ARTICLE 1

MEMBER MEETINGS

GENERAL

1. Terms of Office

1.1 Chair and Deputy Chair and Lead and Deputy Lead positions and memberships of meetings are appointed for one year and are reviewed annually by the Assembly with the exception of the Leader of the Council who is appointed for a four year fixed term. In the event that the Chair and Deputy Chair or the Lead and Deputy Lead Members are not in attendance at a meeting, another Member will be elected from the other Members present to chair that meeting.

2. Employee Support

2.1 The Chief Executive is responsible for ensuring appropriate support for all Member meetings.

3. Accessibility

3.1 The Council wishes to be as open as possible and the press and public are encouraged to attend meetings. Occasionally, for legal reasons, the press and public are not allowed to attend or see papers (for example if discussing issues concerning an individual employee), but wherever possible this will be avoided.

Full details are provided in Article 13.

4. Venues

4.1 Meetings are generally held at the Civic Centre, Dagenham or the Town Hall, Barking, unless circumstances dictate otherwise.

4.2 Public accessibility and appropriateness (particularly for people with limited mobility) are key factors in determining the suitability of venues for meetings.

5. Timing of Meetings

5.1 Meetings are usually held only on Mondays, Tuesdays, Wednesdays or Thursdays (meetings on Thursdays must finish by 5.00 pm). See individual Articles for frequency, days and timing of meetings. There are usually no meetings on Fridays, with the exception of the Ceremonial Council.

5.2 Provision is allowed for meetings to be arranged on other days or at different times in exceptional circumstances with the permission of the relevant Chair or Lead Member. Also, in liaison with the relevant Chair or Lead Member, the Chief Executive may alter any deadlines should this be considered necessary in the light of any public holidays, having regard to any statutory provisions that may apply.

5.3 All meetings aim to last no longer than 2½ hours and evening meetings to finish by 9.30 p.m. at the latest. If business has not been concluded by this time, the proceedings may be extended for a reasonable further period, with the
agreement of a majority of the Members present. Any unfinished business will be referred to the next meeting.

5.4 The proceedings of all meetings may be concluded earlier with the agreement of the majority of the Members present. Any unfinished business will be referred to the next meeting.

6. Quorum

6.1 A quorum is the number of Members needed to enable a meeting to proceed. Each Article in the Council Constitution refers to the number of Members required for a meeting to be quorate but the minimum number is two. If a meeting is not quorate, the business will be adjourned to the next ordinary meeting or, if necessary, to an extraordinary (special) meeting.

6.2 If the meeting is not quorate 15 minutes after the start time, the business shall be adjourned to the next scheduled meeting or to a date to be arranged.

6.3 If a quorum is lacking at any time after a meeting has started, the meeting shall be suspended for up to 15 minutes, after which time if a quorum is still not achieved, the meeting will end. Any items of business remaining on the agenda for that meeting will be held over to the next scheduled meeting or to a date to be arranged.

6.4 Members present at an inquorate meeting can, if they feel there is any merit in doing so, discuss issues but strictly on an informal basis only. The minutes will make only brief reference to any such discussions.

7. Agenda Papers

7.1 Unless otherwise stated in the Articles for particular meetings, agenda papers will be in the Chief Executive’s name and will indicate an appropriate contact for any queries.

7.2 Agendas, reports and minutes will generally be produced in an agreed corporate style, details of which are the responsibility of the Chief Executive.

7.3 Notices of meetings and agendas will be circulated five clear days in advance having regard (where applicable) to the requirements of the Local Government (Access to Information) Act 1985 or any subsequent legislation.

7.4 Late reports will generally not be allowed. If there are unavoidable, genuine circumstances, their consideration will be at the discretion of the relevant Chair or Lead Member, on advice from the Chief Executive. The relevant Chief Officer will be required to justify the reason for special consideration in writing.

8. Reports

8. Reports will provide reasoned options, where appropriate, ensuring that Members are made fully aware of all the implications and alternatives, and the advantages and disadvantages associated with each. Reports will also include, where appropriate, the views of other Members, employees or experts (including
outside representatives if relevant), together with the professional advice/recommendations of the appropriate Chief and/or lead officer.

8.2 All reports to Cabinet will be in the name of the appropriate Cabinet Member and give their contact details. Where appropriate, reports to Assembly will also be in the name of the relevant Member, for example Chairs or Lead Members in relation to annual reports of their committees. All other reports to meetings will be in the name of the relevant Chief Officer and will include the name of the appropriate Divisional Director as the point of contact for further information or queries.

8.3 Background papers will be made available for public inspection in accordance with statutory requirements. This responsibility lies with the relevant Chief Officer.

9. Voting

9.1 Decision making is determined by an overall majority of the Members present at a meeting. However in the case of:

- the election of the Leader of the Council at the Assembly, and
- a Vote of No Confidence in the Leader of the Council at the Assembly

the procedures outlined in paragraphs 9 and 10 of Article 2, Part B of the Council Constitution will apply.

9.2 Voting will be by way of a show of hands or via any available automated voting system notwithstanding the provision set out in paragraph 9.5 below.

