

## **ARTICLE 5 - CHAIRING THE COUNCIL**

### **Introduction**

1. This article sets out the role, responsibilities and duties of the Chairman of the Council. The role, responsibilities and duties fall to the Vice-Chairman in the absence of the Chairman.

### **Election of Chairman of the Council**

2. The convention of the Council is to elect the Vice-Chairman to the office of Chairman of Epping Forest District Council in the year following immediately their term as Vice-Chairman. However, the individual elected to the office of Chairman of the Council shall always be elected on merit by the Council at its Annual meeting.

### **Appointment of Vice-Chairman of Council**

3. The appointment of the Vice-Chairman of the Council shall be undertaken by the Council on the basis of merit in accordance with the following provisions:
  - (a) nominees for the office of Vice-Chairman of the Council are required to submit a nomination form supported and signed by no fewer than 15 serving Councillors on the date when the Appointments Panel holds its first meeting in any municipal year;
  - (b) nominees for Vice Chairman of the Council may be a Councillor from any political group on the Council or any independent or unaffiliated Councillor;
  - (c) the nomination of candidates for the position of Vice-Chairman and the expression of support for any nomination may be notified to the co-ordinating member by electronic mail;
  - (d) all nominations shall be considered by the Appointments Panel for onward recommendation to the Annual Council meeting;
  - (f) If for any reason, a Vice-Chairman is unable to be elected as Chairman of the Council following their year as Vice Chairman, the procedure outlined in (a) to (c) above shall also apply to the election of a new Chairman. If it is not possible to submit a supported and signed nomination form by the date on which the Appointments Panel holds its first meeting in any municipal year, nominees for the office of Chairman of the Council are required to submit to the Proper Officer, a nomination form supported and signed by no fewer than 15 serving Councillors, by the date of the Annual Council meeting; and
  - (g) the Council may suspend the operation of the appointment process set out above at an Annual Council meeting by motion.

### **Chairing the Council Meeting**

4. The Chairman shall undertake the following duties:
  - (a) to determine that meetings of the Council are properly constituted and that a quorum of members is present;

- (b) to be informed as to the business and objects of meetings;
  - (c) to preserve order in the conduct of those present;
  - (d) to confine discussion within the limits required by the business to be determined and within a reasonable period of time;
  - (e) to rule on:
    - (i) the admission of any business raised as urgent business in accordance with Section 100B(4) of the Local Government Act 1972; and
    - (ii) the admissibility of motions and amendments put in debate by the Members' of the Council;
  - (f) to formulate summaries of those issues arising in debate for the consideration of the meeting;
  - (g) to adjudicate on points of order and personal explanation raised at meetings and other incidental issues;
  - (h) to determine the proper and most appropriate method of voting on any question before the Council;
  - (i) to put relevant questions to the meeting, secure orderly votes thereon and declare the result;
  - (j) to inform the Council whether he or she will vote on any matter to be determined;
  - (k) to give, if appropriate, a second vote or a casting vote in order to deal with an equality of votes in the circumstances set out in this Article;
  - (l) to adjourn any meeting of the Council should the circumstances justify or require it, having first of all taken such steps to establish that Members' of the Council support such action;
  - (m) to read out any motion to exclude the press and public from meetings and to seek the consent of the Council; and
  - (n) to sign the Minutes of Council meetings as a correct record, following approval by the Council.
5. In carrying out these duties, the Chairman shall at all times act in accordance with legal requirements as advised by the Chief Executive and/or the Monitoring Officer, shall take care to ensure that the rights of individual members shall at all times be protected and, in the conduct of meetings shall disregard considerations arising from political affiliation and shall always have regard to the civic dignity of the Council and the office of Chairman.

### **Casting Vote**

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

### **Civic/Ceremonial Role**

7. In the carrying out of civic duties on behalf of the Council, the Chairman shall at all times behave in a way consistent with the dignity of the office of Chairman and the policies of the Council.

The Chairman of Council as first citizen in the district and the representative of the Queen will take precedence in the absence of firstly the Lord Lieutenant of Essex and secondly the Chairman of Essex County Council. If the Chairman is invited to a function organised by or within the District he/she is always the Guest of Honour.

8. When the Chairman of Council is invited to carry out duties at an official Council function the following people should be invited to attend:
  - (i) the Chairman of the Committee or member of the Executive responsible for the function and if unavailable, the Vice-Chairman of the Committee shall deputise;
  - (ii) the Leader of the Council or a member of the Executive nominated by him;
  - (iii) members of the Council for the ward in question;
  - (iv) the Service Director responsible for the function;
  - (v) Parish Chairman or Town Mayor;
  - (vi) other members and officers agreed by the Chairman of Council, and
  - (vii) the Public Relations Manager or nominated officer will attend appropriate functions when the press are invited.

### **Absence of Chairman and Vice-Chairman at functions**

9. There may be occasions when the Chairman of the Council and Vice-Chairman of the Council cannot attend functions. In these circumstances, the Chairman of the Council shall nominate a past Chairman of the Council or other member to act on his/her behalf at any such event.