



From mountain to sea

# **Scheme of Governance**

## **Part 1- Standing Orders**

10 March, 2023



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## **Standing Orders**

This document contains the rules which regulate the business and proceedings of Aberdeenshire Council and its appointed Committees and Sub-Committees.

### **1. APPOINTMENTS AND NOMINATIONS**

- 1.1 The first Meeting of Full Council after an ordinary election of Members will be held within 21 days from the date of the election. At that Meeting, Full Council will:-
- a. Elect the Convener of the Council as the Civic Head who shall be called the Provost.
  - b. Elect a Deputy Convener of the Council who shall be called the Deputy Provost.
  - c. Appoint the Leader and the Deputy Leader of the Council.
  - d. Appoint the Chairs and Vice-Chairs of the Policy Committees, the Audit Committee and any Miscellaneous Committees.
  - e. Agree composition of Policy Committees, the Audit Committee and any Miscellaneous Committees, having regard to the political proportionality of the Council.
  - f. Appoint Members to represent the Council on any Joint Committees, Joint Boards, statutory bodies, partnerships and internal meeting groups.
  - g. Agree arrangements for the appointment of external membership to statutory and other committees.
  - h. Nominate or appoint Members to serve on various outside bodies.
  - i. All appointments and nominations referred to in a. to h. above, will be effective for the full council term unless provided otherwise by statute or a motion to remove a Member or external member is carried by a majority of Members present and voting at the Council or Committee or Sub-Committee meeting as appropriate.

### **2. ARRANGING MEETINGS**

#### **2.1 Ordinary Meetings**

1. Full Council shall, not later than 31 December each year, determine a programme of dates of Meetings to be held by Full Council, by the Policy Committees, by the Audit Committee and by the Area Committees during the twelve months commencing on 1 May of the following year and shall meet in accordance with that programme.
2. All Ordinary Meetings of Full Council and of the Policy Committees and the Audit Committee shall commence at 10.15 am, shall adjourn at 1.00 pm

for lunch and if business is not completed by 5.00 pm, the meeting shall be adjourned. Such meetings will normally be held at Woodhill House, Westburn Road, Aberdeen.

3. All Ordinary Meetings of the Area Committees shall adjourn at 1.00 pm for lunch and if business is not completed by 5.00 pm, the meeting shall be adjourned.
4. All Sub-Committees shall be held at the times and locations detailed in accordance with a programme approved by each Sub-Committee or as agreed with the relevant Chair.

## **2.2 Special Meetings**

1. A Special Meeting may be called:-
  - a. By the Chair; or
  - b. By one-fourth or more of the membership of Full Council or the voting membership of the Committee, provided a signed requisition is sent to the Director of Business Services detailing the business to be transacted at the Special Meeting.
2. The Special Meeting shall be held within fourteen calendar days of the day of receipt of the requisition by the Director of Business Services.
3. Where a special meeting of Full Council is called at a time conflicting with a previously scheduled meeting of a Committee or Sub-Committee, the Committee Officer, following consultation with the Chair of the Committee or Sub-Committee, will advise Members of a revised date and time for the meeting of the Committee or Sub-Committee.

## **2.3 Calling Meetings**

1. For all Meetings other than those of an Area Committee a notice will be published online and, where possible, at the Council offices at least seven calendar days before the date of the Meeting, which will:-
  - a. Detail the time and, where relevant, the place of the Meeting together with access arrangements where appropriate; and
  - b. If it is a Special Meeting, name the Members who have called the Meeting.

2. In addition to the notice, a summons specifying the business to be transacted at the Meeting and signed by the Director of Business Services shall be sent to:-
  - a. Members electronically by e-mail to their Aberdeenshire Council e-mail address or, in exceptional circumstances, by post to their usual residence or to another address which the Member has given in writing to the Director; and
  - b. External members electronically by secure e-mail to the e-mail address which the external member has given in writing to the Director.
3. The above provisions at 2.3.1 and 2.3.2 shall apply to Meetings of an Area Committee **except that** six calendar days shall be provided rather than seven and the summons to attend the Meeting shall be signed by the relevant Area Manager instead of the Director of Business Services.
4. In a case of urgency, the timescales to provide notice of the Meeting (or any supplementary notice) and/or summons to attend the Meeting as detailed in 2.3.1, 2.3.2 and 2.3.3. above can be reduced to:-
  - a. The time of the start of the meeting, where the chair determines it is necessary on the grounds of public safety; and in all other cases,
  - b. Three calendar days.
5. If any Member does not receive a summons, the decisions taken at the Meeting will still be valid.
6. If a meeting is adjourned to a new day, notice and summons will be issued in accordance with Standing Order 5.3.1.
7. Saturdays, Sundays and Public Holidays are included in calculating calendar days.

