

Drainage Council

Rules Regulation Procedure

Made by the Council on 23 February 2000, amended on 18 June 2003, and approved by the Department of Agriculture and Rural Development in pursuance of paragraph 7 of the First Schedule to Drainage (Northern Ireland) Order 1973

MEETINGS OF THE COUNCIL

The meetings of the Drainage Council shall be held in such location within Northern Ireland as the Council may determine.

The Secretary shall summon every ordinary meeting of the Drainage Council after consultation with the Chairman.

Notice of Meetings

At least seven clear days before every meeting of the Council a notice specifying the business to be transacted shall be sent by post to every Member of the Council. The Council shall transact no business for determination other than that which appears on the notice.

In case of emergency a meeting may be summoned without such seven days notice thereof having been given.

Adjournment of Meetings

The Chairman shall have power to adjourn the meeting of the Council forthwith, upon a motion for adjournment of the Council being carried by a two-thirds majority of the Members of the Council present and voting.

Chairman and Vice-Chairman

It shall be the duty of the Chairman to give effect to the Rules, and his/her determination on any question arising upon these Rules shall be final.

In any case of equality of votes at any meeting, the Chairman in post at such meeting shall have a second or casting vote.

The Chairman shall decide the order in which Members shall address the Council.

Selection of Chairman and Vice-Chairman

The Council shall select by **secret ballot**, a Chairman and Vice-Chairman from their membership. If any casual vacancy occurs in the offices of Chairman and Vice-Chairman, the Council shall, as soon as is practicable, after the vacancy arises, choose a candidate from their membership to fill the vacancy.

If at any meeting neither the Chairman or Vice-Chairman is present at the time appointed for holding the said meeting, the Members present shall choose by **majority vote** someone of their membership to be Chairman of the meeting.

If for any reason the office of Chairman is vacant or the Chairman is absent through illness, or for any other reason, the powers of the Chairman may be exercised and the Vice-Chairman shall perform the duties.

The Vice-Chairman, while occupying the Chair, may exercise any of the powers and perform any duties, which may be exercised by the Chairman while occupying the Chair.

Any act done by the Vice-Chairman when acting in place of the Chairman in pursuance of these Rules shall have the same validity as if the Chairman did it.

Quorum

No business shall be transacted at any meeting unless **five** Members are present. If within fifteen minutes after the hour at which the meeting was scheduled to be held less than five Members are present, the meeting shall stand adjourned to such time or date as may be determined by the Members present.

Determination of Drainage Proposals

A Proposer and Seconder shall support every Drainage proposal under consideration for determination by the Council. The names of the Members proposing and seconding the determination shall be entered in the minutes.

Order of Business

At all ordinary meetings of the Council the order of business shall, subject to any statutory requirements, be as follows:-

- (1) The appointment of Chairman and Vice-Chairman (as required).
- (2) The Members of the Council having received a copy of the minutes of the last meeting in advance of the meeting will be invited to confirm whether they accept the minutes as a true record.
- (3) Matters arising out of the Minutes.
- (4) Business remaining from the last meeting (if any).
- (5) Business expressly required by statute to be carried out at the meeting.
- (6) Any correspondence, communication or other business specially brought forward by the Chairman or Secretary.
- (7) Reports of any Committee (if applicable).
- (8) Any presentations of matters of interest to the Drainage Council.
- (9) Any other Business, which Members may wish to raise.
- (10) Determination of the date of the next meeting.

The Council may at any meeting vary the order of business so as to give precedence to any business of special urgency.

Order of Debate

- (1) Every proposal for determination by the Council shall be introduced by the Chairman. The Chairman may invite any of the officials present to provide supplementary information on the proposal under consideration.
- (2) Every Business submission under consideration by the Council shall be proposed and seconded before acceptance or rejection by the Council. The names of the Members proposing and seconding the determination shall be entered in the minutes.
- (3) A Determination once made and seconded shall not be withdrawn.

- (4) A Member of the Council when speaking shall address the Chair.
- (5) A Member who speaks shall direct his speech directly to the matter under discussion.
- (6) The decision of the Chairman on points of order under debate shall be final.

Communications to the Press

Communications to the press relating to the proceedings of business of the Council are limited to matters of fact and shall not include disclosures from the Members' Business Books of the indicative costs of projects as such disclosure could prejudice competitive tendering procedures.

Subject to paragraph 1 the Members of the Council shall be at liberty to inform the Bodies by whom they are nominated or appointed of the proceedings or business determined by the Council. They may also obtain the views of such Bodies on issues that may arise from time to time, but this shall be on a without prejudice basis to any determination made by the Council.

Minutes

The Secretary through the Secretariat shall arrange for Minutes to be made in books provided for the purpose to include:-

- (1) The names of the Members at each Meeting of the Council (and Committee of the Council if applicable);
- (2) All decisions and proceedings of the Council (and Committees of the Council if applicable); and
- (3) All resolutions of the Council (and of Committees of the Council if applicable).

Committees

The Council may appoint such Committees or Sub-Committees as they think fit, and may from time to time by resolution delegate to such Committees any of the powers and duties of the Council. All acts of any Committee or Sub-Committee of the Council shall be subject to the approval of the Council unless it be specifically ordered otherwise in the resolution referring the business to the Committee. Any such Committee or Sub-Committee shall, in the performance of the duties assigned to it, conform to any regulations that may be made by the Council. In the absence of special direction by the Council to the contrary, the Chairman and Vice-Chairman of the Council shall be ex-officio Members of such Committees.

Proceedings of Committees

- (1) Each Committee shall appoint a Chairman, and if he is not present at the time appointed for holding the meeting, the Members present shall choose one of their membership to be Chairman of such meeting. A Committee may meet or adjourn as they think proper.
- (2) Questions at any meeting shall be determined by a majority of votes of the Members present, and in case of any equal division of votes the Chairman of the meeting shall have a second or casting vote.
- (3) Reports of Committees shall be forwarded to the Secretariat in time to allow circulation to the Members of the Council at least seven days before the meeting of the Council to which the same are to be submitted. Any Reports

produced by the Committees will be issued in conjunction with the Business Book in advance of the meeting.

(4) Every Committee shall be authorised to take up matters referred by the Council to the preceding Committee and which may not have been fully discharged.

Suspension of Rules

Any one or more of these Rules may be suspended at any meeting in the event of an emergency [on a vote by three-quarters of the Members present].

Alteration of Rules

No new Rule or alteration or repeal of an existing Rule shall be passed until the Council has had an opportunity to debate the proposal.

Any proposed new Rule or alteration to a Rule must be presented in draft at a meeting of the Council and can only be passed by majority vote at any succeeding meeting at that at which it has been proposed.

Any such new Rule or alteration or repeal of an existing Rule shall require the approval of the Department of Agriculture before it comes into operation.