

Renfrewshire Council

Procedural Standing Orders

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of

Renfrewshire Council

Definitions

- *1. In these standing orders, unless the context otherwise requires, the following words and expressions shall have the following meanings:-

"The 1973 Act" means the Local Government (Scotland) Act 1973, as amended.

"The 1994 Act" means the Local Government etc. (Scotland) Act, 1994.

"The Council" means the Renfrewshire Council, established by the 1994 Act.

"Convener" means the convener of the Council elected in accordance with section 4 of the 1994 Act and includes in his absence the deputy convener.

"Leader of the Council" and "deputy leader of the Council" mean the councillors appointed to those offices by the Council.

"Chairperson" means the person presiding at a meeting.

"Chair" and "deputy chair" of a board mean the councillors appointed to those offices by the Council.

The term "functions" includes powers and duties.

Any reference to a "board" shall mean a board, a committee or a sub-committee of the Council established to discharge any function of the Council, by virtue of section 56 of the 1973 Act.

References to the male shall include the female, and unless the context otherwise requires, words importing the singular shall include the plural and vice-versa.

Meetings of Council

2. The Council shall meet on such days and at such times as the Council at its first meeting may determine.
3. A special meeting of the Council shall be called by the proper officer (a) at any time on being required so to do by the convener or (b) on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting signed by at least one quarter of the whole number of members of the Council, which meeting shall be held within fourteen days of receipt of the requisition by the proper officer, on such day and at such time and at such place as the convener shall determine.
4. Meetings of the Council shall be held at such place as the Council may determine from time to time. If for any reason the place determined by the Council for a meeting shall not be available or suitable, the meeting shall be held at such place as the convener shall determine.

Summons

5. Three clear days at least before a meeting of the Council:-
 - (a) notice of the time and place of the intended meeting shall be published at the Council's principal offices and, where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted; and
 - (b) a summons to attend the meeting, specifying the business to be transacted and signed by the proper officer of the Council, shall, subject to standing order 6, be left at or sent by post to the usual place of residence of every member of the Council.
- *6. If a member of the Council gives notice in writing to the proper officer that he desires summonses to attend meetings of the Council to be sent to him at some address specified in the notice other than his place of residence, any summons addressed to him and left at or sent by post to that address shall be deemed sufficient service of the summons.
- *7. Want of service of a summons on any member of the Council shall not affect the validity of a meeting of the council.

Quorum

8. Subject to paragraph 4(2) of schedule 7 to the 1973 Act, no business shall be transacted at a meeting of the Council unless at least one-quarter of the whole number of members of the Council are present. If ten minutes after the time stated in the summons to attend a meeting a quorum is not present the meeting shall stand adjourned until such date and time as may be determined by the proper officer in consultation with the convener. The proper officer shall minute the reason for the adjournment of the meeting.

Sederunt and Apologies

- *9. The names of the members present at a meeting of the Council shall be recorded. Members who intimate their apologies for their non-attendance at a Council meeting to the proper officer before the meeting shall have their apologies recorded in the minute.

Failure to Attend Meetings

10. Subject to the provisions of section 35 of the 1973 Act, if a member of the Council fails throughout a period of six consecutive months to attend any meeting of the Council, he shall, unless the failure was due to some reason approved by the Council, cease to be a member of the Council.

Chairperson

11. *(a) At a meeting of the Council the convener, if present, shall preside.
- *(b) If the convener is absent from a meeting of the Council, the depute convener shall preside.
- *(c) If the convener and depute convener are absent from a meeting of the Council, another member of the Council chosen by the members present shall preside.
- (d) The convener of the Council shall hold office as convener until the next ordinary election, or until ceasing to be a councillor, whichever is the earlier.
- (e) Notwithstanding the foregoing provisions, the Council may specify a shorter period for the term of office of convener at the time of his being elected to that office.