9.3 The Chair or other person presiding at a meeting will have the final decision as to which of the two described voting methods will be used.

9.4 The Chair, or other person presiding at a meeting, will have the second and casting vote where the votes for and against a proposal are equal.

9.5 Any Member may ask for a vote to be recorded before it is taken provided they have the support of three other Members. Individual votes will then be taken by way of a roll call and recorded in the minutes. In this situation Members will be asked to vote “for” or “against”; alternatively they may, if they wish, “abstain”

9.6 Any individual Member may request that his/her vote or abstention be recorded in the minutes of any meeting.

9.7 Votes on motions on issues directly affecting the Borough (paragraph 14 of Article 2, The Assembly) will be taken by way of a show of hands unless a member asks for a recorded vote and that request is seconded and supported by the majority of members present. This includes votes on any amendments to motions.

9.8 Subject to other provisions contained in the Constitution, Members who are not present in any meeting for whatever reason, throughout the discussions on an
agenda item, are not permitted to vote on that item.

10. Minutes

10.1 Minutes will be concise but sufficiently detailed to enable each matter discussed to be clearly understood by an ordinary member of the public.

10.2 Minutes will be circulated to Members with the agenda for the next meeting for confirmation as a correct record at that meeting, except where the agenda for the next meeting is circulated before the first meeting has taken place or where stated otherwise in the Articles for particular meetings. The only question which can properly arise on the confirmation of minutes is that of their accuracy.

10.3 Minutes of all meetings will generally be confirmed as a correct record at the next scheduled meeting. If appropriate, or if necessary, this may be done at an earlier special meeting. The minutes will be signed by the Chair of that meeting.

10.4 Minutes will be made available for public inspection in accordance with statutory requirements.

10.5 The minutes will be the formal record of attendance at meetings by Members and any co-opted members.

11. Conduct/Disturbance at Meetings

11.1 It is the responsibility of the Chair, or other Member presiding, to keep order at meetings.

11.2 Members are expected to behave in a professional manner and to respect the ruling of the Chair.

11.3 If a Member persistently misconducts him or herself by behaving irregularly, offensively or improperly, or using inappropriate language, or by disregarding the Chair and knowingly or deliberately obstructing the business, in breach of the Members Code of Conduct, the Chair, or any other Member, may move that the Member be no longer heard. If seconded, the matter will be put to the vote and determined without discussion. The Member concerned cannot vote in these circumstances.

11.4 If the Member concerned continues his/her misconduct, the Chair may either move that the Member leaves the meeting or that the meeting be adjourned for a period which the Chair feels will be appropriate to contain the problem. Such motions must be seconded and determined as above.

11.5 If a member of the public interrupts a meeting, the Chair will ask them not to do so and warn them that if the interruption continues, the person will be required to leave. If the person continues to interrupt, the Chair can order him/her to leave the meeting. If necessary, the assistance of staff will be sought to escort the person out of the building.

11.6 Where there is a general disturbance in any part of the room where a meeting is being held, the Chair may, at his/her discretion, order that it be cleared. If the
general disturbance is considered by the Chair to be such that the meeting cannot reasonably continue, he/she shall adjourn the meeting for a certain period or until another day, whichever is felt to be most appropriate in the circumstances.

11.7 The Council’s security staff and/or the Police will be called to assist in any situation if necessary.

12. Members’ Interests

12.1 Having regard to statutory requirements, the Members’ Code of Conduct and any advice given by the Standards Committee, if a Member or other voting co-opted member has a personal interest in a matter for consideration (i.e. one which affects the Member more than most other people in the area) they must declare it and say what that interest is before any meeting where the issue is to be discussed or as soon as it comes to light. However, they can still take part in the meeting and vote unless the personal interest is also a prejudicial interest (see below).

12.2 A member or voting co-opted member with a prejudicial interest in any matter (i.e. where a member of the public would view the personal interest as being so significant that it is likely to prejudice the Member’s decision) must declare what the interest is (if they have not already done so) and withdraw from the meeting (by leaving the room).

12.3 A Member who is two months or more in arrears of Council Tax cannot vote on any item involving the budgetary process, or the expenditure of money during the year or subsequent years. They must declare the fact as soon as practicable after the start of the meeting. They can, however, speak on the issue unless it relates to the process of Council Tax collection and enforcement. Members must be fully aware of their own financial matters and must not assume notification by officers before this situation arises.

12.4 Similarly a Member who is two months or more in arrears of Council house rent cannot vote on any item involving housing revenue account expenditure. However they do not need to declare the fact. Members must be fully aware of their own financial matters and must not assume notification by officers before this situation arises.

12.5 The minutes will record the declaration and, if appropriate, note that the Member left the meeting. Declarations are available for public inspection.

13. Local Authorities' Interests in companies

13.1 Where a Member wishes to exercise the right under Section 71(5) of the Local Government and Housing Act 1989 to ask questions of Members or officers involved (as Member, Director or Council’s representative) in companies with whom the Authority is associated, that person should give notice in writing to the Chief Executive in the manner set out in Paragraph 17.8 of Article 2.
14. Speaking by the Public at Meetings

14.1 Members of the public can speak at certain meetings under the agreed procedures for those meetings and at other times at the discretion of the Chair.