## 2.4 Cancelling Meetings

1. The Chair may cancel or reschedule any meeting because of a lack of business or in exceptional circumstances. This will be notified as soon as practicable by e-mail to Members and on the Council's website.

### **3. MEMBERS' ATTENDANCE AT MEETINGS**

#### **3.1 Quorum**

1. There must be a minimum number of Members present at a Meeting. This is known as the quorum. The quorum for each Meeting shall be one-fourth of the whole number of its membership, subject to a minimum of three, except in the case of the Audit Committee where the quorum shall be five. No business can be determined at a Meeting unless a quorum is present.
2. If at any time during a Meeting there is a question about whether or not there is a quorum, the Chair will, after allowing an interval of ten minutes, ask the Committee Officer to count the number of Members present. If a quorum is not present, in accordance with the provisions in Standing Order 5.3.1 the Meeting will be adjourned.
3. If, ten minutes after the time set for the start of a Meeting a quorum is not present, the Meeting will be abandoned and the Committee Officer will record that no business was considered because there was no quorum.

#### **3.2 Attendance when a Member is not a member of the Committee**

1. Subject to Standing Order 3.2.2, any Member may be present at a Meeting of a Committee of which they are not a member provided that the Member may not speak at the Meeting except in the following circumstances.
  - a. With the express permission of the Chair.
  - b. When speaking to a Member Promoted Issue.
  - c. When speaking to a Notice of Motion.
2. A Member cannot be present at a Meeting or a quasi-judicial hearing for which they are not a member when all of the following three conditions apply:-
  - a. The public have been excluded from the Meeting; and
  - b. The Meeting is considering a matter where the decision may affect the interests of any person or body; and
  - c. The decision is made after a hearing by the body where the person has a right in terms of any law, Standing Order or administrative procedure, to be heard in person or by a representative.

### **3.3 Ex Officio Rights**

1. The Provost and Deputy Provost of the Council shall be entitled to attend and participate in an ex officio capacity all other Committees and Sub-Committees of the Council but such attendance shall not confer the right to vote or to have a substitute attend in their place.

### **3.4 Substitute Members**

1. If Members are unable to attend meetings of a Committee or Sub-Committee for which they are a substantive Member, they may be represented by a substitute with full voting rights, provided the name of that substitute has been intimated to the Director of Business Services or to the relevant Committee Officer, before the start of the Meeting.
2. Substitution for part of a Meeting shall not be permitted, but if a Meeting is adjourned to a second day, a different substitute Member may attend the second day provided the name of the substitute is intimated to the Director of Business Services or to the relevant Committee Officer before the start of the Meeting on the second day.
3. Where named substitutes have been appointed, only a named substitute may attend in place of a substantive Member provided that the named substitute has received any required training.
4. The provisions of Section 3.4 shall not apply to Area Committees and Full Council.

## **4. THE AGENDA AND REPORTS FOR MEETINGS**

### **4.1 Agenda**

1. The summons will include an Agenda of the items of business for the Meeting. These will be set out in the order in which they will be considered at the Meeting except that the Chair may, at their discretion, alter the order of the business at any stage.
2. No item of business (including Notices of Motion) may be considered at a Meeting unless:-
  - a. It is specified in the summons or any supplementary notice and copies of the summons and any supplementary notice are available to any member of the public; or
  - b. It is required by statute; or
  - c. It is an item that the Chair considers to be urgent and the reasons of the urgency will be recorded in the Minutes. The item must be provided in



writing to the Committee Officer unless due to the nature of the item the Chair determines otherwise.

3. Copies of the Agenda for a Meeting and Reports on items of business will be open to public access by being available at the Council's offices and published on the Council's website for at least three clear days before the Meeting or on the day they are sent out to Members, whichever is the later.
4. If the Monitoring Officer or their representative considers that a Report (or any part of a Report) relates to an item of business which, in their opinion, the Meeting is likely to consider in private, the Report (or part of that Report) will either be marked:-

“Not for Publication” and every copy of the Report (or the appropriate part) will reference a description of the exempt information the Report contains, in keeping with the law<sup>1</sup>; or

“Confidential” and every copy of the Report (or the appropriate part) will state that it contains confidential information.

