Alva Community Council

Standing Orders

|  |  |
| --- | --- |
| **1** | **The first meeting after an election** |
| 1.1 | In an election year, the Returning Officer will call the first meeting of the Community Council within 28 days from the date of the election. |
| 1.2 | At this first meeting the election of a chairperson must be the first item of business at this meeting. |
| 1.3 | The Community Council may deal with any urgent suitable business, taking account of these standing orders. |
| 1.4 | Unless a Community Councillor resigns from any appointment, each of the appointments will stand until the next Annual General Meeting. |
| 1.5 | The business of the first meeting after establishment will include adoption of a Constitution and Standing Orders. |
|  |  |
| **2** | **Ordinary meetings** |
| 2.1 | Ordinary meetings will usually be held in a public venue within the Community Council boundary, or other such place as the Community Council shall decide from time to time. |
|  |  |
| **3** | **Special meetings** |
| 3.1 | A special meeting may be called at any time by a written request to the Secretary that must specify the business proposed. |
| 3.2 | The request to hold a special meeting must be signed by the Chairperson or by at least three Community Councillors. |
| 3.3 | The agenda for a special meeting will be limited to items of business where a decision is needed before the item can be discussed at an ordinary meeting of the Community Council or to the item of business set out in the request for the meeting. |
| 3.4 | The special meeting will be held within 22 working days from when the Secretary receives the valid request. |
| 3.5 | The quorum of a special meeting is that set out in the constitution. |
| 3.6 | Standing order 3.4 may not be suspended. |
|  |  |
| **4** | **Notices to Community Councillors** |
| 4.1 | At least seven clear days before the meeting, the Secretary will give notice of the meeting and its business to all Community Councillors. |
| 4.2 | A Community Councillor will be deemed to have received notice 48 hours after service of the notice. |
|  |  |
| **5** | **Notice to the press and public** |
| 5.1 | Community Council meetings will be open to the public and the press. At least seven clear days before a community council meeting, the community council must publish the time and place of the intended meeting. |
| 5.2 | Copies of the agenda, minutes and accompanying reports will be available for the public to see. |
|  |  |
| 6 | **Urgent business** |
| 6.1 | No business, other than that set out on the agenda, will be carried out unless the Chairperson decides that the item should be discussed as a matter of urgency. |
|  |  |
| 7 | **The agenda** |
| 7.1 | Any Community Councillor will have the right to have an item placed on the agenda for a meeting, as long as they give the Secretary notice in writing (setting out the nature of the item) at least seven clear days before the date of the relevant meeting. |
|  |  |
| 8 | **Quorum** |
| 8.1 | One half of the number of Community Councillors (where there is an odd number the largest number less than half) in post shall be the quorum. Information may be exchanged but no business will be carried out at a meeting of the Community Council unless a quorum of councillors is present. |
|  |  |
| 9 | **Chairperson** |
| 9.1 | The Chairperson, if present, will chair Community Council meetings. |
| 9.2 | If the Chairperson is not present, the Vice-chairperson will chair the meeting. If neither the Chairperson nor the Vice-chairperson is at the meeting, the councillors present will decide who will chair the meeting by a show of hands. |
|  |  |
| 10 | **Failure to go to meetings** |
| 10.1 | If a Community Councillor fails to attend three consecutive Community Council meetings, the councillor shall be disqualified from the Community Council, unless the Community Council grant them leave of absence in writing. |
| 10.2 | If a Community Councillor is not able to go to the meeting for whatever reason, he or she may give his or her apologies either by telling the Secretary (before the meeting) or through another Community Councillor who will give the apology at the beginning of the meeting. Only these apologies will be recorded in the minutes. |
|  |  |
| 11 | **Including the public in meetings** |
| 11.1 | Members of the public may go to Community Council meetings as observers. However, if there is any disruptive behaviour, the Community Council have the right to ask any member or members of the public to leave. |
| 11.2 | Standing Order 11.1 may not be suspended |
|  |  |
| 12 | **Rights of Community Councillors** |
| 12.1 | Community Councillors will receive from the Community Council copies of all governing documents and meeting papers. |
|  |  |
| 13 | **Responsibilities of Community Councillors** |
| 13.1 | Community Councillors will observe the Code of Conduct adopted by the community council when participating in meetings and when transacting community council business and will observe Alva Community Council’s guidance and operational procedures. |
| 13.2 | The Chairperson may, at a properly-convened meeting, enter a motion to sanction, up to and including suspension for a period of time which he or she considers proportionate, a Community Councillor who habitually acts in breach of the Code of Conduct. |
|  |  |
| 14 | **The order of business** |
