

THE AYRSHIRE SHARED SERVICE JOINT COMMITTEE
STANDING ORDERS FOR THE CONDUCT OF MEETINGS

PRELIMINARY

COMMENCEMENT

These standing orders will apply and have effect from the date approved by the Joint Committee.

DEFINITIONS

In these Standing Orders the following words and expressions have the following meaning as shown below:-

“The Joint Committee” shall mean the Ayrshire Shared Service Joint Committee, formed under Sections 56 and 57 of the Local Government (Scotland) Act 1973 and Section 15 of the Local Government in Scotland Act 2003 for the purposes of regulating the shared discharge of the functions by the Constituent Authorities, in accordance with the approved Minute of Agreement.

“The Minute of Agreement” shall mean the Minute of Agreement agreed between East Ayrshire Council, North Ayrshire Council and South Ayrshire Council, which commenced with effect from 28 March 2013.

“Constituent Authority” means any of the East, North or South Ayrshire Councils.

MEETING ARRANGEMENTS

Dates of Meetings

1. The Joint Committee shall meet at least twice in each financial year or more often as is required to conduct its business, dates of meetings to be agreed by the Joint Committee.
2. A special meeting of the Joint Committee may be called at any time:
 - (a) by the incumbent Chair; or
 - (b) if at least one quarter of the total number of members request a meeting in writing specifying the business to be transacted. The requisition shall be submitted to the Chief Executive of the incumbent Chair’s Council, and shall be included in the notice and summons of the meeting. The meeting shall be held within 14 days of the receipt by the Chief Executive of the requisition.

Place, Time and Notice of Meetings

- 3.1** Except in the case of urgency (when the incumbent Chair may direct accordingly) three clear days at least before a meeting of the Joint Committee;
- i. Notice of the time and place of the intended meeting shall be published by the Chief Executive of the incumbent Chair's Council or an appropriate officer of that council, responsible for the administrative support of the Joint Committee, at that Council's principal office and, where practical, at the place where the meeting will be held if the meeting is to be held outwith that Council's principal office; and
 - ii. A summons to attend the meeting, specifying the business to be transacted shall be left at or sent by post to the usual place of residence of every Member of the Joint Committee or to such other address as the Member may notify in writing to the Chief Executive of the incumbent Chair's Council.

LACK OF NOTICE

- 4.** Want of service of a summons on any Member of the Joint Committee shall not affect the validity of any meeting.

QUORUM

- 5.** The quorum for the Joint Committee shall be four Members where all three Councils elect to participate in a particular shared Service arrangement, with at least one Member representing each of the parties involved in the relevant Shared Service.

Where only two of the Councils elect to participate in a particular Shared Service arrangement, the quorum of the Joint Committee shall be three members, with at least one member representing each of the parties.

No business shall be transacted at any meeting of the Joint Committee unless a quorum is present.

If, 10 minutes after the time appointed for a meeting a quorum of Members is not then present, the meeting shall stand adjourned and it shall be minuted that "owing to the want of a quorum, no business was transacted".

CHAIR

6. The Chair, appointed by the rotation arrangements as set out in the Minute of Agreement, shall preside. In the event of the incumbent Chair either being absent or withdrawing from a meeting, another member from the Authority of the present Chair, chosen by the members of that Authority present, shall assume the Chair for that meeting or part thereof. For parts or all of those meetings where the business to be transacted involves only two authorities, the Chair will be appointed by rotation.

POWERS AND DUTIES OF CHAIR

7. Deference shall at all times be paid to the authority of the Chair. When the Chair indicates a wish to speak, any Member who may be addressing the meeting shall give way. The Chair shall:-
 - (i) preserve order and ensure that every Member of the Joint Committee shall have a fair hearing;
 - (ii) decide all matters of order, competency and relevancy and the ruling of the Chair shall be final and shall not be open to discussion;
 - (iii) decide between two or more Members of the meeting indicating that they wish to speak by calling on the Member who has first caught the attention of the Chair;
 - (iv) ensure that due and sufficient opportunity is given to Members who wish to speak to express their views on the subject under discussion;
 - (v) be entitled, in the event of disorder arising, to adjourn the meeting to a time he or she may then, or afterwards, fix and his or her leaving the Chair shall indicate the meeting is adjourned; and
 - (vi) the Chair shall, at his or her discretion, determine all questions of procedure for which no express provision is made under these Standing Orders or the Minute of Agreement with regard to the regulation of the proceedings and business of the Joint Committee meetings.