Role of Chairperson

- *12. It shall be the duty of the chairperson:-
- (a) to preserve order and ensure fairness in debate;
 - (b) to decide all points of order and matters of competency and relevancy;
 - (c) with the assistance of the proper officer to ensure that standing orders are observed;
 - (d) to decide all questions of procedure for which no express provision is made under standing orders.
- *13
- (a) The decision of the chairperson on all matters within his responsibility shall be final, and shall not be open to question or discussion.
 - (b) The chairperson shall be entitled, in the event of a disorder arising, to adjourn the meeting to a time he may then or afterwards fix, and his quitting the chair shall be the signal that the meeting is adjourned.

Restriction on Business

- *14. No business shall be transacted at a meeting of the Council other than that specified in the summons, unless either
- (a) it is an item of business required by statute to be transacted at a meeting of the Council; or
 - (b) by reason of special circumstances, which shall be specified in the minutes of the meeting, the chairperson is of the opinion that the item of business should be considered at the meeting as a matter of urgency.

Order of Business

15. The order of business of the Council at an ordinary meeting shall proceed as follows:-
- (a) minutes of the Council;
 - (b) minutes of board meetings;
 - (c) items continued from last Council meeting;
 - (d) other business specified in the summons for the meeting;
 - (e) notices of motion.
- *16. Notwithstanding the foregoing, the chairperson at meetings of the Council, may at his discretion, alter the order of business to facilitate the conduct of the meeting.

Minutes

- *17. Minutes of Council meetings shall be prepared by the proper officer. Subject to approval or correction as the case may be, the minutes shall be signed at the same or next suitable meeting of the Council by the person presiding.
18. The member presiding at a meeting of a board, the minutes of which are submitted to the Council, shall move approval of those minutes with or without amendment. In the absence of the member presiding at the appropriate board, another member who was present may so move. No seconder shall be necessary unless intimation is made that an amendment to the motion to approve the minute is proposed, in which case the motion must be seconded.

Procedure for Notice of Motion

19. (a) A member may submit a notice of motion for consideration at any meeting of the Council. Such notice shall be in writing and shall be signed by the member giving the notice, countersigned by one other member, and delivered to the proper officer at least fourteen clear days prior to the meeting of the Council at which the motion is to be considered. The motion shall be printed in the agenda of the meeting of the Council without prejudice to the right of the chairperson to rule as to its competency and relevancy.
- (b) All valid motions of which notice has been duly given shall be included in the agenda of the meeting of the Council in the order in which they were received by the proper officer who shall record both the date and time of receipt on the original notice.
- (c) The chairperson shall have power to rule out of order any motion which the chairperson considers incompetent or irrelevant. In such case no reference to the motion shall be made in the minutes.
- (d) The meeting shall have power, on the motion of any member, which shall require to be seconded, to refer a notice of motion for consideration by a board.
20. A motion submitted under standing order 19 may be moved by the member who submitted the notice of motion or, in his absence, another member present.

Motions and Amendments

- *21. Any member desiring to propose a motion or amendment shall state precisely the terms of his motion or amendment to enable the chairperson to rule as to its competency.
- *22. Subject to the provisions of standing orders 18 and 56, before any discussion takes place a motion or amendment must be duly seconded.
- *23. Any motion or amendment which is not seconded shall fall and will not be recorded in the minutes.
- *24. A member who has moved a motion or amendment but failed to find a seconder may, if he so requests, have his dissent to a decision recorded in the minutes.
- *25. The chairperson may require that any motion or amendment shall be reduced to writing. When required by the chairperson, the proper officer will read any motion or amendment prior to it being put to the meeting.

- *26. No member shall move or second more than one motion or amendment upon a particular issue, although a member who has moved or seconded a motion or amendment shall not be precluded from moving or seconding a fresh amendment if the original motion or amendment is withdrawn in terms of standing order 27.
- *27. A motion or amendment once moved and seconded shall not be altered or withdrawn without the consent of the mover and the seconder.

