

EAST DUNBARTONSHIRE COUNCIL

COUNCIL STANDING ORDERS

INDEX TO THE COUNCIL STANDING ORDERS

	Paragraph
FIRST MEETING	1
ORDINARY MEETINGS	2
SPECIAL MEETINGS	3 - 4
PLACE OF MEETINGS	5
NOTICE OF MEETINGS	6 - 9
ATTENDANCE AT COMMITTEES	10 - 11
ADJOURNMENT OF MEETINGS	12
ADMISSION AND EXCLUSION OF THE PUBLIC	13 - 17
CHAIRING OF MEETINGS	18 - 20
DUTIES OF THE CONVENER	21 - 22
QUORUM	23 - 25
ORDER OF BUSINESS	26 - 30
MINUTES	31 - 32
PLACING MOTIONS ON AN AGENDA	33 - 36
MOTIONS MOVED WITHOUT NOTICE	37
QUESTIONS - MATTERS ON AN AGENDA	38 - 39
QUESTIONS - MATTERS NOT OTHERWISE ON AGENDA	40 - 42
PETITIONS	43 - 45
MOTIONS - GENERAL	46 - 52
MOTIONS - SPECIAL	53 - 60
AMENDMENTS	61 - 64
BUDGET	65
PROCEDURE FOR SPEAKING	66 - 70
POINTS OF ORDER	71 - 73
VOTING - GENERAL BUSINESS	74 - 80
VOTING - VACANCIES AND APPOINTMENTS	81 - 82
EQUALITY OF VOTES	83 - 84
PECUNIARY INTERESTS OF COUNCILLORS	85
ALTERATIONS OF PREVIOUS DECISIONS	86
CANVASSING OF COUNCILLORS AND CHIEF OFFICERS	87 - 88
SIGNING AND SEALING OF DOCUMENTS	89 - 90

REVISION OF COUNCIL STANDING ORDERS	91
DEFINITIONS	92 - 93
APPENDIX TO COUNCIL STANDING ORDERS	Descriptions of Exempt Information
ADDENDUM TO COUNCIL STANDING ORDERS	Virtual Meetings

EAST DUNBARTONSHIRE COUNCIL

STANDING ORDERS

FIRST MEETING

1. The Council shall meet at 6.00 p.m. within twenty one days of the Council Election.

At this meeting, the Council shall elect:

- a) the Provost and Depute Provost
- b) the Conveners and Vice-Conveners of Committees
- c) the Leader and Depute Leader of the Council
- d) the Members of the Committees and Members of the Licensing Board.
- e) representatives to boards and various outside bodies

At this meeting the Council shall approve administrative arrangements and shall deal with any urgent business.

ORDINARY MEETINGS

2. Ordinary meetings of the Council and the Committees shall be held in accordance with a timetable approved by the Council. Changes to the timetable must be made not later than the preceding Ordinary Council meeting.

SPECIAL MEETINGS

3. A special meeting of the Council may be called at any time on a written request to the Chief Executive:
 - a) by the Provost, or the Depute Provost in his/her absence, or
 - b) by at least six Councillors

The request shall state the business to be conducted. The meeting shall be held within fourteen days of receipt of the request.

4. A special meeting of a Committee may be called at any time by the Convener or Vice- Convener in his/her absence, for such date and to transact such business as he/she shall determine.

PLACE OF MEETINGS

5. All meetings shall take place within the Council Headquarters, unless determined otherwise by the Council or the Convener of the relevant Committee.

NOTICE OF MEETINGS

6. All meetings shall be called:
 - a) by a Notice published at the Council Headquarters, and
 - b) by a Summons to attend emailed, mailed or delivered to every relevant Councillor at the address which they shall have previously intimated.
7. The Notice and Summons of the First Meeting and all Ordinary Meetings of the Council shall be issued at least six clear days before the meeting.

The Notice and Summons of any other meetings shall be issued at least six clear days before the meeting or, if the meeting is called at shorter notice, then at the time the meeting is called.

The Notice and Summons shall state the time and the date of the meeting and the business to be transacted.

NOTE : A "clear day" shall exclude the day of delivery and the day of the meeting and shall include weekend days.

8. Copies of the Agenda Papers for all meetings shall be circulated with the Summons to all Members. Agenda Papers shall be delivered in paper format to Members of the Committee. All non-Members of the Committee shall receive Agenda Papers in electronic format only.
9. Copies of the Agenda Papers and Background Papers (except those items of business to be transacted in private) shall be open for inspection at the Council Headquarters by any member of the public who shall be entitled to receive copies at a charge to be fixed from time to time.

