

All Members

Briefing Note: Substitution on Committees

Purpose of the briefing note: To provide a guidance on the law and practice of substitution at council committee meetings.

Appointment of Substitutes

1. Substitutes can be nominated to any committee of the Council by their groups. These nominations are agreed at a full council meeting. The number of substitutes cannot exceed the number of seats a political group is entitled to on that committee.
2. It is the responsibility of the Member giving their apologies to organise a substitute if they so wish. It is not an officer duty to arrange substitutions for a committee meeting.
3. If members are to use a substitute they should notify Democratic Services before the start of the meeting so officers can advise the Chair. The Chair shall establish at the outset the name of any member acting as a substitute member and that member shall continue to act as a substitute member for the duration of the meeting

Substitutes in the Law and Constitution

4. The rules around substitutions are contained within the Constitution in the Council Procedure Rules Chapter 2, Part 2:

28.3 A substitute Member may attend a particular meeting of the Committee to which he/she has been appointed as a substitute Member, in substitution for a full Member of that Committee from the same political group and with the full powers of a full Member where:

- (a) the full Member for whom the substitute Member will substitute will be absent throughout the whole of the particular meeting; and
- (b) the substitute Member has notified Democratic Services before the start of the meeting that he/she will be acting as substitute for that meeting, and of the name of the full Member for whom he/she will substitute Powers and duties

28.4 A substitute Member shall have none of the rights of a Member of a Committee unless he/she has been substituted in accordance with Rule 28.3 above.

28.5 Once substituted in accordance with Rule 28.3 above, the substitute Member shall have all the powers of a full Member at the meeting.

Substitution and Voting Rights

5. A substitute has the same voting rights as the Member they are substituting for.
6. If a substitute is replacing a Member who is the Chair of a committee the Substitute does not automatically become the Chair. The Vice-Chair would be expected to chair and if neither the Chair or Vice-chair were present, the committee would follow the standard nomination process.

Other Rules on Substitution

7. Substitution is affected by declarations of interest and the rules/laws surrounding meetings, including licensing and planning committees. With this in mind a substitute:
 - Must declare any relevant interests in a decision and act accordingly.
 - Must not partake in a quasi-judicial decision if they have not been present for the entirety of the item, including previous meetings where the item may have started and then been adjourned.
8. A substitute should substitute for the entirety of the meeting.

For any questions regarding this briefing note, please contact:

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