

GREATER BRIGHTON ECONOMIC BOARD PROCEDURE RULES

1. GENERAL PROVISIONS

- 1.1 **Application** These procedure rules apply to meetings of the Board, which will run as concurrent meetings of the Joint Committee and Business Partnership.

Amendment of Rules

- 1.2 These Procedure Rules may only be varied, revoked or added to by resolution of the Board. No arrangements shall be made whereby either the GBEJC or the GBPB or officer may exercise any power of the Board to vary, revoke or add to these Procedure Rules.

Interpretation

- 1.3 The ruling of the Chair or person presiding at the meeting as to the construction or application of any of these Procedure Rules shall not be challenged at any meeting.

Suspension of Rules

- 1.4 These Procedure Rules may be suspended by the Board provided that notice of the intention to move suspension has been included in the agenda for the meeting or at least one half of the number of Members of the Board are present. Suspension can only be for the duration of the meeting.
- 1.5 This Procedure Rule and Procedure Rules 7.1, and 13.2, are not capable of being suspended.

Service of Notices and Other Documents

- 1.6 Any notice, requisition, or other document which under these Procedure Rules is required to be given or delivered to the Chief Executive of the Lead Authority or to their office may be sent by letter, fax or e-mail; but shall not have been properly given or delivered until it has been received by the Chief Executive at their designated office of work.

2. MEETINGS OF THE BOARD

Meeting Days

- 2.1 Ordinary meetings of the Board will take place in accordance with a programme decided by the Board.

Time and Place

- 2.2 The time and place of the meeting will be determined by the Lead Authority and it will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. Except in cases of urgency, at least five clear working days before a

meeting, the Lead Authority will send a summons by post/e-mail to every Member of the Board or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

3. EXTRAORDINARY MEETINGS OF THE BOARD

Extraordinary Meeting called by the Chair

3.1 The Chair may at any time call an extraordinary meeting of the Board.

3.2 If the Chair is unable to act for any reason, the Chief Executive of the Lead Authority may at any time call an extraordinary meeting of the Board, having consulted with their counterparts.

Extraordinary Meeting Requisitioned by Members

3.3 An extraordinary meeting of the Board may be called by submission of a requisition signed by at least 3 Members from both the GBEJC and the GBPB, specifying the business to be transacted. The requisition shall be delivered to the Chief Executive of the Lead Authority (see Procedure Rule 1.6). The meeting shall be called within 7 days of receipt of the requisition by the Chief Executive to take place as soon as reasonably practicable.

Extraordinary Meeting

3.4 No extraordinary meeting shall be called unless it is proposed to transact at the meeting business which, in accordance with statute and these Procedure Rules, may be transacted at a meeting of the Board.

4. PERSON PRESIDING AT MEETINGS OF THE BOARD

4.1 Any power of the Chair in relation to the conduct of a meeting of the Board may be exercised by the person presiding at the meeting.

4.2 If it is necessary to choose a person to preside in the absence of the Chair the Lead Authority shall invite nominations, and shall conduct the discussion in accordance with the powers of the Chair.

5. QUORUM OF MEETINGS OF THE BOARD

Quorum

5.1 The quorum for Board meetings shall be 6 with 3 representatives from the GBEJC and GBPB.

5.2 If, at the beginning of or during any meeting of the Board, the Chair declares that there is not a quorum present, the meeting shall stand adjourned for 15 minutes.

- 5.3 If after 15 minutes, the Chair should declare that there is still no quorum present, the meeting shall not take place or shall end, as the case may be. Remaining business shall be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business shall be considered at the next ordinary meeting.

6. ORDER OF BUSINESS AT MEETINGS OF THE BOARD

- 6.1 The order of business at every meeting of the Board shall normally be:

- (a) In the absence of the Chair to choose a Member of the Board to preside;
- (b) To receive declarations of interest;
- (c) To approve as a correct record the minutes of the last meeting of the Board, and of any earlier meeting of which the minutes have not been already approved, and for the person presiding to sign them;
- (d) To receive communications from the Chair;
- (e) Where the meeting has been requisitioned under Procedure Rule 3, to consider the business specified;
- (f) To consider business expressly required by statute to be decided by the Board;
- (g) To consider items of business (if any) remaining from the last meeting;
- (h) To receive and consider reports, minutes and recommendations of any sub-committees;
- (i) To consider any other business specified in the summons for the meeting including business for which a motion to exclude the press and public is to be put to the Board.