15. Press Briefings

15.1 The Council wishes to conduct its business in an open and informative manner. Where considered appropriate, press briefings will be arranged through the Marketing and Communications Group Manager to explain particularly important or sensitive issues and to give an opportunity for questions to be asked.

16. Photography, Live Broadcasts and Tape Recordings of Proceedings

16.1 It is not the Council’s policy to allow photographs to be taken or for proceedings to be transmitted by television, video recording, radio broadcast or any other means. The only exception is a meeting of the Standards (Hearing) Subcommittee where it is agreed practice to tape record the proceedings of the hearing in question.

16.2 In extremely exceptional circumstances the Chief Executive, with justified reasoning and in consultation with the Leader of the Council and the relevant Chair or Lead Member, will have discretion to allow photographs to be taken or for proceedings to be transmitted by television, video recording, radio broadcasting or any other means.

17. Urgent Action

17.1 In exceptional circumstances and where delay will be prejudicial to the interests of the Council, the Chief Executive or his/her nominated deputy is authorised to take urgent action which is not otherwise delegated to him/her, subject to ensuring:

17.1.1 that the actions are set out in a detailed report which has been cleared by the Corporate Director of Finance and Resources and a Legal Partner,

17.1.2 compliance with the Constitution and, in particular, relevant rules where appropriate, and

17.1.3 that the action taken and the full details are subsequently reported to the next available meeting of the relevant committee.

17.2 Prior to the Chief Executive taking the action, the relevant Corporate Director will be required to liaise with Democratic Services to ensure that all aspects of the urgent action procedures are met. In relation to matters under the remit of the Cabinet, this will include wherever possible the relevant Corporate Director or Divisional Director contacting in advance the Chair of the Cabinet and the Lead Member of the relevant Select Committee, as determined by the Divisional Director of Legal and Democratic Services, to advise them of the reasons for
taking the urgent action. Where, for any reason, it is not possible to contact the said Members, the Deputy Chair of the Cabinet and the Deputy Lead Member of the relevant Select Committee will be contacted. For matters under the remit of other committees, the relevant Corporate Director or Divisional Director should contact in advance the Chair of the committee to advise him/her of the reasons for taking the urgent action.

17.3 Once the urgent action has been taken, a letter will be sent by the Chief Executive to the Chair, and in the case of Cabinet matters also to the Lead Member of the relevant Select Committee, advising of the action and providing a copy of the report.

17.4 The Call-In procedure will not apply to any Cabinet decision taken under this provision.

18. Confidentiality

18.1 Where the contents of any document are expressed to be exempt from publication, Members and employees must respect such confidentiality. Such documents may not be disclosed to anyone, including the press and public, until such time as the document might at a later stage become releasable.

19. Attendance at Meetings by Members not Formally Appointed to the Meeting

19.1 A Member may attend any Member meeting to which they have not been appointed, but they cannot vote at that meeting. Unless otherwise stated or provided for in the Articles for particular meetings, they may speak at the meeting at the discretion of the Chair. Similarly they may stay for the whole meeting, unless asked to leave for specific reasons which will be explained by the Chair and recorded in the minutes, but must respect the confidentiality of the discussions in the non-public part of any meeting and of any papers which are restricted from publication.

19.2 Agenda papers for meetings will be circulated to any Member at their request subject to the conditions set out in paragraph 18 and to the restrictions around reports dealing with certain human resource issues as detailed in the appendix to the Member-Employee Relations protocol (see Part E of the Constitution).

20. Implementing Decisions

20.1 Subject to there being no Call-In, all decisions of the Cabinet shall stand and can be acted upon once the agreed time period for Call-In has elapsed.

20.2 Decisions of the Assembly can be acted upon after the meeting subject to any restriction placed at the time.

20.3 Subject to the Assembly agreeing otherwise, any motion to rescind or amend any decision of the Assembly or the Cabinet cannot be proposed unless at least six months have elapsed and at least one third of the Council give written notice to the Chief Executive and seek reconsideration of an issue at the next available meeting of the Assembly.
20.4 When any such motion or amendment has been dealt with by the Assembly, a similar motion may not be proposed within a further period of six months.

21. Requirement to Attend Meetings

21.1 If a Member of the Council fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the Council, they shall, unless the failure was due to some reason approved by the Assembly before the expiry of that period, cease to be a Member of the Council.

21.2 For the purposes of this section only, a meeting of the Council includes any Member meetings (including the Cabinet), attendance at any meetings of Joint Committees or Boards, or any meetings of any body or persons where the Member is formally appointed by the Council to represent the authority.

22. Cancellation of Meetings

22.1 The Chief Executive is authorised to cancel a meeting where the agenda has already been issued if it is considered expedient to do so. Before exercising this authority, the Chief Executive will consult with the Leader of the Council and the appropriate Chair or Lead Member. Any outstanding business will be held over to the next scheduled meeting or on a date to be arranged.

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