## **4.2 Notices of Motion and Member Promoted Issues**

1. A Member may submit a Notice of Motion to ask:
  - a. In the case of Full Council, for any matter in which the Council has a general interest to be considered at a Meeting of Full Council; and
  - b. In the case of an Area or Policy Committee, for any matter which can be regarded as competent business for that Area or Policy Committee to be considered at a Meeting of that Area or Policy Committee.
2. The motion must be in a recorded format, identified as being from a Member, and given or sent to the Director of Business Services or the appropriate Area Manager to be received by noon, fourteen calendar days before the relevant next ordinary Meeting.
3. If the Chair determines that the notice of motion is admissible, this will be included on the Agenda for the next ordinary Meeting. Notices of Motion will be listed on the agenda in the order in which they have been received. If the Chair considers the Notice of Motion deals with the same subject as an item of business otherwise on the agenda the subject matter of the Notice of Motion will be considered as part of the item of business.
4. If the Chair determines that the Notice of Motion is inadmissible, at the request of the proposer, it will be included on the agenda with the reasons

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<sup>1</sup> Section 50B and Schedule 7A of the Local Government (Scotland) Act 1973

for inadmissibility subject to any modification considered necessary by the Monitoring Officer.

5. If a Member who has given a Notice of Motion is absent when it is to be considered at the Meeting for the first time, then prior to the Meeting the Member can nominate another Member (in writing to the Director of Business Services or the appropriate Area Manager with the permission of the other Member) to move the motion or it shall be put on the agenda of the next ordinary Meeting. If, at the next ordinary Meeting, the Member is again absent or has not nominated another Member to move the motion, the Notice of Motion shall fall.
6. Any Member submitting a Notice of Motion to a Policy Committee or Area Committee for consideration, reporting or determination of the matter shall be invited to attend the Committee. If the mover (Member submitting the Notice of Motion) is not a member of the Committee, they may address that Committee. If the matter is sent to a Sub-Committee by the Committee, the mover shall be invited to attend and may address that Sub-Committee. Provided that unless the mover is a member of the Committee or Sub-Committee to which their motion is referred, they shall not be entitled to vote on the motion.
7. Any Notice of Motion remitted by the Council to a Committee or Sub Committee which is moved but not seconded shall be recorded in the Minutes.
8. A Member may promote and raise business for the attention of Full Council and Area and Policy Committees using the Mechanism for Member Promoted Issues set out in Part 4F of the Scheme of Governance.
9. When speaking to the Member Promoted Issue report, whether a Member of the Committee or not, the Member(s) raising the Member Promoted Issue will be permitted a period of up to ten minutes or such other period as the Chair may determine.

#### **4.3 A Member may also submit questions for a meeting of Full Council**

1. A Member may address a question to the Provost, the Chair of any Committee or the Chief Executive at any ordinary Meeting of Full Council. The question, which may comprise a series of component parts about the same subject, must be about any relevant and competent business which is not included on the agenda for the Meeting. The Member must give the question in writing to the Chief Executive not later than noon, fourteen calendar days before the Meeting.
2. Questions and any written answers, numbered in the order in which they have been received, will be circulated as part of the agenda for the

Meeting of Full Council. It shall be for the Provost to determine whether the question, or any supplementary question, is admissible. If the Provost determines that the question is inadmissible, at the request of the proposer, it will be included on the agenda with the reasons for inadmissibility subject to any modification considered necessary by the Monitoring Officer.

3. The Member who asked the original question may ask one supplementary question to clarify the answer given.
4. No further discussion will be allowed, and it will not be competent to move any motion arising from a question or the answer given.
5. Written questions, supplementary questions and any written answers and supplementary answers will be recorded in the minutes.