ATTENDANCE AT COMMITTEES

10. Although the Summons and Agenda Papers for every Committee are issued to all Councillors, they are issued to non-Members of the relevant Committees primarily for information.
11. All non-Members of Committees shall be entitled to attend, speak and debate, but may not vote, on any item of business. However, a member cannot be present at any meeting of a sub-Committee or Board for which they are not a member when all of the following three conditions apply:-
 - (a) The press and public have been excluded from the meeting; and
 - (b) The meeting is likely to involve the taking of a decision which may affect the interests of any person or body following a hearing; and
 - (c) The person or a body has a right in terms of the law, Standing Orders or other administrative procedure, to be heard at that meeting in person or through a representative.

In addition, a Councillor shall not be entitled to speak and debate at any meeting of a quasi judicial board or committee where that Councillor is not a member of that quasi judicial board or committee.

ADJOURNMENT OF MEETINGS

12. The Convener may adjourn any scheduled meeting because of lack of business, inconvenience to Members, or unavailability of Members due to illness or other appropriate reason. The date on which the meeting is to be re-convened will be intimated as soon as possible.

ADMISSION AND EXCLUSION OF THE PUBLIC

13. Every meeting of the Council and its Committees and Sub-Committees shall be open to the public except in the circumstances mentioned below.
14. A meeting shall exclude the public during consideration of an item of business whenever it is likely that confidential information would be disclosed, i.e. either (a) information furnished to the Council by a Government Department on terms which forbid disclosure to the public or (b) information the disclosure of which to the public is prohibited by any enactment or by the order of a court.
15. A meeting may, by Resolution, exclude the public during consideration of an item of business whenever it is likely that exempt information would be disclosed. Such a Resolution must identify the items of business to which it applies and state the particular category of exempt information which is likely to be disclosed. The list of categories is contained in Schedule 7A of the Local Government (Scotland) Act 1973 and is reproduced as an an Appendix to these Standing Orders.
16. Except where the Council resolves otherwise, the audio and video recording of any meeting of the Council or its Committees shall be prohibited.
17. Standing Orders 13, 14 and 15 do not prejudice the ability of the Convener of a meeting to exclude the public or a member of the public in order to prevent or suppress disorderly conduct or other misbehaviour which impedes or is likely to impede the business of the meeting.

CHAIRING OF MEETINGS

18. All meetings of the Council shall be chaired by:
 - a) the Provost, or if absent :
 - b) the Depute Provost, or if absent :
 - c) another Councillor chosen by the Councillors present
19. All meetings of Standing Committees or Sub-Committees shall be chaired by:

- a) the Convener, or if absent :
- b) the Vice-Convener, or if absent :
- c) another Councillor member of the Committee or Sub-Committee chosen by the Councillor Members present.

20. All meetings of Special Committees shall be chaired by:

- a) whoever the appointing body decide or
- b) a Member of the Special Committee chosen by the Special Committee Members present.

DUTIES OF THE CONVENER

21. a) To decide all matters of decorum, order, competency and relevancy.
- b) To determine all matters of procedure for which no provision is made within these Standing Orders.
- c) To decide between two or more Members wishing to speak by calling on the Member who has first caught his/her eye.
- d) To ensure that a fair opportunity is given to all Members to express their views on any item of business.
- e) To preserve order within the meeting.
- f) To order the exclusion of any member of the public to prevent or suppress disorderly conduct or other misbehaviour.
- g) In the event of disorder arising, to adjourn the meeting to a time and date as he/she shall fix then or later, and leaving the chair in such circumstances shall without further procedure have the effect of a formal adjournment of the meeting.
- h) To sign the Minutes of the previous meeting, adjusted in accordance with any amendments adopted by the Council.
22. Deference at all times shall be paid to the authority of the Convener. When he/she speaks, he/she shall be heard without interruption, and no Member shall speak until the Convener has finished speaking.

QUORUM

23. The quorum for the meetings of the Council shall be six Councillors. The quorum for all other meetings shall be specified for each Committee or Sub-Committee within the Administrative Scheme.

24. If a quorum is not present within fifteen minutes of the time appointed for a meeting, the meeting shall stand adjourned until a time and date which the Convener shall fix then or later.
25. If a quorum is not present at any time during a meeting, there shall be an adjournment of ten minutes. If there is no quorum at the resumption of business, the meeting shall be adjourned until a time and date which the Convener shall fix then or later. Apologies should normally be intimated to the Clerk of the Committee, in advance of the meeting.

