

EAST AYRSHIRE COUNCIL
COUNCIL MEETING - 28 JUNE 2001

STANDING ORDERS

Report by the Depute Chief Executive/Director of Corporate Resources

1. PURPOSE OF REPORT

To submit revised Standing Orders for consideration and approval by Council.

2. BACKGROUND

The Committee is aware of the remit of the Member/Officer Working Group on Political Leadership Structures established by the Council to explore alternatives to the current decision making process in East Ayrshire Council and issues relative thereto and make recommendations on those matters. The Group therefore met on 30th May to consider the outstanding issues, so far as is possible at this stage. The recommendations of the Group were submitted to and approved by the Policy and Resources Committee on 14th June 2001. Those recommendations include the recommendation to Council to approve updated and streamlined Standing Orders incorporating the amendments required to accommodate the provisions of the revised decision-making structure operational following the 2001 summer recess. The revised Standing Orders form the Appendix to this report.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising as a direct result of this report.

4. LEGAL/POLICY IMPLICATIONS

Section 57 of the Local Government (Scotland) Act 1973, as amended, permits a Council to appoint Committees and Sub-Committees in order to discharge its functions. The recommendations within this report are in implementation of a Council decision in relation to the decision-making structure within the Council with effect from the end of the 2001 summer recess.

5. RECOMMENDATION

That Council approve the proposed Standing Orders as contained within the Appendix to this report.

Fiona Lees
Depute Chief Executive/Director of Corporate Resources
FL/BH/CMCT

18th June 2001

LIST OF BACKGROUND PAPERS

NIL

Any person wishing to inspect the background papers listed above should telephone 01563 576000, Extension 6135 and ask for Bill Walkinshaw, Administration Manager.

Implementation Officer: Fiona Lees, Director of Corporate Resources

APPENDIX

EAST AYRSHIRE COUNCIL

STANDING ORDERS

FOR REGULATING MEETINGS AND PROCEEDINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES OF EAST AYRSHIRE COUNCIL.

PART 1

STATUTORY MEETINGS /DURATION OF OFFICE

Statutory Meeting

1.1

- (i) In an Election Year, the Council shall meet at 10.00am on the Thursday of the week following the Election or on such alternative date as the Council may previously have agreed, such date being within 21 days immediately following the day of Election.
- (ii) Following the intimation received from the Returning Officer of the result of the election, the election of a Provost shall be the first item of business.

Duration of Office

1.2

- (i) The Council shall, on an annual basis, appoint a Provost, Depute Provost, Leader of the Council and Depute Leader and Chairs and, where applicable, Vice Chairs of Committees and Sub-committees.
- (ii) In an Election year, the appointments shall be made at the Statutory Meeting following the Election.
- (iii) In a year without an Ordinary Council Election the annual appointments shall be made at the last Ordinary Meeting of the Council held before the summer recess.
- (iv) At that Ordinary Meeting of the Council the Election of a Provost shall be the first item of business. The retiring Provost (whom failing, the retiring Depute Provost) shall preside until a Provost has been elected.
- (v) A retiring Provost, Depute Provost, Leader of the Council and Depute Leader, Chair and Vice Chair, shall be eligible for re-election.

PART 2

STANDING ORDERS APPLICABLE ONLY TO MEETINGS OF COUNCIL

Special Meetings

2. The Chief Executive or Director of Corporate Resources shall call a special meeting of the Council :
 - (i) at any time on being required to do so by the Provost of the Council or
 - (ii) following receipt by the Chief Executive of a requisition in writing, specifying the business to be transacted at the meeting and signed by at least one-fourth of the whole number of Members of Council. The requisition shall be included in the notice and summons of the meeting. The meeting shall be held within 14 days of receipt by the Chief Executive of the requisition.

Quorum

3. No business shall be transacted at any meeting of the Council unless at least one-fourth of the whole number of Members of the Council is present. If however there are vacancies of more than one-third of the membership of the Council, the quorum of the Council shall be determined by reference to the statutory provisions (namely one-fourth of the number of Members of Council remaining, subject to an absolute minimum of one-eighth of the whole number of Members (or three, whichever is the greater).