Variation of Order of Business

- 6.2 The order of business in paragraph 6.1 may be varied by direction of the Chair or by resolution of the Board.

Urgent Items

- 6.3 If the Chair decides that an item of business not included in the agenda for the meeting may be taken for reasons of urgency, such reasons must be specified and noted in the minutes and that item will be taken at the end of other items of business unless otherwise decided in accordance with paragraph 6.2 above.

Withdrawal of items from the Agenda

- 6.4 After consulting the Leaders (or a GBEJC member acting on behalf of a local authority) the Chair may remove or withdraw any item of business from the agenda for the meeting. Consultation may take place before or during the meeting and the Chair may (if he/she considers appropriate) adjourn the meeting for the purposes of undertaking the consultation.

7. CONDUCT OF MEETINGS

Minutes

- 7.1 Minutes of every meeting of the Board shall be submitted to and signed at the next following ordinary meeting of the Board.
- 7.2 The Chair shall put the question that the minutes submitted to the meeting be approved as a correct record.
- 7.3 No discussion shall take place upon the minutes, except upon their accuracy. Any question as to accuracy shall be raised by motion. The Chair shall then sign the minutes.
- 7.4 The minutes shall record the names of Members present and any decisions taken at the meeting. To assist with the record of attendance all members present during the whole or part of any meeting must sign their names on an attendance sheet before the conclusion of the meeting.
- 7.5 The minutes will be recorded in a book of loose leaf pages and when signing the minutes, the Chair shall sign each page of the approved minutes.
- 7.6 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

8. MOTIONS AND AMENDMENTS

Motions where notice is not required

- 8.1 The following motions may be moved without notice at any meeting:
 - (a) to elect in the event of a vacancy a Chair, or to appoint a person to preside at the meeting at which the motion is made;
 - (b) motions relating to the accuracy of the minutes;
 - (c) motions relating to a change in the order of business;
 - (d) "that the Board proceed to the next business";
 - (f) "that the question be now put";
 - (g) "that the debate be now adjourned";
 - (h) "that the Board do now adjourn";
 - (i) motions as to the termination of meetings;
 - (j) motions relating to the suspension of Procedure Rules without notice;
 - (k) motions to exclude the public from a meeting where there is likely to be otherwise disclosure of exempt or confidential

information, in accordance with the Access to Information Procedure Rules;

- (l) motions giving consent of the Board where it is required under these Procedure Rules;
- (m) motions to appoint a sub-committee or Member arising from an item on the summons for the meeting.

Moving Recommendations

- 8.2 On consideration of a report or a recommendation from a sub-committee, or officer, the adoption of the report or recommendation and any resolutions consequential upon that adoption may be moved without notice.

Consent

- 8.3 Where the consent of the Board is required for anything, that consent may be given either by the Chair asking the meeting whether there are any objections to the consent being given, and if no objection is raised, giving that consent, or if objection is raised, or if the Chair so chooses, by a motion moved, seconded and put to the meeting.

9. WRITTEN REPORTS

- 9.1 No report upon which decisions are proposed to be made shall be taken at any meeting of the Board, unless it is in writing.
- 9.2 Verbal amendments and additions to written reports may be made unless the effect is to nullify the recommendations in the report and replace them with others, other than for special reasons which must be recorded in the minutes.

10. RULES OF DEBATE (ALL MEETINGS)

General

- 10.1 The rules of debate in this Procedure Rule shall apply to all meetings of the Board and any of its Sub-Committees.

Speeches

- 10.2 If two or more Members of the Board offer to speak, the Chair shall call on one to speak.
- 10.3 When speaking, a Member shall address the Chair.
- 10.4 A Member shall direct his/her speech to the question under discussion, or to a personal explanation or to a point of order under the provisions of the next paragraph.
- 10.5 When a Member is speaking, the other Members of the Board shall remain silent, unless wishing to raise a point of order or in personal explanation.