## **5. DURING MEETINGS**

### **5.1 Arrangements for Chairing Meetings**

1. At a Meeting the Chair will preside.
2. If the Chair is absent from a Meeting the Deputy/Vice Chair will preside; if they are both absent, another Member chosen by the Members present that day will preside.
3. At all times during a Meeting, Members will respect the authority of the Chair. If the Chair speaks, any Member who is speaking to the Meeting will stop.
4. At Meetings of Full Council, Members will stand when speaking and will address the Provost; reasonable adjustments will be made by the Provost in situations where standing is not suitable for any Member.
5. The Chair's duty is to preserve order at the Meeting and ensure that Members are given a fair hearing. If two or more Members try to speak at the same time, the Chair will decide who is to speak first.
6. The Chair will decide all matters of order, admissibility and urgency and that ruling will be final.
7. The Chair will ensure that the decision of the Meeting is clear with regard to all matters which form the business of the Meeting.
8. The Chair may allow any Member to participate and vote in a Meeting although not actually present at the location where the Meeting is being

held by way of the Council's agreed technology. The Chair's consent shall not be unreasonably withheld.

9. If a Member persistently misbehaves by disregarding rulings by the Chair, or behaves improperly or offensively, or wilfully obstructs the business of the Meeting, the Chair may take the following courses of action sequentially:-
  - a. Warn the Member about their behaviour;
  - b. Tell the Member not to speak during the remainder of the debate on the item being discussed;
  - c. Move that the Member should not speak again during the Meeting. The motion, if seconded, will be decided without discussion, if the motion is carried the Member will not speak again during that Meeting;
  - d. Move that the Member should be suspended for the remainder of the Meeting. The motion, if seconded, will be decided without discussion, if the motion is carried, the Member will leave the Meeting immediately;
  - e. Adjourn the Meeting for a short time as seems reasonable to the Chair in the circumstances.
10. If there is disorder at any Meeting, the Chair will be entitled to adjourn the Meeting to later that day. If that is not practicable, the Meeting may be adjourned to another date and time as the Chair may decide then or afterwards.

## **5.2 Rules of Debate and how motions and amendments are moved and decided**

1. Every motion and amendment must be moved and seconded. A Member may not move or second more than one amendment to a motion, and may not move or second an amendment if they have moved or seconded the motion. If a motion or an amendment is withdrawn, its mover or seconder may move or second another amendment or motion, as the case may be. The terms of any motion or amendment will be stated immediately when they are moved and seconded and before the mover and seconder speak to the motion or amendment. Every motion or amendment must be relevant to the item of business. Every amendment must be relevant to the motion.
2. Where the Chair rules any purported motion or amendment as irrelevant or incompetent, it shall not be put to the meeting.
3. If the Chair decides, a motion or amendment will be written down and given to the Committee Officer who will read it to the Meeting.

4. A purported motion or amendment which is not seconded will not be discussed but will be recorded in the Minutes, if requested by the mover, provided that the request is made immediately after the decision on the item has been made.
  5. A motion or amendment which has been seconded may only be withdrawn or altered in substance by the mover and only if the seconder agrees.
  6. Any Member who at any Meeting has taken part in a vote will have their dissent from the eventual decision recorded in the Minutes, provided that the request is made immediately after the decision on the item has been made.
  7. A motion for the approval of a Minute of a Meeting, or of any part of such minute, will be considered as an original motion and in such case, any proposal involving alteration or rejection of the Minute will be dealt with as an amendment.
  8. The Chair will have the first opportunity to move approval of the Minute.
  9. Any Member who indicates a wish to speak at any meeting of the Council shall address the Chair and shall direct their speech to:-
    - a. The matter before the meeting by proposing, seconding or supporting the motion or any amendment relative thereto; or
    - b. A point of order.
- Provided that no Member shall speak more than once in the same debate at any Meeting except on a point of order, unless with the permission of the Chair.
10. Any Member moving or seconding a motion or amendment will not speak for more than ten minutes other than on a motion to adopt the Capital Plan or any Budget (including Housing Revenue Budget, Annual Revenue Budget and Carbon Budget). Members speaking during the debate will not speak for more than five minutes. The mover(s) of any amendment(s) and the mover of the original motion each have a right to sum up, in reverse order, for not more than three minutes. The foregoing limits of time may be exceeded with the consent of the majority of the members present and voting, such vote to be by means of a show of hands.
  11. When the mover of the original motion has summed up, the Chair will close the debate, and no other Member will be allowed to speak. The Committee Officer will announce the terms of the motion and amendment(s) and take the vote.