Chair of Council Meeting

4. The Provost, whom failing the Depute Provost, or, in the absence of both, another Member of the Council chosen by the Members of the Council present, shall preside.

Order of Business

- 5.1 The business of the Council at an ordinary meeting shall, unless otherwise directed by the Chair (who may 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 of the Council shall be recorded with the Chair at the head followed by the remaining Members present in the order of the Wards they represent.

- (ii) Minutes of the previous meeting or meetings of the Council shall be submitted for approval and, if previously circulated, held as read. The only question then before the Council shall be whether the Minutes are an accurate record of the business transacted and, if they are, they shall be approved and signed by the Chair. Any Member may request information on an item within a minute that is before the meeting.
- (iii) Business expressly required by statute or statutory instrument to be done at the meeting.
- (iv) Business remaining from the last meeting (if any).
- (v) Minutes of Committees 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. The mover and seconder of a Minute may speak in support of the Minute when the same is formally moved or when the objection, if any, to said Minute or any portion thereof is reached. Where Minutes relate to matters delegated to Committees in accordance with the Council's approved scheme of delegation, the only question then before the Council shall be whether the Minutes are an accurate record of the business transacted, if they are, they shall be approved and signed by the appropriate Chair. Otherwise the Minutes shall be considered and disposed of. Any Member may request information on an item within a Minute that is before the meeting.
- (vi) Any other competent business detailed in the Agenda or urgent business raised at the discretion of the Chair.
- (vii) Questions other than those arising from consideration of subparagraphs (ii) and (v) above of which due notice has been given in terms of Standing Order 6, to be put and answered.
- (viii) Motions in terms of Standing Order 7 in the order in which notice has been given.

5.2 Subject to Standing Order 2, the business, and Order of Business at a special meeting of the Council shall be at the discretion of the Chair.

Formal Questions

- 6.1 All questions referred to in Standing Order 5.1 (vii) shall be in writing and signed. They shall be delivered to the Chief Executive not later than 4pm on the second working day before the day of the meeting. A Member shall be restricted to two written questions at any one meeting.
- 6.2 Questions shall only be answered by the Provost, the Chief Executive, and the Chair, or, in the absence of the latter, the Vice-Chair of a Committee or other appointed persons.
- 6.3 One supplementary question, if necessary for the clarification of the answer given, may be asked by the original questioner. No discussion shall be allowed on any question or the answer thereto.

Notices of Motion

Form of Notice

- 7.1 Every Notice of Motion shall be in writing, signed and dated by the Member of Council giving the Notice and countersigned by one other Member and may not be amended once intimated to the Council. Unless a Notice of Motion has been received by the Chief Executive at least 14 clear days prior to the date of any meeting of the Council it shall not be specified in, or transmitted with, the summons calling the meeting.

Failure to Move a Motion After Notice Given

- 7.2 If a motion, notice of which is specified in the summons calling the meeting, be not moved by the Member who has given the notice (or by some other Member) it shall, unless postponed by leave of the Council, be considered as withdrawn and shall not be moved without further notice.

Motion Contradictory to Previous Decision

- 7.3 A Notice of Motion which contradicts a previous decision of the Council shall not be competent within six months from the date of such previous decision.

Suspension of Standing Orders

8. 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 Council present and voting shall so decide.

Motion to Suspend Standing Orders

9. Any Member competently moving the suspension of Standing Orders shall be entitled to speak (solely as to the reason for the proposed suspension) for a period of not more than 5 minutes. The seconder of any such motion shall not speak beyond formally seconding the motion. Where any amendment against suspension shall be moved, the mover of such amendment shall likewise be entitled to speak (solely as to the reasons against suspension) for a period of not more than 5 minutes. The seconder of such amendment shall not speak beyond formally seconding the amendment. No other Member shall be entitled to speak either to the motion or to the amendment and the Chair shall thereafter put the matter to the vote.

Variation and Revocation of Standing Orders

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

PART 3

STANDING ORDERS APPLICABLE TO ALL MEETINGS

ARRANGEMENTS FOR MEETINGS

Dates of Meetings

11. Ordinary Meetings of the Council, Committees and Sub-Committees shall be held in accordance with the administrative arrangements approved by the Council from time to time.