ORDER OF BUSINESS

26. All meetings shall commence with the recording of the names of the Members present and the intimation of apologies which shall be recorded in the Minutes.
27. Business thereafter shall proceed in the following order according to the nature of the Meeting.
 - a) The summons calling the Meeting shall be read or held as read.
 - b) In the case of Special Meetings, the authority for the meeting shall be stated.
 - c) Declarations of Interest
 - d) Business required by Statute to be done before any other business.
 - e) Convener's remarks.
 - f) Approval of the Minutes of the last and/or any intervening Special Meetings of the Council
 - g) Business expressly required by statute, statutory instrument or orders to be done at the meeting.
 - h) Business carried forward from the previous meeting.
 - i) Noting of the Minutes of the Committees (in the case of the Ordinary Meeting of the Council). Noting of the minutes of Sub-Committees (in the case of a Committee meeting).
 - j) Ordinary business.
 - k) Motions of which the required notice has been given.
 - l) Questions concerning any competent or relevant matter submitted in accordance with the procedure detailed in Standing Orders 40, 41 and 42.
 - m) Execution of Deeds.
 - n) Any business which the Convener decides is urgent.
28. The Order of business may be altered at the Convener's discretion or on the adoption of a motion to that effect.
29. If the Convener decides to accept urgent business, the reason for its acceptance shall be stated at the meeting and recorded in the Minutes.
30. To promote the effective management of the meeting, Members should seek clarification or advice on any points from officers in advance of the meeting.

MINUTES

31. Minutes of Council shall be submitted for approval at the next Ordinary Council meeting. Minutes of Committees and sub-Committees shall be submitted for approval at the next scheduled meeting of the relevant Committee or sub-Committee. Thereafter, the approved Minutes of the Committees shall be submitted to the next Ordinary Meeting of the Council for noting. In the case of sub-Committees, the approved Minutes shall be submitted to the next scheduled meeting of the Committee for noting.
32. Any discussion around the approval of a Minute shall not extend to the opening up discussion of the substantive issues detailed in the Minute.

PLACING MOTIONS ON AN AGENDA

33. A Councillor wishing to place a motion on the Agenda of any meeting shall submit a written and signed Notice of Motion, in English, to the Chief Executive or Chief Solicitor & Monitoring Officer at least ten clear days before the meeting. A Notice of Motion shall be circulated immediately to all Councillors and placed on the Agenda.
34. If the motion is not moved either by the Councillor who gave the Notice, or another Member on his/her behalf, then it shall fall unless continued by the consent of the meeting.
35. If the Convener decides that the motion is incompetent or irrelevant he/she shall rule it out of order at the meeting before it is moved.
36. If the motion is directed to a Committee of which the Councillor is not a Member, he/she shall be entitled to attend, speak and debate at the meeting, but not vote.

MOTIONS MOVED WITHOUT NOTICE

37. The following motions can be moved at any meeting without prior notice :
 - a) A motion arising out of matters on the Agenda.
 - b) An amendment to any motion moved at a meeting.
 - c) A motion moving the referral of an item of business back to a Committee or Sub- Committee.
 - d) A motion that the question be now put.
 - e) A motion that the Meeting proceeds to the next business.
 - f) A motion that the debate be adjourned.
 - g) A motion that the meeting be adjourned.
 - h) A motion to exclude the public.
 - i) A motion to suspend a Standing Order or Orders.
 - j) A motion to suspend a Member

QUESTIONS - MATTERS ON AN AGENDA

38. Any Member of a meeting may ask a question of the Convener. If the Convener decides that the question is relevant and competent, he/she shall answer it or direct that it shall be answered. No prior notice shall be required of a Member in such circumstances but the Member or Official to whom the question is addressed shall be given the opportunity of replying to the question in writing. Any such written answer shall be circulated to all members of the Council as soon as possible and included in the Minute of the meeting.
39. Any Councillor who is not a Member of a Meeting may ask a question of the Convener by submitting the question in writing to the Chief Executive Officer at least twenty four hours in advance of the meeting. The Councillor shall be entitled to attend the meeting and may speak and debate but not vote.

QUESTIONS - MATTERS NOT OTHERWISE ON AN AGENDA

40. A Councillor wishing to ask a question about a matter which is not otherwise on the Agenda of any Meeting but is part of the remit of either the Council itself, a Committee or Sub-Committee shall submit a written and signed question, in English, to the Chief Executive or Chief Solicitor & Monitoring Officer at least 10 clear days before the appropriate meeting. The question shall be circulated immediately to all relevant Councillors and placed on the Agenda.
41. If the Convener decides at the meeting that the question is relevant and competent he/she shall answer it or direct that it be answered. The question and answer shall be included in full in the Minute of the Meeting. No discussion or other questions shall be allowed.
42. If the question is directed to a Committee of which the Councillor is not a Member, he/she shall be entitled to attend, speak and debate at the Meeting, but shall not be entitled to vote.