Point of Order

- 10.5 A Member claiming to speak on a point of order or in personal explanation shall be entitled to be heard forthwith. The point of order shall relate only to an alleged breach of a specified statutory provision or a specified Procedure Rule, and the way in which the member raising it considers that it has been broken. Personal explanation shall be confined to some material part of the speech by him/her which may appear from the current debate to have been misunderstood.
- 10.6 The ruling of the person presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.

Procedural Motions

- 10.7 When a motion is under debate, no other motion shall be moved except the following:
- (a) to withdraw or amend the motion;
 - (b) a closure motion under the next paragraph;
 - (c) a motion dealing with the prevention of disorder;
 - (d) a motion to exclude the press and public.

11. SUB-COMMITTEES

Delegation to Sub-Committee

- 11.1 The Board may appoint Sub-Committees for such purposes as they think fit, and may make arrangements for a Sub-Committee to discharge any of the functions of the Board.

Continuity of Committees & Sub-Committees

- 11.2 Each Sub-Committee set up under this Procedure Rule, shall continue to discharge the functions committed to them until the Board resolves otherwise.

Continuity of holders of Office

- 11.3 Every person appointed as a voting Member of such a Sub-Committee and every person appointed to exercise other functions in relation to a Sub-Committee shall continue to act as such until such time as the appointment is terminated by the Board.

Substitutes

- 11.4 Where Members of the Board who are Members of Sub-Committees are unable to attend a meeting for whatever reason, a substitute Member may attend and speak and vote in their place for that meeting.
- 11.5 The substitute Member shall be a Member of the same authority as the Member who is unable to attend the meeting, and must not already be a Member of the relevant Sub-Committee. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

Meetings of Sub-Committees

Time and Date of Meeting

- 11.6 The Board or the relevant Sub-Committee, may fix the date, time and place of ordinary meetings of Sub-Committees.
- 11.7 The Chair of a Sub-Committee may call a special meeting of the Sub-Committee as the case may be at any time.

Requisition of a Meeting

- 11.8 One third of the total number of voting Members of a Sub-Committee may requisition a meeting of the Sub-Committee. Such requisition must specify the business proposed to be transacted and shall be delivered to the Chief Executive of the Lead Authority.

Chairs of Sub-Committees

Appointment of Chairs

- 11.9 The Board may appoint, from amongst its voting Members, a Chair of its Sub-Committees.
- 11.10 If no appointments have been made by the Board under paragraph 20.1 above the Sub-Committee shall at its first meeting after the Board elect from amongst its voting Members a Chair.
- 11.11 In the absence of the Chair at a meeting of a Sub-Committee, those voting Members present shall elect a person from amongst their number to preside over the meeting.
- 11.12 The Chief Executive of the Lead Authority or his/her representative shall invite nominations and shall exercise the powers of the Chair in order to regulate the discussion.
- 11.13 No Member of the Board shall be Chair of more than one Sub-Committee without the permission of the Board.

Quorum of Sub-Committees

- 11.14 No business shall be transacted at any meeting of a Sub-Committee unless at least **one third** of the whole number of voting Members of the Sub-Committee are present, provided that in no case shall any business be transacted until at least two voting Members are present.
- 11.15 The provisions of Procedure Rule 5 shall apply to a meeting of the Committee or Sub-Committee at which a quorum is not present as they would apply if it were a meeting of the Board.

Order of Business in Sub-Committees

- 11.16 Except in cases of urgency, at least five clear working days before the date of every meeting of a Committee or Sub-Committee, or as soon

as the meeting is called, whichever is the later, the Chief Executive shall send to every voting Member and to every other person entitled to receive the papers of the Sub-Committee a copy of the agenda for the meeting.

11.17 The agenda shall include:

- (a) all items of business which have been, or are deemed to have been, referred to the Sub-Committee by the Board;
- (b) all reports submitted to the Sub-Committee;
- (c) any item of business directed to be included by the Chair of the Sub-Committee.