## 5.3 Procedural Motions

### 1. Adjournment

A meeting may be adjourned:-

- a. By the Chair:-
  - i. For a reasonable interval or to another date if they decide there is a good reason to do so.
  - ii. If at any time during a meeting a quorum is not present.
  - iii. If there is disorder during a meeting.
- b. By the Committee following a successful motion to adjourn subject to:-
  - i. The Members agreeing a date at the Meeting.
  - ii. If there is no such agreement, it will be determined by the Chair, either then, or afterwards.
  - iii. The vote on a motion for adjournment, on being seconded, will be taken without amendment or discussion and by show of hands.
  - iv. Any subsequent motion to adjourn to another date will not be competent within a period of one hour after the decision on the earlier motion.
  - v. If it is decided at the Meeting to adjourn, the remaining business will stand over until a resumed Meeting.
  - vi. Subject to the Chair's discretion under Standing Order 4.1.1, proceedings shall start at the point at which they were broken off at the adjournment. A fresh notice of the Meeting will not require to be issued.
  - vii. If there is sufficient time then Standing Order 2.3 will apply and a fresh notice will be issued.

### 2. Points of Order

- a. Any Member may at any time at any Meeting speak upon a point of order which should be as soon as practicable following the point arising. Reference to the particular Standing Order should be made, which, in their opinion, is being breached.
- b. Any Member who is then addressing the Meeting shall pause to allow the Member making the point of order to speak. No other Member shall be entitled to speak to the point of order raised except by permission of the Chair.

- c. The Chair shall then decide the question and the Member who was addressing the Meeting at the time the point of order was raised shall be entitled (if the ruling of the Chair permits them so to do) to continue their speech.

### **3. Closing the debate**

- a. A motion “that the question be now put” will be permitted during discussion of another motion provided the Member moving the motion has not spoken during the debate and where at least five members (excluding the movers and seconders of the original motion and any amendments) have spoken on the matter. The motion “that the question be now put” will be moved, seconded and voted on without discussion.
- b. If the said motion is carried, the mover(s) of the original motion and of any amendment(s) will be entitled to sum up, in reverse order, and the Chair will then put the original motion and amendment(s) to the vote. If the motion “that the question be now put” is not carried, a similar motion may be made after every three additional Members have spoken.

## **5.4 How votes are taken**

1. A vote will normally be taken electronically or by calling the roll, and the names of those voting for or against the motion or amendment(s) will be taken down and recorded in the minutes. Where a vote is taken by show of hands, the names will not be recorded in the Minute.
2. When there is more than one amendment to the motion, then, unless the Chair decides otherwise in order to avoid inconsistency in voting, the last amendment shall be put against the amendment immediately preceding. The amendment which is carried shall be put against the next preceding amendment. This process will continue until there is only one amendment remaining. A vote will then be taken between the motion and the remaining amendment, and whichever is carried will be the decision of the Meeting.
3. In the case of an equality of votes, the Chair will have the right to a second or casting vote except where the vote relates to the appointment of a Member to any particular office, in which case a Decision by Lot will be administered by the Committee Officer.
4. When Members or Officers are to be appointed or nominated to any positions to be filled by the Council, the following process shall be adopted:-

- a. Where a vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed or nominated, or
- b. Where for any one vacancy more than one candidate is nominated or in the case of more than one vacancy the number of candidates nominated exceeds the number of vacancies, the Member or Members to be appointed or nominated will be determined by a vote or votes. In each case, Members will be entitled to vote for as many candidates as there are vacancies but they may not cast more than one vote for any candidate;
- c. The vote will normally be taken electronically or by calling the roll, unless the Council resolves in the case of any particular appointment or nomination to take the vote by secret ballot;
- d. The name of the candidate having fewest votes will be deleted from the list. This process of elimination by voting will be continued until the number of candidates equals the number of vacancies;
- e. If in any vote for more than two candidates there is equality of votes among the candidates having the least votes, the candidates whose names will be eliminated will be determined by an additional vote. The candidate then having fewest votes will be deleted from the list;
- f. The provisions of the preceding paragraphs will apply equally in the case of the appointment of a person other than a Member except that where there is an equality of votes the Chair will have the right to a second or casting vote.
- g. In the case of any vote relating to the appointment of an officer, the Minute shall record:
  - i The names of those candidates proposed and seconded for appointment but not the names of proposers or seconders; and
  - ii The name of the candidate who received the votes of a majority of those present and voting but not the names or numbers of those voting for each candidate.