BUSINESS AT MEETINGS

8. At a meeting of the Joint Committee, no business other than that specified in the summons shall be considered.

URGENT BUSINESS

9. Business which has not been specified in the summons may be considered where the Chair determines that the matter is one of urgency. It shall be at the sole discretion of the Chair to decide whether any business not specified on the agenda for the meeting, by reason of special circumstances, be considered at the meeting as a matter of urgency, and such special circumstances must be specified in the Minute of the meeting.

ORDER OF BUSINESS

10. The business at any meeting shall (unless as otherwise directed by the Chair who may, at his or her discretion, alter the order of business at any stage) proceed in the following order:-
 - (i) the Sederunt shall be taken; the names of the Members present at the meeting shall be recorded with the Chair at the head followed by the remaining Members;
 - (ii) Minutes of the previous Joint Committee shall be submitted, held as read and be formally moved and be held to be approved, unless objection is taken to any portion thereof when so submitted. Any Member may request information on an item within a Minute that is before the meeting; and
 - (iii) Any other competent business detailed in the Agenda or urgent business raised at the discretion of the Chair.

ORDER OF DEBATE

Motions/Amendments

- 11.1 A Member of the Joint Committee when speaking shall address the Chair and direct all remarks to the matter before the meeting by proposing, seconding or speaking to the motion or any amendment relative thereto, or to a point of order, or to propose or second a motion to adjourn the proceedings.
- 11.2 Every motion or amendment shall be moved and seconded. The terms of all motions or amendments shall always precede any remarks to be made by their proposers. No Member shall speak supporting the motion or any amendment until the same shall be seconded.
- 11.3 The terms of a motion or amendment not seconded or which may be withdrawn or altered after being seconded shall not be recorded in the Minutes of proceedings.
- 11.4 Any Member who has moved a motion or amendment and has failed to find a seconder may request that his or her dissent in regard to the decision in question be recorded and that dissent will be recorded in the Minutes.

Procedure on Point of Order

11.5 A Member may speak upon a matter of order and on doing so shall make a short statement detailing precisely the terms of the point of order. If the Chair decides that the question raised by the speaker is not a 'point of order', the Member who raised the point of order shall thereupon accept the decision as final. No other Member shall be entitled to speak to that point of order. A Member who is addressing the meeting when a question of order is raised shall give way until the question of order has been decided by the Chair.

MOTION FOR ADJOURNMENT OF MEETING

12.1 A motion for the adjournment of the meeting for a specified period of time may be put at the conclusion of any speech and shall have precedence over all other motions. It must be moved and seconded without a speech and shall at once be put by the Chair in the form of "For Adjournment" or "Against Adjournment".

12.2 A second motion for the adjournment of the meeting shall not be made within a period of 30 minutes unless it is moved by the Chair, when it shall be dealt with as in the immediately preceding standing order.

VOTING

Method of Voting on Motion and Amendment

13. The method of voting on motions and amendments shall be as follows :-

- (i) When a motion and one amendment only are before the meeting, a vote shall be taken between the motion and the amendment;
- (ii) When a motion and two or more amendments are before the meeting, the vote shall be taken upon all the proposals, each Member having one vote. If a proposal receives the support of a majority of the Members taking part in the vote, it shall be declared to be the decision of the meeting, but, in the event of none of the proposals receiving the support of such a majority, the proposal which has received the least support shall be dropped and the vote shall be taken anew upon the remaining proposals and so on until one proposals has received the support of such a majority whereupon it shall be declared to be the decision of the meeting; and
- (iii) In the event of the votes for two or more proposals being equal the Chair shall decide which of them shall be dropped.

DECISIONS OF THE JOINT COMMITTEE

14. Subject to Standing Orders 18, 19 and 24, all decision before the Joint Committee shall be decided by a majority of the Members of the Joint Committee present and voting thereon.

CASTING VOTE

15. In the case of an equality of votes, the Chair shall have a second or casting vote except where the matter which is the subject of the vote relates to the appointment of a member of the Joint Committee to any particular office, in which case the decision shall be by lot.

ATTENDANCE BY ELECTED MEMBERS NOT A MEMBER OF THE JOINT COMMITTEE

(i) General Interest

Members of the Constituent Authorities who are not members of the Joint Committee may be invited by the Chair of the Joint Committee to attend the meeting of the Joint Committee while there is under discussion any item in which those members have a local or other special interest. Such members shall be entitled to participate in the discussion on that item but shall not be entitled to vote.

