

## Rother District Council

Report to	-	Cabinet
Date	-	2 September 2019
Report of the	-	Executive Directors
Subject	-	Proposed Formal Substitute Procedure for Committees

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The Overview and Scrutiny Committee meeting held on 22 July 2019, considered a report on the Proposed Formal Substitute Procedure for Committees. The recommendation and minute arising is reproduced below.

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### **Recommendation to COUNCIL:** That:

- 1) the proposed substitute procedure for formal committees, set out at Appendix A (to this report) be recommended for approval and adoption by full Council;
  - 2) the system be implemented with effect from 17 September 2019;
  - 3) Group Leaders be requested to nominate one substitute Member each in respect of the Licensing and General Purposes Committee, the Overview and Scrutiny Committee and the Planning Committee at the full Council meeting to be held on 16 September 2019; and
  - 4) consequential amendments be made to the Council's Constitution.
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### OSC19/14. **PROPOSED FORMAL SUBSTITUTE PROCEDURE FOR COMMITTEES**

Members considered the report of the Executive Director outlining a proposed formal substitute procedure for committees following a reference from the Member Development Task Group.

Research had been undertaken with neighbouring authorities in order to devise a simplistic, uncomplicated procedure that suited the Council's decision making structure and available resources. Provision already existed in the Council's Constitution for Group Leaders to change membership and appoint substitute members to informal Task and Finish Groups. However, it was noted that it was not conducive to continuity and understanding of Members if the substitution arrangements were used on Task and Finish Groups on an ad-hoc basis.

Appendix E to the report detailed the draft procedure for Members' consideration and the following points were noted:

- the procedure would NOT be applicable to Cabinet and Audit and Standards Committee; or the Joint Waste Committee and Joint Waste and Recycling Committee (which already had a formal substitute system in place);

- Overview and Scrutiny Committee substitutes had to be non-Executive Members;
- the procedure would apply to the Licensing and General Purposes main committee only not the panels, as panel Members were taken from the substantive committee, all of whom had been fully trained;
- prior notification would have to be received at least one clear working day prior to the commencement of the meeting (unless there were extenuating circumstances such as a medical emergency or some other family-related emergency); and
- the onus was on the Member who was unable to attend the meeting to arrange and confirm the substitution arrangements to Democratic Services.

It was recommended in the report that in a normal year the nomination process for the named substitutes would take place at the Annual Council meeting when the substantive appointments to committees were made. Each political group would nominate one substitute Member from their Group on each of the relevant committees – Planning, Licensing and General Purposes (main committee only) and the Overview and Scrutiny Committee.

Where a substantive Member was substituted on a relevant Committee for more than 50% of the scheduled meetings of that Committee in any civic year, the Group Leader be alerted and consideration be given to the removal of the substantive Member from the relevant Committee.

(Overview and Scrutiny Committee Agenda Item 5).

Malcolm Johnston  
Executive Director

Dr Anthony Leonard  
Executive Director

**Rother District Council**

**Appointment of Substitute Members of formal Committees and Sub-Committees**

1. There shall be no substitution of members of the Audit and Standards Committee, Cabinet or Licensing Panels. Members of the Cabinet may not be substitutes on Overview and Scrutiny Committee.
2. The political groups may appoint substitute Members from their own group in accordance with this Procedure Rule on committees and sub-committees. Only substitute Members who have undergone related training may be substituted to the Planning Committee.
3. Substitute Members will have all the powers and duties of any ordinary Member of the committee.
4. Political Groups will be permitted to nominate one substitute Member for each relevant Committee on which they have an allocated seat(s).
5. Substantive Members must organise their own substitute arrangements and confirm the attendance of a substitute to the Democratic Services Manager or Officer at least one clear working day prior to the commencement of the meeting (unless there are extenuating circumstances such as a medical emergency or some other family-related emergency); notification by electronic mail or telephone will suffice for these purposes.
6. The Chairman of a relevant meeting will seek confirmation of substitute Members present at the "Apologies and Substitutes" Agenda Item.
7. Substitutes arriving after the commencement of the meeting and for which prior notification has not been received will not be permitted to act as a substitute.
8. Where a substantive Member is substituted on a relevant Committee for more than 50% of the scheduled meetings of that Committee in any civic year, Group Leaders will be alerted and consideration given to the removal of the substantive Member.
9. Substitute Members may attend meetings in that capacity only:
  - i. to take the place of the substantive Member for whom they are the designated substitute;
  - ii. where the substantive Member will be absent for the whole of the meeting;
  - iii. has undertaken the mandatory training in the case of the Planning Committee; and
  - iii. after notifying the Democratic Services Manager no later than 1 clear working day prior to the commencement of the relevant meeting.