Proceedings of Sub-Committees

11.18 A report of the proceedings of each Sub-Committee meeting shall be submitted to the next meeting of the Board.

12. MISCELLANEOUS

Prevention of Disorderly Conduct

Misbehaviour by a Member

12.1 If the person presiding at any meeting of the Board, or a Sub-Committee, is of the opinion that a Member has misconducted, or is misconducting, himself/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Board, he/she may notify the meeting of that opinion, and may take any of the following courses, either separately or in sequence:

- (a) he/she may direct the Member to refrain from speaking during all, or part, of the remainder of the meeting;
- (b) he/she may direct the Member to withdraw from all, or part, of the remainder of the meeting;
- (c) he/she may order the Member to be removed from the meeting;
- (d) he/she may adjourn the meeting for 15 minutes or such period as shall seem expedient to him/her.

Misbehaviour by a Member of the Public

12.2 If a member of the public interrupts proceedings at any meeting, the person presiding shall order him/her to leave the room where the meeting is being held. If he/she does not leave, the person presiding shall order him/her to be removed. If a member of the public persistently creates a disturbance, the person presiding may adjourn

the meeting for 15 minutes or such period as shall seem expedient to him/her.

- 12.3 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary. 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.

Declaration of Interests

- 12.4 Where any Member who is present at a meeting of the Board, or its sub-committees has a Disclosable Pecuniary Interest within the meaning of Section 30(3) of the Localism Act 2011 in connection with any item under consideration, he/she shall withdraw from the meeting room for the duration of the consideration of the item of business, including the debate and any related vote.

Exclusion of Public and Press

- 12.5 Members of the public and press may only be excluded from meetings of the Board or its Sub-Committees either (i) in accordance with the Access to Information Rules; (ii) in accordance with the provisions of Procedure Rule 25 above ('Prevention of Disorderly Conduct'), or (iii) Under common law or statutory powers available to the Board, which shall be exercisable by the relevant Chair, or the Chief Executive of the Lead Authority.

Voting

General

- 13.1 Except where a requisition is made under the next paragraph, the method of voting at meetings of the Board and its Sub-Committees shall be by show of hands. Any matter will be decided by a simple majority of the Members voting and present in the room at the time the question was put. If there is an equal number of votes for and against the motion, the Chair will have a second or casting vote. There will be no restriction on how the Chair may choose to exercise a casting vote. If the Chair does not exercise his/her casting vote the motion or proposal shall fall.

Recorded Votes

- 13.2 Any Member who is present when the vote was taken may require that his/her vote or abstention shall be recorded in the minutes by informing the Chair forthwith, immediately after the vote is taken.

Voting on Appointments

- 13.3 Where a vote is required on a motion to appoint or elect a Member of the Board to a position to be filled by the Board, and there are two or more Members nominated for that position, the names of all those nominated shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for any one person. If there is not a majority of those voting in favour of one person, the name of the

person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

Attendance

- 13.4 Every person attending as a Member of a meeting of the Board, or a Sub-Committee shall sign his/her name in the attendance book or on the attendance sheet provided for that purpose.
- 13.5 At the end of each municipal year a report shall be circulated by the Chief Executive as to the number of meetings held by the Board and each Sub-Committee and the attendance of Members at those meetings.

Cameras/TV Cameras/Recording at Council

- 13.6 Subject to prior approval, which shall be at the absolute discretion of the Chair or the person presiding at the meeting, one or more accredited representatives of newspapers* within the meaning of the Local Government Act 1972 or any other person may be permitted to film, video or photograph the proceedings at Board meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 as amended.

[*representatives of news agencies, radio and television organisations etc. are included within the definition of newspaper representative].

- 13.7 Any person attending a meeting of the Board or of a Sub-Committee may use a mobile communication device and audio record and transmit proceedings provided that:-
- (i) Any mobile communications device shall be kept in silent mode throughout the meeting;
 - (ii) There should be no use of any voice facility to make calls, receive calls or check voice messages. Only text or non-voice uses can be made of mobile phones;
 - (iii) The person presiding at the meeting may order that all mobile phones be switched off and any audio recording cease at any time;
 - (iv) There shall be no recording or transmission of Board proceedings when exempt business is discussed or at meetings.

Smoking at Meetings

- 13.8 Any person at or attending a meeting of the Board or a Sub-Committee shall observe the Board's rule that no smoking be permitted in such meetings.

