

STIRLING COUNCIL

MINUTES of the **STATUTORY MEETING** of **STIRLING COUNCIL** held in **VIEWFORTH, STIRLING** on **THURSDAY 20 MAY 1999** at **7.30 pm**

Present:-

Provost Tommy Brookes (in the Chair)

Councillor Alasdair BEATON	Councillor Susan LOVE
Councillor Margaret BRISLEY	Councillor Corrie McCHORD
Councillor Dan CAMPBELL	Councillor Colin O'BRIEN
Councillor Tom COLL	Councillor Catherin ORGAN
Councillor Ann DICKSON	Councillor John PATERSON
Councillor Pat GREENHILL	Councillor Gerard POWER
Councillor Keith HARDING	Councillor Alastair REID
Councillor Tom HAZEL	Councillor Helen SCOTT
Councillor John HENDRY	Councillor Ann STRANG
Councillor John HOLLIDAY	Councillor Gillie THOMSON
Councillor Pat KELLY	

In Attendance:-

Ms Irene Cavanagh, Head of Community Care - Adults, Housing and Social Services
Mr Nigel Clark, Training Officer, Employee Development Services
Mr Bill Dickson, Director of Finance and Information Services
Ms Margaret Doran, Head of Services to Schools, Education Services
Ms Pat Harding, Head of Public Office Services, Civic Services
Mr Bob Jack, Director of Civic Services
Mr Gordon Jeyes, Director of Education Services
Ms Jacqui Jones, Head of Personnel Services, Chief Executive's Services
Ms Lynda McAlpine, Executive Officer, Housing and Social Services
Ms Hazel McMorrow, Head of Operations, Housing and Social Services
Mr David Martin, Director of Environmental Services
Ms Fiona Matheson, Democratic Services Manager, Civic Services
Mr Don Monteith, Press and PR Manager, Chief Executive's Services
Ms Helen Munro, Director of Community Services
Mr Arthur Nicholls, Director of Technical Services
Mr Bill Pritchard, Head of Policy, Chief Executive Services
Mr Mike Redfern, Employee Development Manager, Chief Executive's Services
Mr Ian Robertson, Head of Planning and Resources, Education Services
Ms Val Rooney, Head of Housing, Housing and Social Services
Mr Fred McBride, Head of Children, Young People and Families, Housing and Social Services
Ms Barbara Thompson, Head of Communications, Chief Executive's Services
Mr Jim Watson, Executive Officer, Chief Executive's Services
Mr Keith Yates, Chief Executive

The Local Government etc. (Scotland) Act 1994 required that the election of a Convener should be the first business transacted at the first meeting of a Council following an ordinary election of Councillors and that until the election of a Convener, the Returning Officer should preside. Accordingly, Keith Yates, Returning Officer for the Stirling Council area, chaired the meeting until the election of a Convener.

SC1 DECLARATIONS OF ELECTIONS AND RESULTS OF ELECTIONS

Elections for Stirling Council Wards had taken place on 6 May 1999. The Elections had been conducted on the basis of the 22 new wards resultant from the third Statutory Review of Electoral Boundaries, which had been concluded on 31 December 1998.

Elections to the Scottish Parliament had also taken place on 6 May 1999. These elections comprised two votes: a Stirling Constituency Vote and a Regional Vote for a political party or candidate standing as an individual in the mid Scotland and Fife Region. The Regional votes across the region had been distributed by means of an additional Member system of proportional representation to allocate the seven regional seats.

The Returning Officer advised Council of the results of the Elections for both the Electoral Wards of Stirling Council and to the Scottish Parliament for the Stirling Constituency and the mid Scotland and Fife Region.

Decision

The Council noted:

- (1) The outcome of the Elections for the Electoral Wards of Stirling Council as detailed in Appendix 1, and
- (2) The results of the Scottish Parliamentary Elections for the Stirling Constituency and the mid Scotland and Fife Region, as detailed in Appendix 2.

(Reference - Report by Returning Officer dated 20 May 1999 submitted)

SC2 DECLARATIONS OF ACCEPTANCE OF OFFICE

The Local Government (Scotland) Act 1973 required that a person elected to office as a Councillor must sign a Declaration of Acceptance of Office in the manner prescribed in the Act. In making this declaration, a Councillor was required to agree to be guided by the national Code of Local Government Conduct in performing their duties as a Councillor. A Councillor could not perform these duties until they had made their declaration.

Following the Local Government Elections for the Stirling Council Wards held on 6 May, arrangements had been made to enable Councillors to make their declarations in the prescribed manner.

The Director of Civic Services confirmed that all Councillors elected to the office of Councillor of Stirling Council had made their declarations in accordance with the legislative provisions and were consequently able to undertake the duties associated with the office of Councillor for the Stirling Council.

Decision

The Council noted that all Councillors recently elected to the office of Councillor of Stirling Council had made their declarations of acceptance of office in accordance with the provisions of the Local Government (Scotland) Act 1973.

(Reference - Report by Director of Civic Services dated 20 May 1999 submitted)

SC3 ELECTION OF CONVENER

Section 4 of the Local Government, etc (Scotland) Act 1994 required that the election of a Convener should be the first business transacted at the first meeting of the Council held after an ordinary election of Councillors.

The legislation further provided that the Council could decide the title by which the Convener would be known.