PETITIONS

43. Petitions may be lodged in paper or electronic form to the Chief Solicitor & Monitoring Officer. Any petition meeting the criteria set out in Standing Order 44 will be sent to the local Councillor(s) concerned for information. Where a petition is determined to be invalid then the Chief Solicitor & Monitoring Officer will contact the lead petitioner to advise that the Petition is invalid and in doing so will set out the reasons why this is the case. Where a petition is valid, the Chief Solicitor & Monitoring Officer shall arrange for the petition to be placed on the agenda of the relevant Committee or Council meeting, as appropriate. The Petition shall be accompanied by a Report from the appropriate Depute Chief Executive.
44. A petition shall only be valid where each of the following criteria is met:

- a) the subject matter must relate to the functions of the Council;
- b) the subject matter does not seek to amend nor overturn a decision of Council or Committee taken within the preceding 6 months;
- c) the subject matter must be clearly stated on each page of the petition;
- d) there must be at least 2 individual petitioners;
- e) the full name and postal address, including post code, of each and every petitioner must be clearly stated; and
- f) the requirements of Standing Order 43 have been met.

Where a petition relates to a matter where the Council is acting in a regulatory or quasi judicial capacity, then such a petition will be considered as part of the relevant statutory process and shall be dealt with separately from this Standing Order. For the avoidance of any doubt, where a petition seeks to amend, appeal or otherwise overturn a decision of the Council which is taken in a regulatory or quasi judicial capacity then that petition shall be deemed to be invalid and the lead petitioner shall be advised accordingly.

45. Petitions requesting “No Ball Games” signs will be considered by the Depute Chief Executive – Place, Neighbourhood & Corporate Assets who, after consultation with the Local Councillors, may grant permission or refer such a decision to the Place, Neighbourhood & Corporate Assets Committee.

MOTIONS - GENERAL

46. Every motion or amendment shall be moved and seconded. Its terms shall be stated immediately by the mover without debate. If required by the Convener, it shall be put in writing and read to the meeting before it is further discussed. The Member seconding the motion shall do so in formal terms without debate. The motion must be competent and relevant to the business before the Meeting otherwise the Convener can rule it out of order.
47. A motion which is not seconded or is withdrawn shall not be discussed or recorded in the Minutes but the mover shall be entitled to have his/her dissent recorded to the decision taken on the item of business. This must be done at the meeting and no other reservation or qualification to a particular resolution will be allowed.
48. Once moved and seconded, a motion shall not be withdrawn without the consent of the mover and seconder.
49. A motion for the approval of a Report or a Minute of a Committee shall always be taken as the original motion and any motion involving alteration or rejection of such Report or Minute or any part shall always be taken as the amendment.
50. When the Convener of a Committee or Sub-Committee moves the Minute of that Meeting at either Council Meetings or a Meeting of the Parent Committee, he/she may move all items of the Minutes together and reserve his/her right to speak on each item separately if it is subject to amendment. Debate and voting shall then be taken separately in relation to each item.

51. When a motion is moved without amendment, it shall be open to members of the meeting to discuss the matter and it shall be within the power of the Convener to allow general debate on the subject before calling the motion to be put.
52. Motions or amendments which, if approved, would involve the Council incurring revenue or capital expenditure, or otherwise have a financial impact must:-
- (i) contain information regarding the full amount of such expenditure or financial impact and the source of funding; and
 - (ii) state whether the expenditure is recurring or one-off.

The Chief Finance Officer shall advise, where possible, on the financial implications of such motion or amendment. In the event that the Chief Finance Officer is unable to give advice on the matter at the meeting, the matter will not be determined until such time as the Chief Finance Officer has had the opportunity to consider the implications and give advice on them

MOTIONS - SPECIAL

MOTIONS TO REFER BACK

53. Any Member of the Meeting may move that an item of business be referred back to the Committee or Sub-Committee for further consideration. The motion can be made either before the start of debate or at the close of a speech. If seconded, the motion shall, without discussion, be put to the Meeting immediately.

MOTION THAT THE QUESTION BE NOW PUT

54. Any Member of the Meeting who has not spoken in a debate may move that the Question be now put. If seconded, the motion shall, without discussion, be put to the Meeting immediately. If the motion is carried the debate shall end and the subject under discussion shall be voted upon.

MOTION THAT THE MEETING PROCEEDS TO NEXT BUSINESS

55. At any time when an item of business is under consideration, any Member may move that the Meeting proceeds to next business. If seconded, the motion shall, without discussion, be put to the Meeting immediately. If the motion is carried the Meeting shall proceed to the next item of business on the Agenda without debate or a vote being taken.

MOTION THAT THE DEBATE BE ADJOURNED

56. Any Member of the Meeting may move that the debate be adjourned. If seconded the motion shall, without discussion, be put to the Meeting

immediately. Unless the time and place are then specified, the adjournment shall be to the next Ordinary Meeting.

MOTION THAT THE MEETING BE ADJOURNED

57. Any Member of the Meeting may move that the Meeting be adjourned. If seconded the motion shall, without discussion, be put to the Meeting immediately. Unless the time and place are then specified, the adjournment shall be to the next Ordinary Meeting. If unsuccessful, the motion may not be raised again at the Meeting for ten minutes.