| 14.1 | Business at ordinary meetings of the Community Council will usually take place in the following order.   * Recording the names of members present at the meeting. * Recording apologies. * Declaration of conflict of interest * Minutes of the previous meeting or meetings of the Community Council. * Business arising from Minutes * Reports * Motions (formal proposals for items to be discussed) from members. * Correspondence * Any other competent business * Date, time and venue of next meeting |
| 14.2 | Annual General Meeting  The business at the annual general meetings of the Community Council will usually take place in the following order: -   * Recording of membership present and apologies received. * Declaration of conflict of interest * The minutes of the last annual general meeting of the community council for adoption. * Chairperson’s Annual Report (and questions from the floor). * Secretary’s Annual Report (and questions from the floor). * Treasurer’s submission of Balance Sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor). * Demit of current office bearers & election of office bearers. * Any other competent business * Chairperson to close meeting.   Special Meeting  The business at special meetings of the Community Council will usually take place in the following order:-   * Recording of membership present and apologies received. * Declaration of conflict of interest * Business for debate, as described in the calling notice for the meeting. * Chairperson to close meeting. |
| 14.3 | The order of business may be rearranged by the Chairperson or if the Community Council agree on the motion of any Community Councillor. |
|  |  |
| 15 | **The powers and duties of the Chairperson** |
| 15.1 | It is the duty of the Chairperson to make sure that standing orders are followed and to make sure that all Community Councillors receive a fair hearing. |
| 15.2 | The decision of the Chairperson on all questions on procedure, order, relevancy or following standing orders will usually be final. |
|  |  |
| 16 | **The rules of debate** |
| 16.1 | People present at a meeting who do not have voting rights may not move or second an amendment or a motion. |
| 16.2 | People will address the meeting through the Chairperson. |
| 16.3 | If a Community Councillor has entered a motion on the agenda of any meeting, the Community Council may still consider the motion even if the community councillor is not present. However, before the Community Council can consider the motion and vote on it, it must be moved and seconded by community councillors present at the meeting. If this fails to happen, the motion will be deemed to have failed and cannot be raised again except as a new motion at a future meeting of the Community Council. |
| 16.4 | Only one amendment may be debated at the one time. Notice of any second or subsequent amendment must be given before the end of the debate on the current amendment. If notice is not given at the right time, the amendments will not be accepted. |
| 16.5 | All motions, and any amendment(s), must be competently proposed and seconded. An amendment to a motion must be considered and voted on before the substantive motion is debated. Where two or more amendments to a motion are tabled, the amendments must be considered in the reverse order to that in which they were tabled. |
| 16.6 | A member who has spoken on a motion will not speak again during the debate on the motion unless the Chairperson gives them permission or:  • the motion has been amended since the member last spoke and he  or she wants to comment on the amended motion;  • by using the right of reply, either at the end of the debate as the mover of an original motion, or at the end of the debate as the mover of another amended motion |
| 16.7 | New matters should not be introduced into the debate |
| 16.8 | A member moving or seconding a motion or an amendment or using a right of reply may speak for no more than 10 minutes, unless they have the permission of the Chairperson. Other members taking part in the discussion will speak for no more than five minutes unless they have the permission of the Chairperson. |
| 16.9 | There is no right of reply for the mover of an amendment. |
|  |  |
| 17 | **Misbehaviour** |
| 17.1 | If anyone at any meeting behaves improperly or offensively, or is deliberately obstructing its business, the Chairperson may take any or all of the following courses of action.   * Ask the person to stop speaking during the rest of the debate on the matter under discussion. * Ask for a vote on the proposal that the person is not allowed to contribute to the rest of the meeting. * Move that the person should leave the meeting. * Postpone the meeting for a period of time that he or she considers to be appropriate. |
| 17.2 | If anyone in the course of transacting business in preparation for or to follow up a meeting communicates improperly or offensively, the Chairperson may take any or all of the following courses of action.   * Ask the person to stop the improper or offensive communication or withdraw entirely from communication until after the next scheduled meeting * Postpone for a period of time that he or she considers to be appropriate any business which, as a result of the improper or offensive communication it attracts, is deemed impossible to transact. * Move for a vote at a properly-convened meeting on a sanction that will allow the community council, without obstruction, to correspond in preparation for or to follow up a meeting***.*** |
