the person in whose place he/she is appointed would regularly have retired.

5. CONDUCT OF MEETINGS

- 5.1 At a meeting of the Joint Committee the Chair if present shall preside.
- 5.2 If the Chair is absent for a meeting of the Joint Committee the Vice-Chair shall preside.
- 5.3 If both the Chair and Vice-Chair of the Joint Committee are absent another Member of the Joint Committee chosen by a majority of the Members of the Joint Committee present and voting shall preside as Chair for that meeting.
- 5.4 The Member presiding at the meeting of the Joint Committee may exercise any power or carry out any duty of the Chair.

6. CALLING OF MEETINGS

- 6.1 The Secretary of the Joint Committee shall summon the Members to such meetings as may:
- 6.1.1 have been agreed in accordance with rule 2.4 above;
 - 6.1.2 be called by the Chair of the Joint Committee or, if the office of Chair is vacant, the Vice-Chair of the Joint Committee at any time;
 - 6.1.3 be requisitioned by any two Members of the Joint Committee giving notice in writing signed by them to the Secretary of the Joint Committee specifying the nature of the business to be transacted, or

- 6.1.4 be requisitioned by any Council giving notice in writing to the Secretary of the Joint Committee specifying the nature of the business to be transacted and signed by the Chief Executive or proper officer of that Council.
- 6.2 Unless the persons giving notice requisitioning a meeting in accordance on such a requisition shall so far as practicable with rule 6.1.3 or rule 6.1.4 above agree to a later date, any meeting consequent upon a requisition shall be held within 10 working days of the date of receipt of the requisition by the Secretary to the Joint Committee.
- 6.3 At least five clear working days before a meeting of the Joint Committee
- 6.3.1 notice of the time and place of the intended meeting shall be published at the offices of each Council and
- 6.3.2 subject to rule 6.4 below a summons to attend the meeting, specifying the agenda for that meeting and signed by the Secretary to the Joint Committee shall be sent to:
- 6.3.3 every Member of the Joint Committee, and
- 6.3.4 the proper officer of each Council
either by sending by first class mail to the usual place of residence of the Member (or principal office address of each Council) or by sending an electronic copy by e-mail to any e-mail address notified to the Secretary of the Joint Committee for that purpose.
- 6.4 In the event that at least four Members of the Joint Committee give notice to the Secretary that an urgent meeting should be convened within five working days, identifying the special circumstances necessitating such meeting, then subject to the agreement of the Monitoring Officer of the Host Authority the meeting shall be so convened.
- 6.5 Lack of service of the summons in accordance with rule 6.3.2 above shall not affect the validity of a meeting.
- 6.6 No business shall be transacted at a meeting requisitioned by the Members of the Joint Committee or by any Council other than that specified in the agenda.
- 7. NOMINATED OFFICERS TO ATTEND**
- 7.1 The Chief Executive and the Section 151 Officer and Monitoring Officer or their nominated officer of each Council and the Head of Shared Service shall be entitled to attend every meeting of the Joint Committee.
- 8. MEETINGS IN PUBLIC**
- 8.1 Meetings of the Joint Committee shall be held in public except in respect of any item where the agenda for the meeting indicates that the public will be excluded in accordance with the provisions of the Local Government Act 1972 and the Joint Committee so resolves.
- 9. QUORUM**
- 9.1 No item of business shall be transacted at a meeting of the Joint Committee unless at least two Members from each Council are present.
- 9.2 During any meeting of the Joint Committee, if the Chair counts the number of Members present and declares that there is not a quorum present, then the meeting will adjourn

immediately. Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting of the Joint Committee.

