

## THE ROLE OF THE CHAIRMAN OF THE COUNCIL PROTOCOL

1. **Ceremonial Role** - The Chairman is the ceremonial head of the whole Council and its countywide representative at civic and social occasions. The office is an important one created by statute confirming social precedence on the office holder in carrying out the ceremonial and standing order duties of the office. The role is separate from that of the Leader of the Council who is the political head of the Council and will speak for the Council on all aspects of policy and executive business. To support the Chairman in the ceremonial obligations of the office, the law provides for the Chairman to be paid a specific allowance, as the Council thinks reasonable. The Chairman has considerable discretion in exercising the ceremonial aspects of the office.
2. **Apolitical Role** - It is important that the Chairman maintains an apolitical stance especially when chairing Council meetings. At common law, the duties of the Chairman are “..... to preserve order, to take care that the proceedings are conducted in a proper manner and that the sense of the meeting is properly ascertained with regard to any question that is properly before the meeting” Chitty J. (High Court 1894). Subsequent judgements have confirmed this approach and the requirement that the Chairman must act entirely neutrally allowing different opinions to be fully and fairly presented and debated subject to Standing Orders.
3. **Chairman’s Announcements** - Any Group Leader may approach the Chairman before a Council meeting to suggest items for the Chairman to use in making announcements to full Council. The Chairman has complete discretion as to which items he or she may think appropriate to announce.
4. **Rules of Debate** - The Chairman’s role in conducting meetings is to enforce rigorously the rules of debate as set out in Standing Orders. Whilst there may be occasions when it is appropriate for Standing Orders to be relaxed, experience demonstrates that this be kept to an absolute minimum to ensure fairness to every political group.
5. **Calling on Members to Speak in Debate** - It is important the Chairman demonstrates political neutrality in deciding on who and in what order Members should be allowed to contribute to a debate. This will be the case especially during contentious debate when time may not allow all who wish to contribute. If so, speakers should be called broadly in accordance with the political proportionality on the Council before a debate is closed.
6. **Involvement of Leader, Cabinet Members, Chairmen of Scrutiny Committees in Debate** - The Chairman needs to involve leading members in debates which relate to their functions before closing a particular debate subject to the overriding rules of Standing Orders. A useful rule of thumb would be to allow the appropriate executive member or committee chairman to have the penultimate speech to ensure Council is fully advised on any item before a debate is formally concluded and a vote taken. [This would generally only apply when a Motion is moved and then debated because in all other circumstances the mover of the report before Council would be the relevant leading Member.]

7. **Casting Vote** - The Chairman has a casting vote and it is essential that this is exercised in the event of a tie at a Council meeting. There is no convention that the Chairman should seek to vote to protect the status quo. The law requires that the Chairman has complete freedom of conscience in exercising his or her casting vote and it is important that that discretion is not seen to be fettered.
  
8. **Chairman's Personal Views and Representational Role** - It should not normally be part of the Chairman's role to comment on matters before the Council in a way which supports or opposes the issue before Council. On limited occasions this may be necessary either because of the Chairman's duty to represent his or her constituents or where personal views are strongly felt.