Rescinding of Decisions

- *28. A motion or amendment contrary to a decision of the Council shall not be competent within six months of that decision.

Voting

- *29. Save as otherwise provided by statute or by these standing orders all questions coming or arising before the Council shall be decided by a majority of the members present and voting at a meeting of the Council.
- 30. Voting shall be taken electronically unless at least three members present require a roll call vote in which case the vote shall be taken by calling the roll.
- *31. In the case of an equality of votes the chairperson shall have a second or casting vote except where the matter which is the subject of the vote relates to the appointment of a member of the Council to any particular office or board, in which case the decision shall be by lot.
- *32. When a motion and two or more amendments have been proposed and seconded the vote shall be taken in the first instance between the motion and the amendment first proposed. The successful proposition from that vote shall be taken against the amendment second proposed and so forth until there remains only one amendment to be taken against the substantive motion and whichever is carried shall become the decision of the meeting.
- *33. When a vote has been taken and the accuracy of the count is immediately challenged it shall be at the discretion of the chairperson to call for a recount.

Speeches

34. Except with the permission of the chairperson the mover and seconder of a motion or an amendment shall not speak for more than five minutes. Others speaking in the debate shall not speak for more than five minutes. Members shall speak only once in the same discussion unless to call attention to a point of order or, with the sanction of the chairperson, to make an explanation.

The mover of the motion shall have the right to speak for up to five minutes in reply to the points raised in the discussion, strictly confining himself to answering previous speakers and not introducing any new matter. Thereafter the question shall be put from the chair.

- *35. Each member speaking shall confine his speech strictly to the issue under discussion and shall address the chair.

Points of Order

- *36. Should a member indicate a desire to raise a point of order, he shall state at the outset the standing order or rule of debate considered to have been infringed. A member shall cease speaking when a point of order is raised until the point in question has been decided by the chairperson. The decision of the chairperson shall be final and shall not be discussed.

Closure of Debate

- *37. At the conclusion of any speech a member may move "that the question be now put". If such a motion is moved and seconded and the chairperson is of the opinion that the issue has been sufficiently discussed, there shall be no further debate, and the vote shall be taken immediately "for" or "against" the motion that the question be now put. If the motion is carried, the mover of the original motion shall have the right to speak for not more than five minutes in reply to the points raised in the discussion, strictly confining himself to answering previous speakers and not introducing any new matter. Thereafter a vote shall be immediately taken on the motion. If, however, the motion "that the question be now put" be decided in the negative, it shall not be competent to repeat such a motion until the expiry of thirty minutes thereafter.

Adjournment

- *38. At the conclusion of any speech a member may move that the meeting be adjourned. If such a motion is moved and seconded there will be no further debate and a vote shall be taken immediately in the form of "adjournment" or "not adjournment". If the motion to "adjourn" is carried, then unless times for adjournment and resumption are specified in the motion, adjournment shall take effect immediately and the meeting shall stand adjourned until such time as is decided by the chairperson.
- *39. A motion for adjournment shall take precedence over all other motions.

Disregarding the Authority of the Chairperson

- *40. In the event of any member at any Council meeting disregarding the authority of the chairperson or being guilty of obstructive or offensive conduct, a motion may be moved and seconded to suspend such a member for the remainder of the meeting. The motion shall be put to the meeting without discussion and if supported by a majority of the members present, the motion shall be declared carried. Should the motion be carried the member concerned shall thereupon retire from the meeting. The council officer shall act upon any instructions he may receive from the chairperson in pursuance of such a decision.

Declaration of Interests by Members

- *41. Any member who, in terms of the councillors' code of conduct has an interest (whether financial or non-financial) in a matter which requires declaration and is present at a meeting of the Council or a Board as the case may be at which such matter is the subject of consideration, shall declare that interest as soon as practicable at the meeting where that interest arises. The declaration shall begin with the words "I declare an interest". If, in terms of the councillors' code, the nature of the interest has the effect of prohibiting any participation in discussion and voting on the matter, the member shall leave the meeting room until discussion of the item of business is concluded.