10. MOTIONS ON NOTICE

- 10.1 Every Notice of Motion must be in writing and signed by the Member of the Joint Committee giving the Notice of Motion, and delivered to the Head of Member Services of the Host Authority at least 10 clear days before the meeting at which it is to be moved. (10 clear days before a meeting on a Thursday means on or before noon of Friday two weeks before the meeting.)
- 10.2 The Head of Member Services of the Host Authority will date and number each Notice of Motion in the order in which it is received and will enter the Notice of Motion in a book open to public inspection.
- 10.3 Every Notice of Motion must be relevant to the functions of the Joint Committee. The Chief Executive of the Host Authority, after consulting the Chair, may rule a Notice of Motion to be out of order and will immediately write to the Member giving the Notice of Motion of the decision.
- 10.4 If more than three valid Notices of Motion are received the Chair, in consultation with the Leaders of each Council or their nominated representative, will agree that up to a maximum of three Notices of Motion may be considered at the meeting of the Joint Committee, and also agree the order in which they are to appear on the agenda. The Secretary to the Joint Committee will set out on the agenda those Notices of Motion which are to be considered by the Joint Committee.
- 10.5 Any Notice of Motion which is not moved will be treated as abandoned unless the Joint Committee decides to postpone it. There will be no debate on the question of postponement.

11. MOTIONS WITHOUT NOTICE

- 11.1 The following motions may be moved without notice:
- (i) to appoint a Chair of the meeting at which the motion is moved;
 - (ii) in relation to the accuracy of the minutes;
 - (iii) to change the order of business in the agenda;
 - (iv) to refer something to an appropriate body or individual;

 - (v) to appoint a Sub-Committee or Member arising from an item on the summons for the meeting;
 - (vi) to receive reports or adoption or recommendations of Committees or officers and any resolutions following from them;
 - (vii) to withdraw a motion;
 - (viii) to amend a motion;
 - (ix) to proceed to the next business;
 - (x) that the question be now put;
 - (xi) to adjourn a debate;
 - (xii) to adjourn a meeting;
 - (xiii) to suspend a particular Joint Committee procedure rule;
 - (xiv) to exclude the public and press in accordance with the Access to Information Rules;
 - (xv) to not hear further a Member named under rule 28.1 below or to exclude them from the meeting under rule 29.1 below; and
 - (xvi) to give the consent of the Joint Committee where its consent is required by its Constitution.

12. RULES OF DEBATE

- 12.1 No speeches may be made until after the Mover has moved a proposal and explained the purpose of it and until the motion has been seconded.
- 12.2 Unless notice of the motion has already been given, the Chair may require it to be written down and handed to him/her before it is discussed.
- 12.3 When seconding a motion or amendment, a Member may reserve their speech until later in the debate.
- 12.4 Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 6 minutes without the consent of the Chair.
- 12.5 A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:
- (i) to speak once on an amendment moved by another Member;
 - (ii) to move a further amendment if the motion has been amended since he/she last spoke;
 - (iii) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
 - (iv) in exercise of a right of reply;
 - (v) on a point of order; and
 - (vi) by way of personal explanation.

13. AMENDMENTS TO MOTIONS

- 13.1 An amendment to a motion must be relevant to the motion and will either be:
- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words
- as long as the effect of (ii) to (iv) is not to negate the motion.
- 13.2 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.
- 13.3 If an amendment is not carried, other amendments to the original motion may be moved.
- 13.4 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 are moved.
- 13.5 After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

14. ALTERATION OF MOTION

- 14.1 A Member may alter a motion of which he/she has given Notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- 14.2 A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 14.3 Only alterations which could be made as an amendment may be made.

15. WITHDRAWAL OF MOTION

- 15.1 A Member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's 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.

16. RIGHT OF REPLY

- 16.1 The Mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- 16.2 If an amendment is moved, the Mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- 16.3 The Mover of the amendment has no right of reply to the debate on his or her amendment.

17. MOTIONS WHICH MAY BE MOVED DURING DEBATE

- 17.1 When a motion is under debate, no other motion may be moved except the following procedural motions:
- (i) to withdraw a motion;
 - (ii) to amend a motion;
 - (iii) to proceed to the next business;
 - (iv) that the question be now put;
 - (v) to adjourn a debate;
 - (vi) to adjourn a meeting;
 - (vii) to exclude the public and press in accordance with the Access to Information rules; and
 - (viii) to not hear further a Member named under rule 28.1 below or to exclude them from the meeting under rule 29.1 below.

18. CLOSURE MOTIONS

- 18.1 A Member may move, without comment, the following motions at the end of a speech of another Member:
- (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- 18.2 If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, he/she will give the Mover of the original motion a right of reply and then put the procedural motion to the vote.

18.3 If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the Mover of the original motion a right of reply before putting his/her motion to the vote.

18.4 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the Mover of the original motion the right of reply.