Special Meetings

12. The Chief Executive or Director of Corporate Resources shall call additional meetings of a Committee or Sub-Committee at any time on being required to do so either by the Committee or Sub-Committee concerned or by the Chair of the Committee or Sub-Committee.

Meetings Recess

13. During the whole of July and during the period from 23 December until 5 January (both days inclusive) no meetings of the Council, Committees or Sub-Committees shall be held, except (a) on the instructions of the Council or of the Provost or in accordance with a requisition under Standing Order 2 (for a meeting of Council); (b) on the instructions of a Committee or Sub-committee or its Chair (for a

committee or sub-committee); (c) in cases of urgency; or (d) for the purposes of seminars, inspections or visits at which no decision shall be taken.

Place, Time and Notice of Meetings

- 14.1** Except in the case of urgency (when the Chair may direct accordingly), three clear days at least before a meeting of the Council, Committees and Sub-Committees,
- (i) notice of the time and place of the intended meeting shall be published by the Chief Executive or Director of Corporate Resources at the Council's principal office and, where practicable, at the place where the meeting will be held if the meeting is to be held outwith the Council's principal office; and
 - (ii) a summons to attend the meeting, specifying the business to be transacted and signed by the Chief Executive or the Director of Corporate Resources, or an officer duly authorised by either of them shall be left at or sent by post to the usual place of residence of every Member of Council or to such other address as the Member may notify in writing to the Chief Executive or the Director.

Lack of Notice

- 14.2** Want of service of a summons on any Member of the Council shall not affect the validity of any meeting.

Quorum

- 15.1** Unless otherwise determined by Council in the case of a Committee or by the parent Committee in the case of a Sub-Committee, each Committee and Sub-Committee may determine its own quorum at its first meeting upon being appointed. The Scheme of Delegation records the quorum for each Committee and Sub-Committee and the quorum may only be changed upon an amendment to the Scheme of Delegation. The quorum of each Committee or Sub-Committee may not however be less than one-fourth of the total membership of the Committee or Sub-Committee.
- 15.2** No business shall be transacted at any meeting of a Committee or Sub-Committee unless a quorum is present.
- 15.3** 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

16.1 The Chair, whom failing the Vice-Chair, or, in the absence of both, another Member of the Committee or Sub-Committee chosen by the Members of the Committee or Sub-Committee present, shall preside.

16.2 Except as provided in Standing Order 16.1, "Chair" means the person presiding at a meeting of the Council or a committee or sub-committee.

Powers and Duties of Chair

17. 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 Council Committee or Sub-Committee as appropriate 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; and
- (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.
- (vi) The Chair shall, in his or her discretion, determine all questions of procedure for which no express provision is made under these Standing Orders.

Business at Meetings

18. At a meeting of the Council, Committee or Sub-Committee no business other than that specified in the summons shall be considered except in the case of business either required by or under any Act to be transacted at the meeting or as hereinafter provided. Business which has not been specified in the summons may be considered where the Chair determines that the matter is one of urgency in accordance with Section 50B(4)(b) of the Local Government (Scotland) Act 1973 as amended. The Chief Executive shall be handed written notice of urgent business not later than 30 minutes prior to the commencement of the meeting which the Chief Executive or duly authorised Officer shall read to the meeting after the Chair has taken the Chair.

Order of Business

19. The business at an ordinary 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 present in the order of the Wards they represent.
 - (ii) Minutes of Sub-Committees 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. The mover and seconder of a Minute may speak in support of the Minute when the same is formally moved or when the objection, if any, to said Minute or any portion thereof is reached. Where Minutes relate to matters delegated to Sub-Committees in accordance with the Council's approved scheme of delegation, the only question then before the Committee shall be whether the Minutes are an accurate record of the business transacted; if they are, they shall be approved and signed by the appropriate Chair.
Any Member may request information on an item within a Minute that is before the meeting.
 - (iii) Any other competent business detailed in the Agenda or urgent business raised at the discretion of the Chair
 - (iv) At Local Committee meetings the first item on the Agenda shall be the question and answer session of up to 15 minutes, as required, for which the meeting shall adjourn, reconvening at the end of the session.