MOTION THAT THE PUBLIC BE EXCLUDED

58. A motion to exclude the public can only be made under Standing Order 15. It can be moved by any Member either before or during any item of business and if seconded shall, without discussion, be put to the Meeting immediately.

MOTION TO SUSPEND A STANDING ORDER OR ORDERS

59. Any member of a Meeting may at any time move the suspension of one or more of these Standing Orders. The reason shall be specified and recorded in the Minutes. If seconded, the motion shall, without discussion, be put to the Meeting immediately. The motion shall only be carried if supported by two-thirds of those Members present and voting at the Meeting.

MOTION TO SUSPEND A MEMBER

60. If any Member persistently disregards the authority of the Convener or is obstructive or offensive in his/her conduct, a motion may be made by any other Member to suspend him/her from the Meeting. If seconded the motion shall, without discussion, be put to the Meeting immediately. If carried by a majority of those present the Member shall retire from the Meeting. The Council officer shall act upon such instructions as he/she may receive from the Convener in pursuance of the decision.

AMENDMENTS

61. Standing Orders 46, 47, 48 and 52 shall apply to amendments in the same way as they apply to motions.
62. Once any motion has been duly moved and seconded and accepted as competent and relevant, all Members wishing to move an amendment must give the Convener notice. If the Convener decides that the amendment is incompetent or irrelevant he/she shall rule it out of order before it is moved. The Convener may rule an amendment incompetent if it would require the incurring of expenditure or have a financial implication and the source of funding the expenditure or financial implication is not identified within the amendment.

63. Normally all amendments shall be taken in the order in which they are received unless the Convener decides otherwise. Only one amendment may be moved, seconded and debated at a time.
64. If an amendment is lost, the next amendment shall be moved, seconded and debated. If an amendment is carried the motion as amended shall take the place of the original motion and shall become the motion upon which other amendments are moved, i.e. known as the substantive motion.

BUDGET

65. The Council is required to set a lawful (balanced) budget for each year. Recognising this:
- (a) Any motion or amendment which seeks to add to, take from or otherwise alter or amend the annual budgets submitted to Council shall require to take the form of an alternative budget, which shall detail the cost of the proposal(s) being advanced or the savings proposed to be achieved and the consequential impact of that cost or those savings on the annual budget.
 - (b) Any such amendment must be submitted to the Chief Finance Officer and the Chief Solicitor & Monitoring Officer by noon on the second last clear day before the meeting takes place.
 - (c) Upon receipt of any such amendment, the Chief Solicitor & Monitoring Officer will arrange for it to be circulated to all Members of the Council.
 - (d) Upon receipt of any such amendment, the Chief Finance Officer shall consider the financial implications thereof in order to ascertain whether the amended budget is lawful.

PROCEDURE FOR SPEAKING

66. The Convener will have the prior right to the motion, except-
- (a) where he/she waives this right and allows another Member to have the prior right to the motion;
 - (b) where a written Notice of Motion submitted by a Member is moved; or
 - (c) where the Council is meeting to consider its annual revenue and/or capital budgets, in which case the Leader of the Council or Convener of the relevant Committee will have the prior right to the motion.
67. No Member will speak in support of a motion or amendment until it has been moved and seconded.
68. When a motion is amended the order of debate and the length of time normally allowed to each speaker is as follows:

- | | | | | |
|----|-------------------------------|---|---------------|------|
| a) | the mover of the motion | - | five minutes | |
| b) | the mover of the amendment | - | five minutes | |
| c) | the seconder of the motion | - | five minutes | |
| d) | the seconder of the amendment | - | five minutes | |
| e) | any other Members | - | three minutes | |
| f) | the mover of the amendment | - | three minutes | } to |
| | | | | sum |
| g) | the mover of the motion | - | three minutes | } up |

In summing up, neither speaker shall introduce any new facts.

69. At Meetings of the Council, Members shall stand when speaking but may remain seated at Committee Meetings. Members shall always address the Chair when speaking.
70. At Committee and Sub-Committee Meetings the time limits on speeches shall not apply. At Council Meetings, they may be varied with the consent of the Convener. Members shall be allowed to speak more than once at any meeting prior to a motion being put to the vote.

POINTS OF ORDER

71. Any Member may raise a point of order at any time during a Meeting. Any other Member who is addressing the Chair at the time shall immediately stop until the point of order is decided. The Member raising the point of order shall advise the Convener which Standing Order is to be relied upon or is being infringed. No other Member may speak to the point of order unless with the permission of the Convener. The Convener's ruling on the point of order shall be final and the Member who had been addressing the Chair shall be entitled to resume his/her speech, giving effect, if necessary, to the Convener's ruling.