Suspension of Standing Orders

- 42. Subject to the provisions of the 1973 Act the Council shall be entitled to suspend one or more of these standing orders (except standing orders 12 and 13 which are concerned with the role of the chairperson, standing order 14 which deals with the business to be transacted at a meeting, and standing order 36 which is concerned with points of order) but only by a majority of two-thirds of the members present and voting for that purpose.

Amendment of Standing Orders

43. Subject to the provisions of the 1973 Act the Council shall be entitled to amend, vary or revoke any of these standing orders by a simple majority of the members present and voting for that purpose subject to an appropriate notice of motion having been given under standing order 19, stating the relevant amendment or variation, or a proposal that the standing orders be revoked.

Boards

Board Business

44. Except where statute, or the provisions of the scheme of delegated functions or of standing order 15 otherwise require, business requiring consideration by the Council shall, unless consideration of time otherwise dictate, be placed before the appropriate board.

Application of Standing Orders to Board

45. Subject to all necessary consequential amendments, the provisions of standing orders which are denoted by an asterisk, viz 1, 6, 7, 9, 11 (a) to (c), 12, 13, 14, 16, 17, and 21 to 41 (except 30 and 34) shall apply in relation to the meetings and proceedings of boards, as they apply in relation to meetings and proceedings of the Council.

Scheme of Delegated Functions

46. Subject to standing orders 47 and 48, the Council may establish such boards as may be considered appropriate to conduct business and may determine the terms of reference of and delegations to any such boards.

Leadership Board

47. (a) The Council shall establish a leadership board. The functions and membership of and delegations to the board shall be determined by the Council.
- (b) With the exception of decisions made by boards in the exercise of a judicial, quasi-judicial or similar function (which includes the determination of licensing and planning applications and disciplinary and grievance appeals), the decisions of boards shall be delivered in writing to the members of the leadership board within two working days following the meeting of the boards, and any such decisions shall not be implemented until the expiry of a further five working days.
- (c) Members of the leadership board shall be entitled to submit a notice to require that a decision of a board be not implemented, excluding those decisions excepted in paragraph 47(b). Such a notice shall be in writing and shall specify the reason why the decision should not be implemented, either in terms of the correctness of the decision or because of the importance or impact of the decision on the Council. The notice shall be signed by a majority of the members of the leadership board, and delivered to the proper officer prior to the expiry of the period of five working days referred to in paragraph 47(b).

- (d) Any decision which has been subject to notice under paragraph 47(c), together with the relevant reports, shall be submitted to the next meeting of the leadership board for consideration. The leadership board, shall be entitled to either (a) confirm the decision, in which case it will be implemented, or (b) refer the matter to the next meeting of the Council for determination, or (c) remit the matter to the originating board for further consideration.

Scrutiny and Petitions Board

- 48. (a) The Council shall establish a scrutiny and petitions board. The functions and membership of and delegations to the board shall be determined by the Council.
- (b) The scrutiny and petitions board shall comprise members drawn from the political parties represented on the Council on a proportionate basis, having regard to the party balance on the Council. Members of the leadership board and members who are conveners of another board may not be members of the scrutiny and petitions board.
- (c) The chairperson and vice-chairperson of the scrutiny and petitions board shall not be members of the same political party.
- (d) The scrutiny and petitions board may take evidence on an issue from members and officers who shall be given at least three clear days notice if they are required to attend. When an officer is giving evidence he shall be questioned only on technical and/or professional matters within his remit. The scrutiny and petitions board may also invite other individuals or representatives from other organisations to attend and give evidence to the board on an issue under consideration by the board.
- (e) The party whip shall not apply to meetings of the scrutiny and petitions board.
- (f) The scrutiny and petitions board shall prepare an annual programme of business which it shall deal with in the forthcoming year. Items of business may also be referred to the scrutiny and petitions board for investigation by the Council or the leadership board.