- (v) At Local Committee meetings, community representatives should be entitled to put forward items for discussion at meetings of the Committee.

ORDER OF DEBATE

Members may Stand when Speaking

- 20. A Member of the Council may stand when speaking and 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 close the debate or adjourn the proceedings.

Motion or Amendment to be Moved and Seconded

- 21. 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.

Motion or Amendment not to be Withdrawn or Altered

- 22. A motion or amendment once moved and seconded shall not be altered or withdrawn without the consent of the meeting.

Motion or Amendment not Seconded

- 23. 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.

Dissent from Finding

- 24. 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.

Member Allowed to Speak Only Once

- 25. Subject to the right of the mover of the motion to reply, no Member shall speak more than once on any subject under discussion, except either on a point of order or, with the consent of the Chair, to make an explanation in which case the Member shall introduce no new matter. An indication that a Member is seconding a motion or amendment, without further remark, does not of itself amount, for the purposes of this Standing Order, to a speech and the Member retains the right to speak on the matter during the debate.

Right of Reply

26. The mover of a motion shall be entitled to reply; the reply shall be strictly confined to answering previous speakers and no new matters shall be introduced.

Time Limit of Speeches

27. The mover of a motion or amendment shall not speak for more than 10 minutes. Any succeeding speaker shall not speak for more than 5 minutes. The mover of the original motion shall have the right to speak for 5 minutes in reply. The foregoing limits of time may be exceeded with the consent of the meeting, provided that a majority of the Members for the time being present and voting agree.

Procedure on Point of Order

28. A Member may speak upon a matter of order and in so doing 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.

Closure of Discussion

29. After the right of reply is concluded, the discussion shall be held to have closed, after which no Member shall be permitted to offer an opinion or to ask a question or otherwise interrupt the proceedings or to speak, except with regard to the manner of taking a vote, and the question under discussion shall thereupon be put by the Chair.

Proposals Involving Negation

30. When a motion and two or more amendments to it are before the meeting and any one of the proposals, in the opinion of the Chair, implies negation, the vote shall be taken on the proposal involving negation, so soon as the discussion is completed and before the vote, if any, on the remaining proposals is taken. The proposal involving negation shall be put to the meeting in the form of "proceed" or "not proceed". If "not proceed" is carried by a majority of votes, the remaining proposals shall drop, but if "proceed" is carried a vote shall be taken between the remaining proposals as hereinafter provided.

FORMAL MOTIONS

A formal Motion requires a seconder and is put to the vote without the necessity for an amendment. The vote is taken for and against the Motion.

Motion for Adjournment of Meeting

31. 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"

Second Motion for Adjournment

32. 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.

"Question be now put"

33. At the close of any speech, any Member who has not spoken on the question before the meeting may move "that the question be now put". If this be seconded, the Chair, if of the opinion that the subject has been sufficiently discussed, shall without further debate take a vote in the form of "For the Motion" and "Against the Motion". No speeches shall be made on the motion. If it be carried, the mover of the original motion shall have the right to reply. Thereafter the original Motion and amendment(s) shall be put to the vote in the normal way.

Obstructive or Offensive Conduct

34. In the event of any Member disregarding the authority of the Chair or being guilty of obstructive or offensive conduct, a motion may be thereupon moved and seconded to suspend such Member for the remainder of the meeting. The motion shall be put to the meeting without discussion in the form "For Suspension" or "Against Suspension" and, if supported by a majority of the Members present, the motion shall be declared carried. Should the motion be carried, such Member shall thereupon retire from the meeting. The Council Officer shall act upon any orders received from the Chair in pursuance of such decision.

VOTING

Method of Voting on Motion and Amendment

35.

- (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, none of which implies negation, 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 proposal has received the support of such a majority whereupon it shall be declared to be the decision of the meeting.
- (iii) In the event of the votes for two or more proposals being equal the Chair shall decide which of them shall be dropped.