|  |  |
| 18 | **Voting** |
| 18.1 | Unless allowed by standing orders, every question coming to or arising at a Community Council meeting will be decided by a show of hands of a simple majority of the councillors who are present and eligible to vote. The minutes of the meeting will record the vote, including any abstentions. |
| 18.2 | A Community Councillor can ask for a roll-call vote, and the names of those members voting for or against the motion or amendment will be included as part of the minutes of the meeting. |
| 18.3 | A Community Councillor may ask that the minutes of the meeting record a note of his or her vote for or against any motion. |
| 18.4 | A Community Councillor may ask that the minutes of the meeting record a note of his or her disagreement with a decision of the meeting. |
| 18.5 | The Chairperson will have a substantive and ‘casting vote’. He or she may use the casting vote if there is an equal number of votes for or against any motion or amendment. |
|  |  |
| 19 | **Points of order** |
| 19.1 | Any Community Councillor (voting or non-voting) may speak on a point of order arising at any point in the meeting, but must clearly tell the meeting on what basis order has been, or is about to be, broken. The Chairperson will rule on the point of order and decide how it should be dealt with. |
|  |  |
| 20 | **Notices of motion intended for consideration at the next meeting** |
| 20.1 | Every motion must be relevant to matters within the Community Council's powers and duties or involve an issue that will affect the Community Council's area. The Secretary may refuse to accept any notice of motion which (due to any condition in these standing orders), should not be considered. When this happens, the Secretary will (within two working days of receiving the notice of motion) tell the member putting forward the motion of this decision and, if asked to do so, will set out the reasons in writing. |
|  |  |
| 21 | **Presenting petitions and hearing comments** |
| 21.1 | Anyone who wants the Community Council to hear their comments must apply in writing. The Community Council will only hear their comments if they have lodged their application with the Community Council at least eight clear working days before the meeting (and before the community council issue the notice calling the meeting). Applications will be included as part of the agenda for the meeting. |
| 22 | **Withdrawing previous decisions** |
| 22.1 | No motion that tries to alter or withdraw a Community Council decision (or has that effect) will be considered or passed for at least six months from the date of the original decision, unless:   * the Chairperson is satisfied that circumstances have changed in a relevant way; and * the notice or meeting papers of the meeting say that the decision may be withdrawn or altered ; or * a decision is needed by law. |
|  |  |
| 23 | **Minutes of meetings** |
| 23.1 | Minutes of Community Council meetings will be put together by the (minute) secretary, printed and, as far as practical, given to councillors no later than seven clear days before the next ordinary meeting of the Community Council. . |
| 23.2 | A Community Councillor who was not present at the meeting that the minutes refer to may ask that the minutes of the current meeting record their disagreement towards a decision recorded in the minutes of the earlier meeting. |
|  |  |
| 24 | **Suspending standing orders** |
| 24.1 | Standing orders may be suspended at any meeting of the Community Council by a motion passed by a majority of at least two thirds of the votes of Community Councillors present and eligible to vote at the meeting. |
| 24.2 | Standing order 24.1 cannot be suspended. |
|  |  |
| 25 | **Appointing committees** |
| 25.1 | The Community Council may at any time appoint sub-committees to help carry out its functions. The Community Council will set out the membership, powers and duties of these committees. |
| 25.2 | People the Community Council appoint to committees who are not Community Councillors will be non-voting members at full Community Council meetings. |
|  |  |
| 26 | **Delegation arrangements** |
| 26.1 | The Community Council may put in place a scheme of delegation to allow sub-committees or members to carry out its objects in the event that the full Community Council cannot discuss or debate a matter raised in respect of its position as a statutory consultee. |
| 26.2 | The appropriate person/sub-committee may, in accordance with legislation and the Community Council's constitution, formulate any objections or representations and submit these on behalf of the Community Council and such objection/representation shall be treated as if having been made by the full Community Council. |
| 26.3 | The appropriate person or representative of the sub-committee must report the details of the submissions to the next full meeting of the Community Council. |
|  |  |
| 27 | **Alteration of Standing Orders** |
| 27.1 | A proposal to alter these Standing Orders may be put to the local authority at any time by the Community Council, provided that notice of motion to that effect is given at the meeting of the Community Council previous to that at which the motion is discussed. The local authority shall have final discretion on any proposed change. |
| 27.2 | No change is effective until approved by the local authority in writing. |