POINTS OF PERSONAL EXPLANATION

72. With the permission of the Convener, any Member may make a statement of personal explanation in response to any statement made about him/her during another speech.

POINTS OF CLARIFICATION

73. With the permission of the Convener, any Member may seek clarification from a speaker in a debate.

VOTING - GENERAL BUSINESS

74. All business of the Council shall be decided by a majority of those Members of the Meeting present and voting except for a motion for the Suspension of Standing Orders which is explained in Standing Order 59, or except as provided by statute.

75. In any case where there is an equality of votes, the Convener shall have a second or casting vote except where the business relates to the appointment of a Member to any particular office or Committee in which case the decision shall be made by lot.
76. After the Convener has announced the business on which the vote is to be taken, no Member may offer an opinion, ask a question or otherwise interrupt the proceedings until the result of the vote has been intimated.
77. Voting shall normally be by a show of hands but any member may object and request a vote by calling the roll.
78. Where a vote has been taken by a show of hands and the accuracy of the count is immediately challenged by at least two Members, the Convener shall order a recount either by another show of hands or by calling the roll as he may decide.
79. Where the Council, Committee, sub-Committee or Board is required to determine an item of business which is of a quasi-judicial nature, a Member must be present in the meeting room for the duration of the item. If a Member has left the meeting room at any point during discussion of the item, they will not be permitted to participate in the determination of the item, nor any vote.
80. Where any decision taken by a Committee or Sub-Committee is the subject of a vote, then that item of business shall automatically be submitted for final determination at the next Council or parent Committee meeting, as appropriate. In order to facilitate this, the original Committee or Sub-Committee report shall be submitted to the next Ordinary Council meeting or parent Committee meeting, as appropriate, for determination.

VOTING - VACANCIES AND APPOINTMENTS

The following procedure shall apply to the filling of vacancies or the making of appointments to any particular Office or Committee.

ONE VACANCY

81. A vote shall be taken between all the candidates, each Member being entitled to one vote. When any candidate obtains an absolute majority of those voting he/she shall be duly appointed. If no candidate obtains an absolute majority, the name of the candidate obtaining the least number of votes shall be struck out and a new vote taken of the remaining candidates and so on until a candidate obtains an absolute majority.
82. **MORE THAN ONE VACANCY**

A vote shall be taken between all the candidates, each Member being entitled to vote for as many candidates as there are vacancies. Candidates who receive an absolute majority shall be duly appointed.

If all the vacancies are not filled on the first vote, the name of the candidate obtaining the least number of votes shall be struck out and a new vote taken of the remaining candidates who have not already been duly appointed by the first vote, and so on until all the vacancies have been filled.

EQUALITY OF VOTES

83. If there is an equality of votes for candidates receiving the lowest number of votes, a supplementary vote shall be taken between those candidates, each Member having one vote. The name of the candidate obtaining the least number of votes shall be struck out and voting on the main item shall resume. In the event of a further tie, the matter shall be resolved by lot.
84. If there is an equality of votes for candidates who obtain an absolute majority and the number of those candidates exceeds the number of vacancies, the vacancies shall be filled by lot.

COUNCILLOR DECLARATIONS OF INTERESTS

85. Any Member making a declaration of interest should:-
- (a) do so at the earliest opportunity;
 - (b) indicate whether it is a financial or non-financial interest;
 - (c) include some information on the nature of the interest; and
 - (d) confirm whether or not they intend to withdraw from the meeting room at the relevant point in the meeting

A Member must withdraw from the meeting room, including the public gallery, where they have declared an interest that prevents them from participating in the discussion of, and voting on, the item in question.

ALTERATIONS OF PREVIOUS DECISIONS

86. No Order, Decision or Resolution made at any Meeting shall be altered within six months.

CANVASSING OF COUNCILLORS AND CHIEF OFFICERS

87. Canvassing of Councillors and Chief Officers, directly or indirectly for an appointment with the Council, shall disqualify the candidate concerned. All candidates shall be advised in every application form.
88. A Councillor or Chief Officer shall not solicit for any person any appointment with the Council but this shall not preclude a Councillor or Chief Officer from giving a written testimonial of the candidate's ability, experience or character.

SIGNING AND SEALING OF DOCUMENTS

89. The Common Seal of the Council shall be kept by the Chief Solicitor & Monitoring Officer and he/she shall affix the Common Seal to any document which requires to be sealed in order to give effect to a decision of the Council. The Chief Solicitor & Monitoring Officer shall report to every Ordinary Meeting of the Council the occasions on which the Common Seal has been used since the previous Meeting.
90. The Proper Officer shall sign on behalf of the Council all Contracts or other formal Agreements which are not sealed. The Proper Officer in this context shall be the Chief Executive, the Chief Solicitor & Monitoring Officer or the Legal Manager.