Definitions

- 13.9 In these Procedure Rules, unless the context otherwise demands, the following terms have these meanings:

14. ROLES AND FUNCTIONS OF ALL MEMBERS

Key roles. All Board Members will:

- 14.1 (i) maintain the highest standards of conduct and ethics;
- (ii) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
- (iii) represent their communities and bring their views into the Board's decision-making process, i.e. become the advocates of and for their communities;
- (iv) balance different interests identified within the Board's area of influence;
- (vi) be involved in decision-making and scrutinising decisions made by others under the scrutiny arrangements; and
- (vii) be available to represent the Board on other bodies.

Rights and duties

- 14.2 (i) Board Members will have such rights of access to such documents and information, as are necessary for the proper discharge of their role as Members and in accordance with the law.
- (ii) Board Members will not make public information which is confidential or exempt without the consent of the Board or divulge information given in confidence to anyone other than a Board Member or officer entitled to know it.
- (iii) For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules of the Local Government Act 1972.

Delegations to Officers

- 14.3 Some of the functions of the Board and Sub-Committees may be discharged by an officer under delegated powers.

Officers

Terminology

- 14.4 The use of the word "officers" means all employees and staff engaged by the Board to carry out its functions.

15. DECISION MAKING

Principles of decision making

15.1 All decisions of the Board will be made in accordance with the following principles:

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights (the authority will give particular consideration to the implications for human rights of any proposals at an early stage in the decision making process);
- (d) a presumption in favour of openness;
- (e) clarity of aims and desired outcomes.

Interpretation

15.2 The ruling of the Chair as to the construction or application of any proceedings of the Board shall not be challenged at any meeting of the Board. Such interpretation will have regard to the purposes of these procedures.

16. ROLE AND POWERS OF THE CHAIR

Fulfilling the Role of Chair

16.1 The Board expects that its Chair will:-

- have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Board;
- lead in the development of the work of the Board, also taking into account the wider vision, such as corporate, cross-service and partnership issues;
- lead in service delivery and the implementation of policies approved by the Board;
- be the spokesperson for the Board;
- meet regularly to progress the objectives of the Board with officers, and as appropriate other people, groups and organisations;
- represent and pursue the interests of the Board in the community and if appropriate at regional and wider levels;

- ensure that:
 - (1) the meetings of the Board are properly conducted and
 - (2) reports of proceedings are forwarded on as necessary, for example to partner bodies and government departments;
- maintain professional working relationships and establish mutual respect with all Members and officers;
- be a promoter and upholder of:
 - (1) equalities throughout the region;
 - (2) high standards of ethical conduct by the Board's Members and officers.

Legal powers and Duties

- 16.2 (a) The responsibility of a Chair 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 supplied in the Board'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.
- (b) The following are specific functions which a Chair 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.
- (c) To help the Board make effective decisions, they will not only ensure that the procedural rules applying to the Board are observed, but also that any decisions made are sound at law. With assistance from officers as necessary, the Chair will ensure that the Board (1) observes any particular legal duties relevant to a proposed decision and (2) has regard as necessary to any general duties such as:-
- best value;
 - compliance with the Human Rights Act 1998;
 - equalities;

- the general fiduciary duties to Taxpayers to act with financial prudence.
- (d) Finally, the Chair will ensure that the Board reaches its decisions rationally, taking into account relevant factors and disregarding those which are irrelevant.

Powers and Duties under the Board's Procedures

- 16.3 Under the Board's Heads of Terms and Memorandum of Understanding, the role and powers of the Chair are recognised in a number of ways, including the following:-
- (a) Appointment as Chair.
 - (b) Settling the Agenda: - Chairs have power to direct that items of business be placed on the agenda and the order in which business is arranged on the agenda.
 - (c) Conducting the meeting: - the Chair controls the proper conduct of meetings and has discretion to depart from the formality of the Rules of Debate applicable to Board meetings and such discretion is regularly exercised.
 - (d) Reserve Power to call special Meetings: - The Chair can call a special meeting of the Board at any time.

17. ROLE OF OFFICERS

- 17.1 Officers from the various partner authorities will support their respective Members at Board meetings and where required will introduce reports and answer questions from Board Members.
- 17.2 The Chief Executive of the Lead Authority and/or their designated representative will meet with the Chair to review and determine items of business to be placed on the agenda.