## **5.5 Referring To Full Council**

1. Following a vote at committee, Members can ask for the decision reached to be referred to Full Council for final determination in accordance with the provisions in this section.
2. A referral can only be requested when one third or more members of the Committee present and voting on that matter at the meeting:-
  - a. Vote against the decision reached; and
  - b. Make the request for referral at the time the decision is reached.



3. The referral must be submitted by report to Full Council by the Director of the relevant Service and no action will be taken on the decision reached until the matter has been determined by Full Council.
4. Provided that this does not apply following a vote on:-
  - a. The appointment of a member of staff following an interview.
  - b. Appointing Members to Sub-Committees or as representatives of the Council.
  - c. On a matter of urgency.
  - d. Where it would prevent the Council from making a decision or observations within a statutory timescale.
  - e. Decisions by the School Placings and Exclusions Appeal Committee.
  - f. Decisions on planning applications at Area Committee (which should be referred instead to the policy committee responsible for planning).
  - g. Decisions on asset transfer applications.
  - h. Where the decision is to make recommendation to another Committee or Full Council.

## **6. PUBLIC PARTICIPATION AT MEETINGS**

The Council welcomes public participation at its Meetings. The following arrangements are designed to enhance and regulate public participation at Meetings.

### **6.1 Public Access to Meetings**

1. Every Meeting of Full Council, its Committees (including Sub-Committees) will be open to the public, except in the special circumstances set out in 3-5 below.
2. Meetings may be webcast by the Council. Otherwise, no person or body shall be permitted, without the permission of the Meeting, to audio record, photograph, video, film or use any other form of electronic, digital or computerised sound or visual recording system during any Meeting.
3. The public must be excluded from a Meeting when an item of business is being considered if it is likely, because of the business itself or what might be said at the Meeting, that confidential information (as meant by the relevant law<sup>2</sup>) would be given to members of the public.
4. Full Council or the Committee may decide, by passing a resolution at any Meeting, to exclude the public when it is considering an item of business if it is likely, because of the business itself or what might be said at the Meeting, that exempt information (as meant by the relevant law as referred to in 6.1.3 above) would be given to members of the public. The resolution

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<sup>2</sup> Section 50A and Schedule 7A of the Local Government (Scotland) Act 1973

to exclude the public will make clear the proceedings or which part of the proceedings of the Meeting it applies to and state the description of the exempt information.

5. Full Council or the Committee, in order to stop or prevent disorderly conduct or other misbehaviour at a Meeting, may exclude or eject members of the public whose presence or conduct is impeding or is likely to impede the Meeting. If a member of the public interrupts any Meeting, the Chair may warn the person. If they continue the interruption the Chair may order that they immediately leave the Meeting.
6. Information as to the proceedings at any meeting from which the public are excluded shall not be given to representatives of the press or to any other person unless such information is provided by the Chair or by a person authorised by the Chair in a press statement, or in the publicly available minute for that item.

## **6.2 Petitions and Requests to Speak for items not on the Meeting Agenda**

1. Members of the public may submit a Petition or a Request to Speak for items not on a Meeting Agenda to a Committee or Full Council in terms of the following provisions.
2. Each Petition or such Request to Speak shall be received by the Director of Business Services not later than noon, fourteen calendar days before the relevant Meeting and state clearly:
  - a. The subject-matter of the Petition or the Request to Speak; and
  - b. The action, if any, that is proposed that the Council take; and
  - c. Whether in the case of a Petition, the party to the Petition is also making a Request to Speak at the Meeting.
3. If, in the opinion of the Chair, the subject matter of the Petition and/or the Request to Speak is:-
  - a. In the case of Full Council, competent and relevant, in terms of its remit or is a matter in which the Council has a general interest; or
  - b. In the case of a Committee is competent and relevant, in terms of its remit.

It shall be put before the Meeting.

4. It is at the discretion of the Chair to decide whether to put before the Meeting a Petition or Request to Speak which is received late.

5. If agreed by Full Council or the Committee at the Meeting, the Petition and/or the Request to Speak shall be put before the Meeting for consideration.
  - a. Where there is a Request to Speak (whether with a Petition or on its own), the Meeting will first determine whether to allow the Request to Speak. If allowed, there will be permitted a period of up to five minutes (per Request to Speak) to present to the Meeting, or such other period as the Chair may determine. Not more than two speakers to any one Request to Speak shall be permitted to address the Meeting. The Chair will allow an appropriate period whereby any Member may ask a question relevant to the subject. Only when all requests to speak on the particular matter in question have concluded, will Members discuss the matter.
  - b. Where there is no Request to Speak as part of the Petition, or where it is not agreed by the Meeting to allow the Request to Speak, then the Chair will allow an appropriate period for any Member to ask questions relevant to the subject and for Member discussion on the matter.