Voting - Roll Call/Show of Hands

36.1 There may be occasion in respect of particular terms of business, involving the potential for personal responsibility of Members, where it would be appropriate to accede to a request by an individual Member to take the vote by calling the roll and where the Chair, after taking such advice as he or she deems appropriate, may direct accordingly.

36.2 In addition to the above, any vote may be taken by calling the roll but will normally be taken by a show of hands. When it is proposed to take the vote by a show of hands, any Member may object to the vote being so taken. The Chair shall put the matter to the meeting in the form "for a Roll Call Vote". If one-third of the Members present, by a show of hands, support a Roll Call Vote, the vote shall be taken by roll call. In that case the names of the Members voting and the way in which they voted shall be recorded. The roll will be called with the Chair at the head followed by the remaining Members present in order of the Wards they represent. All votes on procedure, however, shall be taken by a show of hands.

Decision by Majority

37. Subject to Standing Orders 8, 10, 36 and 40 or unless otherwise provided by statute, all questions coming or arising before the Council shall be decided by a majority of the Members of the Council present and voting thereon.

Casting Vote

38. 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 Council to any particular office or Committee, in which case the decision shall be by lot.

Appointments - Filling of One Vacancy

39. In the case of an appointment where only one vacancy requires to be filled, and there are only two candidates, a vote shall be taken as between these candidates and the one receiving the majority of votes shall be declared duly appointed. If more than two candidates, a vote shall be taken among all the candidates, each Member being entitled to vote for only one candidate. If, after this vote has been taken, any candidate has an absolute majority of the Members present and voting, such candidate shall be declared duly appointed. If no candidate has such a majority, the name of the candidate having the fewest number of votes shall be struck off the list of candidates. In second and subsequent votes, the same course as that prescribed with reference to the first vote shall be followed until one of the candidates obtains the votes of the majority of the Members present and voting when that candidate shall be declared duly appointed, or until the candidates are reduced to two, when a final vote shall be taken, and the candidate who receives the majority of the votes shall be declared appointed. If, on any vote, two or more candidates at the bottom of the list have an equal number of votes, the meeting shall decide which one of those candidates shall be struck off the list.

Reconsideration of a Decision

40. No decision of the Council, Committee or Sub-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 Council, Committee or Sub-Committee may be discussed by the Council, Committee or Sub-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".

PART 4

ATTENDANCE AT MEETINGS

Retirement from Meeting of Members with Pecuniary Interest

41. Any Member who, in terms of Sections 38 and 39 of the Local Government (Scotland) Act 1973 as amended and as qualified by Sections 41 and 42 thereof, has any pecuniary interest direct or indirect in any contract, proposed contract or other matter as defined in the said Sections and is present at a meeting at which such contract, proposed contract or other matter is the subject of consideration and discloses such interest, or has previously disclosed such interest by general notice in terms of Section 40 of the said Act, shall retire from such meeting of the Council, Committee or Sub-Committee while such contract, proposed contract or other matter in which the Member has an interest as aforesaid is under consideration. Such retirement or disclosure shall be minuted.

Attendance by Members not a Member of Committee/Sub-Committee

42.

General Interest

- (i) A Member of the Council who is not a member of a particular Committee or Sub-Committee may be invited by the Chair of the Committee or Sub-Committee to attend a meeting of the said Committee or Sub-Committee while there is under discussion any item in which that Member has a local or other special interest. Such Member shall be entitled to participate in the discussion on that item but shall not be entitled to vote.

Scrutiny Issues

- (ii) Where a Member has submitted an issue for consideration of the Policy and Resources Committee under the scrutiny arrangements within the Council's Scheme of Delegation, that Member may attend the meeting at which the item is being discussed and shall then be entitled to participate in the discussion on that item but shall not be entitled to vote.

Items of Business

- (iii) Where any Member submits an item of business for consideration by a Committee or Sub-Committee of which he or she is not a member and that item is accepted by the Chair for inclusion in the Agenda, the Member may attend the meeting of that Committee or Sub-Committee at which that item is being discussed and shall then be entitled to participate in the discussion on that item but shall not be entitled to vote.