(ii) Items of Business

Where any members of the Constituent Authority who are not members of the Joint Committee and who submit an item of business for consideration by the Joint Committee and that item is accepted by the incumbent Chair for inclusion in the agenda, the Member may attend the meeting of the Joint Committee at which that item is being discussed and shall be entitled to participate in the discussion on that item but shall not be entitled to vote.

ATTENDANCE BY MEMBERS OF THE PUBLIC

16. Members of the public may, subject to any limitation on numbers that may be required due to Health and Safety considerations or availability of space or seating in the meeting room, attend any part of the meeting of the Joint Committee except during an item of business where the meeting has resolved, in terms of the Local Government (Scotland) Act 1973 (as amended), that the matter should be discussed in private session.

DEPUTATIONS

17. Any written request received by the Chief Executive of the incumbent Chair's Council, that a deputation be received by the Joint Committee on a particular matter shall be referred in the first instance to the incumbent Chair. Should the Chair consider that the matter raised by the deputation is one which is competent and relevant to the Joint Committee to determine, the written request shall be placed on the agenda of the first appropriate meeting of the Joint Committee. Thereafter, the Joint Committee may make arrangements for hearing the deputation at a subsequent meeting of the Joint Committee. In the event of the Joint Committee agreeing that arrangements should be made to hear a deputation the following provisions shall apply:
- (a) The deputation shall not exceed 3 in number.
 - (b) Representatives of the deputation may speak for a total of no more than 10 minutes, unless the Chair otherwise permits; and
 - (c) It shall be competent for members to put to the deputation only questions relevant to the subject of the deputation and no members shall express any opinion upon or discuss the subject until the deputation has withdrawn.

VARIATION AND REVOCATION OF STANDING ORDERS

18. Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next meeting of the Joint Committee. No Standing Orders shall be varied or revoked unless two-thirds of the Members of the Council present and voting shall so decide.

SUSPENSION OF STANDING ORDERS

19. Any of the Standing Orders, upon a motion made at any time during a meeting, may be suspended so far as regards any business at such meeting provided that two-thirds of the Members of the Joint Committee present and voting shall so decide.

MINUTE OF AGREEMENT AND STANDING ORDERS

20. In the event of any inconsistency between the Standing Orders and the Minute of Agreement the provisions of the Minute of Agreement shall prevail.

MISCELLANEOUS

AUTHORISED OFFICER

- 21.1** The respective Chief Executive of the incumbent Chair's Council in consultation with the incumbent Chair, shall be authorised to cancel the meeting of the Joint Committee where no business remains to be transacted.
- 21.2** The Chief Executive of the incumbent Chair's Council, in consultation with the incumbent Chair shall be authorised to re-schedule any existing calendar meetings previously approved by the Joint Committee.

CIRCULATION OF REPORTS, PAPERS ETC

- 22.** The Chief Executive or appropriate Officer providing the administrative support for the Joint Committee shall be entitled to mark as 'not for publication' any report or any item of business specified in a summons to attend a meeting or any papers circulated with any such summons if he or she considers that it relates to an item during discussion of which the meeting is likely not to be open to the public in accordance with the Local Government (Scotland) Act 1973 (as amended) and no other member of the Joint Committee shall thereafter disclose the item or paper without the consent of the Joint Committee.

THE COUNCILLORS' CODE OF CONDUCT

- 23.** All Members will at all times comply with the decisions with the Councillors' Code of Conduct.

RECONSIDERATION OF A DECISION

- 24.** No decision of the Joint Committee, may be reconsidered and, except where required by statute, no item of business the same or substantially the same as one previously determined by the Joint Committee, may be discussed by the Joint Committee, within six months of the making of the previous decision or determination of the item, except when two-thirds of the Members for the time being present and voting agree otherwise. A motion by a Member in terms of this Standing order proposing that a matter be reconsidered or discussed shall, if seconded, be put by the Chair to the meeting in the form "For the Motion" and "Against the Motion".

DECLARATIONS OF INTERESTS BY JOINT COMMITTEE MEMBERS

25. Any Member who, in terms of the Councillors' Code of Conduct established under the Ethical Standards in Public Life Etc (Scotland) Act 2000, has any financial or non financial interest in any matter under discussion at any meeting shall, having considered the nature of the interest, determine, in accordance with the Councillors' Code of Conduct whether they require to declare the interest and having considered the objective test, whether they require to withdraw. Disclosures of interest and retirals shall be recorded within the minutes.

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