- (g) A member of the scrutiny and petitions board may submit an intimation requesting that a particular matter be considered by the board provided that the matter lies within the terms of reference of the board. An intimation shall be in writing, shall state the reason for the request, and shall be signed by the member giving the intimation, and be delivered to the proper officer at least fourteen clear days prior to the meeting of the scrutiny and petitions board at which the intimation is to be considered. The intimation shall be printed in the agenda of the meeting of the scrutiny and petitions board, without prejudice to the right of the chairperson to rule as to its competency and relevancy. The board may agree
 - (i) that the matter be considered immediately; or
 - (ii) that the matter be considered as part of a future review; or
 - (iii) that the matter be referred to officers for investigation; or
 - (iv) that the matter be not considered.
- (h) The scrutiny and petitions board shall make recommendations to the Council either through the minutes of its meetings or by reports to the Council on specific items of business.
- (i) The scrutiny and petitions board shall consider petitions in accordance with the procedures agreed by the Council.

Quorum of Boards

- 49. The quorum of members at any meeting of a board shall be at least one quarter of the whole number of members of the board at that date subject to the proviso that in no case shall the quorum be less than three members.
- 50. If, ten minutes after the appointed time for the meeting, a quorum is not present the meeting shall stand adjourned until such date and time as may be determined by the clerk in consultation with the chairperson of the relevant board. The proper officer shall minute the reason for the adjournment of the meeting.

Special Meetings of Boards

- 51. A special meeting of a board may be called by the chairperson of that board or in his absence a depute chairperson by giving notice to that effect to the proper officer, specifying the business to be considered. Such a meeting shall be held within fourteen days of receipt of the notice by the proper officer.

Rights of Members

52. Subject to standing order 48(g) (which sets out the arrangements to be followed in the case of the scrutiny and petitions board), a member may submit an intimation requesting that a particular matter be considered by a board provided that the matter lies within the terms of reference of the board. An intimation shall be in writing and shall be signed by the member giving the intimation, and be delivered to the proper officer at least fourteen clear days prior to the date of the meeting of the relevant board at which the matter is to be considered. Upon receipt of such intimation the matter shall be printed in the agenda of the meeting of the appropriate board without prejudice to the right of the chairperson to rule as to its competency and relevancy.
53. Any member exercising the right referred to in standing order 52 in relation to consideration of a matter at a board of which he is not a member shall be entitled to attend the meeting of the relevant board for the purpose of speaking to the matter, but shall not otherwise participate in the business of the board or be entitled to vote.

Deputations

54. Any written request received by the proper officer that a deputation be received by the Council on a particular matter shall be referred in the first instance to the chairperson of the appropriate board. Should the chairperson consider that the matter raised by the deputation is one which is competent and relevant for the board to determine, the written request shall be placed on the agenda for the first appropriate meeting of the relevant board. Thereafter, where the board considers it appropriate to do so in a particular case, the board may make arrangements for hearing the deputation at a subsequent meeting of the board.
55. In the event of a board agreeing that arrangements be made to hear a deputation the following provisions shall apply:-
 - (a) the deputation shall not exceed three in number;
 - (b) representatives of the deputation may speak for a total of no more than ten minutes, unless the chairperson otherwise permits; and
 - (c) it shall be competent for members to put to the deputation only questions relevant to the subject of the deputation.

Chair's Recommendations

56. A recommendation to a board in the form of a chairperson's recommendation shall be held to be the motion before the meeting. No seconder shall be necessary unless intimation is made that an amendment to the motion is proposed, in which case the motion must be seconded.

Speeches at Boards

57. There shall be no formal restrictions upon the length of time a member may speak at a board. However, the chairperson shall have the power to require any person speaking to limit his speech in order to facilitate the conduct of the meeting.

Voting at Boards

58. Voting at boards shall be taken electronically unless at least three members present require a roll call vote in which case the vote shall be taken by calling the roll.