Attendance by Members of the Public

- 43.** 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 a meeting of the Council, its Committees or Sub-Committees 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

- 44.**
- (i) No deputations shall be received by the Council, Committee or Sub-Committee unless an application for admission to the meeting setting forth the matters on which the deputation desire to be heard shall have been lodged with the Chief Executive at least 12 clear days prior to the date of the meeting. Notice of any such application shall be entered in the summons calling the meeting and such meeting may agree or decline to receive the deputation.

Size

- (ii) Except with the leave of the meeting, the members of any deputation shall not exceed five persons.

Questions Etc

- (iii) The Council, Committee and Sub-Committee, as appropriate, may decide the number of members of a deputation who will speak and the time to be allowed for each speech and after the speech or speeches have been made, the members of the deputation shall withdraw from the meeting to the public seating area, provided that when a deputation is received it shall be competent for Members to put to the deputation questions pertinent to subjects on which they wish to be heard. No Member shall express any opinion upon or discuss the subject until the deputation has withdrawn.

PART 5

FINANCE

Financial Regulations and Standing Orders relating to Contracts

- 45.1** The financial affairs of the Council shall, so far as applicable, be conducted in accordance with the financial regulations made by the Council from time to time, which regulations shall form part of these Standing Orders.
- 45.2** The arrangements for contracts by the Council, for the supply of goods or materials or for the provision of services or for the execution of works, shall so far as applicable, be conducted in accordance with the Standing Orders relating to contracts made by the Council from time to time, which Standing Orders shall form part of these Standing Orders.

PART 6

MISCELLANEOUS

Authorised Officer

- 46.1.** No meeting of the Council, or Committee, or Sub-Committee, shall be held unless the Chief Executive or the Director of Corporate Resources or an Officer duly authorised by them is in attendance for the purposes of taking Minutes.
- 46.2** The Chief Executive or the Director of Corporate Resources or an Officer duly authorised by them shall be authorised to cancel a meeting of Council, Committee or Sub-Committee where no business remains to be transacted.
- 46.3** The Chief Executive or the Director of Corporate Resources or an Officer duly authorised by them shall be authorised to reschedule any existing calendar meeting, previously approved by Council.

Circulation of Reports, Papers Etc

- 47.** The Chief Executive or the Director of Corporate Resources or an officer authorised by either of them 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 paper 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 shall thereafter disclose the item or paper without the consent of the Council.

Common Seal

Affixing of Common Seal

48.1 All deeds and other documents to which the Common Seal of the Council shall require to be affixed shall not be sealed other than provided by statute or in pursuance a decision of the Council.

48.2 Common Seal to be Kept by Chief Executive

The Common Seal of the Council shall be kept by the Chief Executive who shall be responsible for its safe custody.

National Code of Local Government Conduct

49. All Members will at all times comply with the letter and spirit of the National Code of Local Government Conduct.

Code of Conduct

50. Member attendance at Council meetings shall be conducted in accordance with the Code of Conduct made by the Council from time to time, which Code shall form part of these Standing Orders insofar as applicable.

No Smoking

51. Smoking is not permitted during any meeting.

2 April 1996

Amended 29 June 1999

Amended 27 June 2000

EAST AYRSHIRE COUNCIL - CODE OF CONDUCT

No Member shall bring into any Council meeting drinks or food.

Members wishing to leave a meeting during consideration of the business of the meeting shall rise and give recognition of the fact to the Chair prior to doing so.

During all meetings of the Council, Members shall address their fellow Members by their title of Councillor and surname.

Members shall attend meetings of the Council, its Committees and Sub-Committees suitably attired.

Members shall at no time use offensive or inappropriate language.

In the interests of courtesy, Members are requested to intimate apologies not later than half an hour prior to the commencement of meetings.

Members should treat their fellow Members and Officers in a courteous manner.

On receipt of an enquiry from any Member concerning the accuracy of the recording of a Minute, made to the Director of Corporate Resources not later than two working days prior to the meeting of the Council or Committee to which the relevant Minutes are to be submitted for approval, the Director of Corporate Resources shall cause a check to be made of the contemporaneous notes of the meeting concerned and respond to the Member concerned within one working day, confirming, or otherwise, the accuracy of the record.

AGENDA