### **6.3 Requests to Speak for items on the Meeting Agenda (other than planning applications)**

1. A Request to Speak at a Meeting of a Committee or Full Council may be made by members of the public in terms of the following provisions.
2. The Request to Speak shall be in writing and shall be received:-
  - a. In the case of Full Council or a Policy Committee by the Director of Business Services not later than noon, on the Monday before the date of either Full Council or the relevant Policy Committee Meeting; or
  - b. In the case of an Area Committee by the relevant Area Manager no later than noon on the Friday before the date of the relevant Area Committee Meeting.
3. The Request to Speak must state clearly:-
  - a. The subject matter of the Request to Speak;
  - b. For which Meeting the Request to Speak is sought; and
  - c. The action, if any, that is proposed that the Council take.
4. If, in the opinion of the Chair, the subject matter of the Request to Speak, is:-
  - a. In the case of Full Council, competent and relevant, in terms of its remit or is a matter in which the Council has a general interest; and
  - b. In the case of a Committee is competent and relevant, in terms of its remit.

It shall be put before the Meeting.

5. It is at the discretion of the Chair to decide whether to put before the Meeting a Request to Speak in terms of this provision which is received late.
6. The Meeting will first determine whether to allow the Request to Speak. If allowed, there will be permitted a period of up to five minutes (per Request to Speak) to present to the Meeting, or such other period as the Chair may determine. Not more than two speakers to any one Request to Speak shall be permitted to address the Meeting. The Chair will allow an appropriate period whereby any Member may ask a question relevant to the subject. Only when all requests to speak on the particular matter in question have concluded will Members discuss the matter.

#### **6.4 Petitions for Items on a Meeting Agenda**

1. Members of the public may submit a Petition for items on a Meeting Agenda to a Committee or Full Council in terms of the following provisions.
2. Each Petition shall be in writing and shall be received:-
  - a. In the case of Full Council or a Policy Committee by the Director of Business Services not later than noon, on the Monday before the date of either Full Council or the relevant Policy Committee Meeting; or
  - b. In the case of an Area Committee by the relevant Area Manager not later than noon on the Friday before the date of the relevant Area Committee Meeting.
3. The petition must state clearly:-
  - a. The subject-matter of the Petition; and
  - b. The action, if any, that is proposed that the Council take; and
  - c. Whether in the case of a Petition, the party to the Petition is also making a Request to Speak at the Meeting.
4. If, in the opinion of the Chair, the subject matter of the Petition and/or the Request to Speak is:-
  - a. In the case of Full Council, competent and relevant, in terms of its remit or is a matter in which the Council has a general interest; or

- b. In the case of a Committee is competent and relevant, in terms of its remit.

It shall be put before the Meeting.

5. It is at the discretion of the Chair to decide whether to put before the Meeting a Petition or Request to Speak which is received late.
6. If agreed by Full Council or the Committee at the Meeting, the Petition and/or the Request to Speak shall be put before the Meeting for consideration.
  - a. Where there is a Request to Speak (whether with a Petition or on its own), the Meeting will first determine whether to allow the Request to Speak. If allowed, there will be permitted a period of up to five minutes (per Request to Speak) to present to the Meeting, or such other period as the Chair may determine. Not more than two speakers to any one Request to Speak shall be permitted to address the Meeting. The Chair will allow an appropriate period whereby any Member may ask a question relevant to the subject. Only when all requests to speak on the particular matter in question have concluded, will Members discuss the matter.
  - b. Where there is no Request to Speak as part of the Petition, or where it is not agreed by the Meeting to allow the Request to Speak, then the Chair will allow an appropriate period for any Member to ask questions relevant to the subject and for Member discussion on the matter.

## **6.5 Determination of all Petitions and Requests to Speak (other than planning applications)**

1. Having discussed the subject matter of the Request to Speak or the Petition (whether with or without an accompanying Request to Speak), Members will determine one of two courses of action:-
  - a. Whether simply to note the terms of the Request to Speak or the Petition; or
  - b. Whether to instruct the relevant officer to provide a report for a subsequent Meeting of Full Council or a Committee.