19. POINT OF ORDER

19.1 A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of the Joint Committee Procedure Rules or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final.

20. PERSONAL EXPLANATION

20.1 A Member may make a 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 on the admissibility of a personal explanation will be final.

21. VOTING

21.1 If there are equal number of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

22. `RIGHT TO REQUIRE INDIVIDUAL VOTE TO BE RECORDED

(mandatory standing order under local authorities (standing orders) regulations 1993)

22.1 Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

23. VOTING ON APPOINTMENTS

23.1 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

24. PROCEEDINGS OF MEETINGS

24.1 Minutes of the proceedings of every meeting of the Joint Committee shall, subject to rule 24.2 below, be drawn up and signed at the next following meeting of the Joint Committee by the person presiding thereat and any minute purporting to be so signed shall be received in evidence without further proof. The only part of the minutes which can be discussed is their accuracy.

24.2 Notwithstanding anything in any enactment or rule of law to the contrary, the minutes of the proceedings of the Joint Committee may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed and each leaf comprising those minutes being initialled at the next following meeting

of the Joint Committee by the person presiding thereafter and any minute purporting to be so signed shall be received in evidence without further proof.

- 24.3 Until the contrary is proved, where a minute of any meeting of the Joint Committee has been made and signed in accordance with this Rule, the Joint Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be deemed to have been duly convened and held and the Members present at the meeting shall be deemed to have been duly qualified.
- 24.4 A copy of the minutes of the proceedings at each meeting of the Joint Committee shall be sent to the proper officer of each Council within fourteen days after the date of the meeting at which they are signed.
- 24.5 Each Member of the Joint Committee present at a meeting of the Committee shall have one vote on any question arising before the Joint Committee.
- 24.6 Subject to rule 24.7 below all questions coming or arising before the Joint Committee shall be decided by a majority of the Members of the Joint Committee present and voting thereon at a meeting of the Committee.
- 24.7 In the case of an equality of votes, the person presiding at the meeting shall have a casting vote.
- 24.8 The method of voting at meetings of the Joint Committee shall be by show of hands and on the requisition of any Member of the Joint Committee and seconded by one other Member of the Joint Committee made before the vote on any question is taken the voting shall be recorded to show whether each Member present and voting gave his vote for or against that question. Any Member shall be entitled on request to have his dissenting vote recorded.
- 24.9 The names of the Members present at the meeting of the Joint Committee shall be recorded.

25. FORM OF MINUTES

- 25.1 Minutes will contain all motions and amendments in the exact form and order the Chair put them.

26. EXCLUSION OF PUBLIC

- 26.1 Members of the public and press may only be excluded either in accordance with the Access to Information Rules (as set out in the Host Authority's Constitution) or rule 30 below.

27. MEMBERS' CONDUCT

- 27.1 When the Chair stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

28. MEMBER NOT TO BE HEARD FURTHER

- 28.1 If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

29. MEMBER TO LEAVE THE MEETING

- 29.1 If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

30. DISTURBANCE BY PUBLIC

- 30.1 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.
- 30.2 If a Member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

31. CLEARANCE OF PART OF MEETING ROOM

- 31.1 If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

32. SUSPENSION AND AMENDMENT OF JOINT COMMITTEE PROCEDURE RULES

- 32.1 All of these Joint Committee Rules of Procedure except rule 22.1 above may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Joint Committee are present. Suspension can only be for the duration of the meeting.
- 32.2 Any motion to add to, vary or revoke these Joint Committee Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

33. STANDING ORDERS AND ACCESS TO INFORMATION LEGISLATION

- 33.1 Subject to the provisions of the Legal Agreement the Joint Committee may make Standing Orders for the regulation of its proceedings and business and may vary or revoke any such Standing Orders.
- 33.2 The provisions of the Local Government Act 1972 and the Local Government Act 2000 relating to public access to meetings and access to information apply to the proceedings of the Joint Committee and any Sub-Committee.

34. SUB-COMMITTEES

- 34.1 The Joint Committee Procedure Rules other than those relating to Annual Meetings and the number of Members forming a quorum shall apply in the same way to meetings of Sub-Committees as they do to meetings of the Joint Committee. The Chair and Vice-Chair may be appointed by the Joint Committee or by the Sub-Committee.