REVISION OF COUNCIL STANDING ORDERS

91. The Council's Standing Orders may be revised at the Ordinary Meeting of the Council by agreement of a majority of the Members present and voting. Notice of Intention to revise the Council's Standing Orders must be given at the previous Ordinary Meeting.

DEFINITIONS

92. Where these Standing Orders refer to the Leader of the Council, this will include reference at all times to Joint Leaders, if appointed.
93. For the purposes of these Standing orders, the following terms shall have the following meanings:-

“Agenda”	means a list of business to be considered at a meeting of Council, Committee, Sub-Committee or such other decision-making fora as the Council may establish.
“Amendment”	means any alternative proposal to a motion put forward in respect of any item on the Agenda.
“Clear Day”	means a calendar day, excluding the day of delivery and the day of the meeting and shall include weekend days
“Council”	means East Dunbartonshire Council, a local authority constituted by the Local Government etc (Scotland) act 1994
“Councillor”	means in relation to the Council a councillor duly elected at an election or by-election and who has made a declaration of acceptance of office in terms of Section 33A of the Local Government (Scotland) Act 1973.

“Exempt Information”	means information which falls within the categories of “exempt information” specified in Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973, a copy of which is appended to these Standing Orders.
“Minute”	means a summary of decisions and actions from any meeting of Council, Committee, Sub-Committee or such other decision-making fora as the Council may establish. It will not be a verbatim account or record of the meeting in question.
“Motion”	means an initial proposal of action made or submitted by a Member in respect of an item of business on an agenda.
“Quasi Judicial”	means where the Council or Committee, Sub-Committee or such other decision-making fora as the Council may establish has powers and procedures resembling those of a court of law or judge, and is obliged to objectively determine facts and draw conclusions from those facts so as to provide the basis for an official decision.
“Quorum”	means the minimum number of Members required to be present at a meeting in order for it to validly conduct business and make decisions.
“Urgent Business”	means any item of business or development which has arisen between the date on which an agenda has closed and the date of the relevant meeting.

APPENDIX TO COUNCIL STANDING ORDERS

Descriptions of Exempt information listed in Schedule 7A of the Local Government (Scotland) Act 1973.

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office-holder or applicant to become an office- holder under, the authority.
2. Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.
3. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
4. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.
5. Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement made in respect of that child under the Social Work (Scotland) Act 1968.
6. Information relating to the financial or business affairs of any particular person (other than the authority).
7. Information relating to anything done or to be done in respect of any particular person for the purposes of any of the matters referred to in Section 27 (1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons).
8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
9. Any terms proposed or to be proposed by or to the authority in the course of negotiation for a contract for the acquisition or disposal of property or the supply of goods or services.
10. The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.
11. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.

12. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with -
 - a) Any legal proceedings by or against the authority, or
 - b) The determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or are in contemplation).
13. Information which, if disclosed to the public, would reveal that the authority proposes -
 - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) to make an order or direction under any enactment.
14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
15. The identity of a protected informant.

EAST DUNBARTONSHIRE COUNCIL

ADDENDUM TO COUNCIL STANDING ORDERS – VIRTUAL MEETINGS

ADDENDUM TO COUNCIL STANDING ORDERS – VIRTUAL MEETINGS

Preamble

- A. This document (“Addendum”) represents an Addendum to the East Dunbartonshire Council Standing Orders (“Standing Orders”). It has been prepared in response to the COVID-19 pandemic and the changes to business and decision making arrangements necessitated as a consequence.
- B. This Addendum must be read and interpreted in conjunction with the Standing Orders.
- C. The purpose of the Addendum is to amend, supplement or disapply certain of the Standing Orders necessary for the administration of virtual meetings only.
- D. This Addendum must be read in conjunction with the Council’s Standing Orders. In the event of any conflict then, for the purposes of a virtual meeting, the terms of this Addendum shall apply.

ADDENDUM

- 1. Virtual meetings of the Council and the Committees shall be held on such dates as are approved by the Council as part of the Cycle of Meetings, or otherwise scheduled in consultation with the relevant Convener.
- 2. All virtual meetings of the Council or any Committee shall commence at the time set out within the Council’s agreed Cycle of Meetings, or otherwise in consultation with the Provost or Convener as appropriate. Similarly, Boards and other decision making bodies shall meet at the time set out within the Council’s agreed Cycle of Meetings, or otherwise in consultation with the relevant Convener or Chair, having regard to the nature of the business to be conducted and those required to attend.
- 3. In addition to the provisions contained within Standing Order 3, the Chief Executive, in consultation with the Joint Leaders of the Council, shall be entitled to call a Special Meeting of the Council where, in his opinion as Head of Paid Service there is a matter of such importance or significance that it requires consideration and/or determination by Council and is so urgent that it cannot wait until the next scheduled meeting.
- 4. Notwithstanding, the provisions of Standing Order 5 where, for reasons of public safety, compliance with restrictions on movement and/or gatherings or otherwise required for the efficient and effective administration of business, a virtual meeting of the Council, its Committees or any other decision making body may be scheduled.
- 5. Virtual meetings shall be called:

