

ANNEX 28 - SUBSTITUTION SCHEME

- 1** A Councillor who is unable, for whatever reason, to attend a meeting to which this Substitution Scheme applies (“the Regular Councillor”) and wishes another Councillor to attend the meeting in their place must inform the leader of their Political Group (and any references in this Scheme to a Political Group Leader shall include a Deputy Political Group Leader) who may then give notice to the Chief Legal Officer on a prescribed form (“a substitution request”) requesting that the Regular Councillor be replaced in relation to the meeting by another Councillor who is a member of the same Political Group (“the Substitute”). The substitution request must name the proposed Substitute and it is the responsibility of the Political Group Leader to check that the proposed Substitute is available and willing to act as Substitute.
- 2** A substitution request must be received by the Chief Legal Officer no later than 1 hour before the time fixed for the start of the meeting.
- 3** On receipt of a substitution request the Chief Legal Officer may appoint the councillor named as proposed Substitute as the Substitute for the meeting concerned. The Chief Legal Officer would then issue a formal notice to that effect (a substitution notice) which would be sent to the regular Councillor, the Substitute and the relevant Political Group Leader.
- 4** Once issued, the effect of a substitution notice will be that the Regular Councillor will cease to be a member of the committee for the duration of the relevant meeting (and any adjournment of that meeting) and the Substitute will become a member of that committee.
- 5** Subject to 6 below, a substitution notice may be revoked by the Chief Legal Officer at the request of the Political Group Leader who requested its issue without prejudice to the issuing of a new substitution notice.
- 6** A substitution notice may not be revoked after 3 p.m on the second working day before the day of the meeting.
- 7** If the Chairman or Vice Chairman of a committee or Cabinet Panel is substituted the Substitute will only sit as an ordinary Councillor and not take the role of Chairman or Vice Chairman, although the Substitute would be eligible to be elected Chairman if both the Chairman and Vice Chairman were absent.
- 8** Subject to 9 below, this Substitution Scheme applies to all Regulatory Committees, any sub-committee of a Regulatory Committee, to the Impact of Scrutiny Advisory Committee, to the Overview and Scrutiny Committee (“the OSC”), the Health Scrutiny Committee (“the HSC”), to any sub-committee or Topic Group appointed by the OSC or the HSC, and to all Cabinet Panels.
- 9** This Substitution Scheme shall not apply to Development Control Committee except as provided in Paragraphs 10 to 14 below.
- 10** In the case of Development Control Committee, named Councillors will be appointed by the Full Council as substitute members (“Named Substitutes”). If

the Chief Legal Officer is satisfied that a member of Development Control Committee is unable to attend a meeting for whatever reason, the Chief Legal Officer may issue a substitution notice appointing a Named Substitute in relation to the meeting. Such a substitution notice shall have the same effect as if issued under Paragraph 4 above.

- 11 If the Chief Legal Officer is satisfied that a member of Development Control Committee is unable to attend a meeting for whatever reason, but a Named Substitute is not available to attend the relevant meeting, the Chief Legal Officer may issue a substitution notice appointing a Substitute in relation to the meeting who is not a Named Substitute. Such a substitution notice shall have the same effect as if issued under Paragraph 4 above.
- 12 A substitution notice issued in relation to Development Control Committee under either Paragraph 10 or Paragraph 11 above may be revoked by the Chief Legal Officer subject to Paragraph 6 above which shall apply.
- 13 Paragraph 7 above shall apply to a substitution notice issued in relation to Development Control Committee under either Paragraph 10 or Paragraph 11 above.
- 14 A Councillor may not be appointed by a substitution notice issued under Paragraph 10 or 11 above unless that Councillor has complied with the same requirements in relation to training as is required of the regular members of Development Control Committee.
- 15 A Councillor may not be appointed by a substitution notice issued under Paragraph 3 in relation to the OSC, the HSC (or any sub-committee or Topic Group appointed by either the OSC or the HSC), or in relation to the Audit Committee, if that Councillor is a member of the Executive or a Deputy Executive Member.

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