Provided it will not be competent for the Members to take a substantive decision in the absence of a report referred to in b. above.

## 6.6 Requests to Speak about planning applications that are on the Meeting Agenda

1. In the case of requests to speak on planning applications which form part of the Meeting Agenda:-
  - a. An applicant, consultee or anyone who has submitted a valid representation on a planning application, may, by themselves or through an agent, make a request to speak at a Meeting which is to be considering/determining the application.
  - b. Only one Request to Speak may be made by a relevant party in respect of any one planning application at a Meeting which is to be considering/determining the application.
  - c. A request to speak must be submitted, in writing, to the Area Manager for the Area within which the application site is located, ordinarily no later than:-
    - i. Noon on the Friday before the date of the Area Committee meeting concerned; or
    - ii. Noon on the Monday before the date of either Full Council or the Policy Committee meeting concerned;
    - iii. It is at the discretion of the Chair to decide whether to put before the Meeting a Request to Speak which is received late.
  - d. All persons who have made a valid request to speak will be invited to attend the Meeting concerned, but Full Council or Committee has complete discretion whether requests to speak will be granted or not.
  - e. Where requests to speak have been granted the following procedure will apply:-
    - i. Speakers, or their representative, will normally be heard in the following order:-
      - A. Planning Officer
      - B. Consultees
      - C. The applicant, if present
      - D. Persons supporting the application
      - E. Objectors
      - F. Any other speakers
    - ii. No more than two speakers will be heard per Request to Speak.
    - iii. The maximum time allotted to each request will be up to five minutes or at the discretion of the Chair.
    - iv. A Member may, through the Chair, put any relevant questions to speakers once they have concluded.

- v. Only when all Requests to Speak on the particular application in question have concluded, will Members discuss the matter.

## **7. AFTER THE MEETING**

### **7.1 Minutes of Meetings**

1. The Minute of each Meeting will be included on the agenda for the next ordinary Meeting of Full Council or Committee (as the case may be) for approval. The Minute will be considered, corrected if need be, and where they are held to be a correct record of the Meeting, they will be signed, where possible, by the person presiding and given to the Committee Officer. Where the person presiding is no longer available the Minute will be signed by the current Chair.
2. No discussion or amendment will be competent on a Minute submitted at any Meeting for approval other than any amendment or discussion to the effect that they are not a correct record. Any amendment will include the words of the alteration which is proposed to the Minute. An objection to the correctness of a Minute will be dealt with by way of an amendment to a motion to approve the Minute.
3. Only Members who were present at the Meeting to which a Minute relates may vote on the correctness of the Minute.

### **7.2 Revisiting decisions of Full Council or a Committee**

1. No motion which seeks to alter or revoke a previous decision of Full Council or a Committee or has that effect will be considered within a period of 6 months of the original decision, unless:
  - a. Notice has been given on the agenda by virtue of a Notice of Motion submitted in terms of Standing Order 4.2, that the previous decision may be altered or revoked, and the Chair on the advice of the Monitoring Officer or their representative is satisfied that the previous decision can no longer be implemented or its effect has been substantially altered by subsequent circumstances; or
  - b. It is detailed in the terms of a report submitted to the Council or Committee by an officer that the previous decision can no longer be implemented or its effect has been substantially altered by subsequent circumstances and the Monitoring Officer or their representative agrees that this is the case.

## **8 SUSPENDING STANDING ORDERS**

1. Except in the case of Standing Orders numbers 1.1, 2.1.1, 3.1, 4 and 8 any one or more of the Standing Orders may be suspended in any case of urgency or upon motion made on a notice duly given at any Meeting provided that two-thirds of the Members present and voting shall so decide. Any motion to suspend Standing Orders shall be made with a short explanation and, on such motion being seconded, the Chair shall put the same to the Meeting without speeches or discussion. Any vote on such motion shall be by a show of hands.

## **9. REVIEWING THE SCHEME OF GOVERNANCE**

1. Parts 1, 2 and 3 of the Scheme of Governance cannot be rescinded or altered, nor additional provisions created unless:-
  - a. A resolution to do so is passed after notice is given at a previous Meeting of Full Council; or
  - b. A report is made to Full Council by the Monitoring Officer.
2. Part 4 can be amended by a resolution of Full Council where no notice has been given at a previous meeting.