Addendum to Standing Orders – virtual meetings

- a) by a Notice published on the Council's website, and
 - b) by a Summons to attend emailed to every relevant Councillor at the email address provided by the Council.
6. The Notice and Summons for any virtual meeting shall be issued electronically, at least six clear days before the date of the meeting. Where necessary, possible and practicable, a paper copy will thereafter be delivered or posted to every relevant Councillor.
 7. In relation to virtual meetings then copies of the Agenda Papers shall be circulated with the Summons to all Members. Agenda Papers shall be delivered in electronic format to Members of the Committee and, where necessary, possible and practicable in paper format thereafter. All other Councillors (who are not members of the Committee) shall receive Agenda Papers in electronic format only.
 8. Copies of the Agenda Papers and Background Papers (except those items of business to be transacted in private) shall be available on the Council's website to any member of the public.
 9. Where possible and practicable, and subject to technological constraints, virtual meetings of the Council and its Committees shall be available for live viewing by the public, except in the circumstances set out in Standing Orders 14 and 15. Public viewing will be facilitated through the use of a suitable online live streaming facility. For the avoidance of doubt, a scheduled meeting will not be adjourned or postponed where there is a technical or other failure of the live streaming platform. Further, any fault or failure in the live streaming platform which results in the meeting not being available for public viewing, will not of itself, invalidate any decisions taken at that virtual meeting
 10. Notwithstanding the terms of Addendum Item 9 above, the provisions of Standing Order 16 will continue to apply to virtual meetings, and the live streaming of virtual meetings on line will not be used to create recordings, and will not be retained, broadcast, nor made available for viewing after the meeting in question has ended.
 11. In addition to the grounds set out in Standing Order 12, the Convener of a virtual meeting may adjourn that meeting due to any technical problems reported by Members.
 12. Notwithstanding the provisions of Addendum Item 11 and Standing Order 23, in the event that four or more Councillors report technical problems in joining or continuing in a virtual meeting, and such problems persist, then that meeting shall be adjourned to allow for those technical problems to be resolved. In the event that the technical problems cannot be resolved and four or more Councillors cannot joint or continue with the virtual meeting within 30 minutes of its scheduled start time, then the virtual meeting will stand adjourned until a date and time which the Convener shall fix then or later.

13. In relation to Standing Order 21 h) the Provost and Conveners will sign the relevant Minutes of previous meetings, adjusted in accordance with any amendments adopted by the Council or the relevant Committee once it is safe to do so.
14. To promote the effective management of virtual meetings, Members should, wherever possible, seek clarification or advice from officers on any points in advance of the meeting. Further, the Convener shall seek advice from the Chief Solicitor & Monitoring Officer or her representative before ruling on any procedural matter.
15. During virtual meetings of the Council, Members and officers shall not be required to stand when speaking but instead may remain seated.
16. Voting during a virtual meeting shall be administered by the Chief Solicitor & Monitoring Officer or her representative calling the roll.
17. Where a virtual meeting is required to determine an item of business which is of a quasi-judicial nature, a Member must be present in the meeting for the duration of the item. If a Member has left the meeting at any point during discussion or consideration of the item, they will not be permitted to participate in the determination of the item, nor any vote. For these purposes, being present in the meeting means that the Member must be visible on camera and the Member's camera must be switched on at all times. In the event that a Member's camera is switched off (whether by that Member or as a result of a technical fault) then that Member shall not be entitled to participate in the determination of that item.
18. Any Member making a declaration of interest at a virtual meeting should:-
 - (a) do so at the earliest opportunity;
 - (b) indicate whether it is a financial or non-financial interest;
 - (c) include some information on the nature of the interest; and
 - (d) confirm whether or not they intend to withdraw from the virtual meeting at the relevant point.

A Member must withdraw from a virtual meeting where they have declared an interest that prevents them from participating in the discussion of, and voting on, the item in question. In these circumstances and following the Member in question declaring an interest, the Chief Solicitor & Monitoring Officer or her representative will temporarily remove the Member from the virtual meeting. Upon conclusion of that item of business, the Member in question will be readmitted to the virtual meeting.

19. Notwithstanding the provisions of Standing Orders 33 and 40, for the duration of this Addendum it shall be competent for Members to submit Motions or Questions electronically, comprising a document with the necessary signature

or where the name of the Member is typed in lieu of a signature. All other requirements of Standing Orders 33 and 40 shall continue to apply.

20. The definitions contained within Standing Orders 92 and 93 shall apply to this Addendum.