Provision was also made for the Council to decide appoint a Depute Convener and to decide by which title the Depute should be known.

Decision

The Council agreed:

- (1) that the Convener would be known as the Provost of Stirling Council
- (2) that a Depute Convener be appointed, and that the Depute Convener would be known as the Depute Provost of Stirling Council

Election of Provost

Councillor Corrie McChord, seconded by Councillor Gillie Thomson nominated Councillor Tommy Brookes as Provost of Stirling Council.

Councillor Helen Scott, seconded by Councillor Pat Greenhill nominated Councillor Ann Dickson as Provost of Stirling Council

Voting was as follows:

Tommy Brookes 11 votes

Ann Dickson 9 votes

Members not voting 2 votes

The Director of Civic Services declared Councillor Tommy Brookes duly elected and invited him to accept the chain of office of Provost of Stirling Council and take the Chair.

Upon taking the Chair, Provost Brookes expressed his thanks to the Members of Stirling Council for their confidence in electing him to the office of Provost and confirmed his commitment to promote the Stirling Council area whenever possible. He also paid tribute to the people of the Eastern Villages who had supported him over the years and advised that this was the first time a Provost had been elected from that area. Provost Brookes concluded by thanking Democratic Services for continuing to provide a high standard of support to all Members, particularly during the recent election period. The Council concurred with these sentiments.

Election of Depute Provost

Councillor Corrie McChord, seconded by Councillor John Hendry nominated Councillor Ann Strang as Depute Provost of Stirling Council.

The Council unanimously agreed to appoint Councillor Ann Strang as Depute Provost of Stirling Council.

(Reference - Report by Director of Civic Services dated 20 May 1999)

SC4 ADOPTION OF STANDING ORDERS

Following the Local Government Elections held on 6 May, it was appropriate for the newly elected Council to approve Standing Orders in order to regulate its business and proceedings at meetings. A Report by the Director of Civic Services proposed that the Council re-adopt the Standing Orders in force immediately before the Council elections.

The Director of Civic Services confirmed that, if adopted, the Standing Orders would have immediate effect and would apply to the proceedings for the remainder of the meeting.

Decision

The Council agreed to adopt, with immediate effect, the Standing Orders contained in Appendix 3.

(Reference - Report by Director of Civic Services dated 20 May 1999)

SC5 APPOINTMENT OF LEADER/DEPUTE LEADER OF STIRLING COUNCIL

The Provost invited nominations for the office of Leader and Depute Leader of Stirling Council.

Leader of Stirling Council

Councillor John Hendry, seconded by Councillor Gillie Thomson nominated Councillor Corrie McChord as Leader of the Council.

Depute Leader

Councillor Corrie McChord, seconded by Councillor Gillie Thomson nominated Councillor John Hendry as Depute Leader of the Council.

The Council unanimously agreed:

- (1) to appoint Councillor Corrie McChord as Leader of Stirling Council
- (2) to appoint Councillor John Hendry as Depute Leader of Stirling Council

ADJOURNMENT OF MEETING

The Council agreed to adjourn the meeting until Thursday 27 May 1999 at 7.30 pm

APPENDIX 1**LOCAL GOVERNMENT ELECTIONS - 6 MAY 1999
STIRLING COUNCIL**

WARD	CANDIDATE ELECTED	PARTY
1 - Bridge of Allan	John Holliday	Conservative
2 - Logie	Susan Love	SNP
3 - Wallace	John Paterson	Labour
4 - Raploch	John Hendry	Labour
5 - Town Centre	Corrie McChord	Labour
6 - Argyll	Ann Strang	Labour
7 - Kings Park & Cambusbarron	Gerard Power	Conservative
8 - Torbrex	Keith Harding	Conservative
9 - Broomridge	Gillie Thomson	Labour
10 - Borestone	Pat Kelly	Labour
11 - Bannockburn West	Tom Coll	Labour
12 - Bannockburn East	Margaret Brisley	Labour
13 - Polmaise	Tom Hazel	Labour
14 - Sauchenford	Tommy Brookes	Labour
15 - Dunblane West	Pat Greenhill	Conservative
16 - Dunblane East	Ann Dickson	Conservative
17 - Highland	Duncan Campbell	SNP
18 - Teith	Alastair Reid	Conservative
19 - Trossachs	Alasdair Beaton	Conservative
20 - Campsies	Helen Scott	Conservative
21 - Strathendrick	Colin O'Brien	Labour
22 - Blane Valley	Catherine Organ	Conservative

Total Electorate 66,058

Total No. of Votes Cast 43,558

Turnout (%) 66

SCOTTISH PARLIAMENTARY ELECTIONS

6 MAY 1999

STIRLING CONSTITUENCY

The Member elected to the Scottish Parliament for the Stirling Constituency is Sylvia Jackson the Scottish Labour Party Candidate.

MID SCOTLAND AND FIFE

The seven Regional Members elected to the Scottish Parliament for Mid Scotland and Fife are:-

Nicholas Johnston -	Conservative
Brian Monteith -	Conservative
Keith Harding -	Conservative
Keith Raffan -	Liberal Democrats
Bruce Crawford -	SNP
George Reid -	SNP
Tricia Marwick -	SNP

STANDING ORDERS

STANDING ORDERS OF THE STIRLING COUNCIL

APPLICATION OF INTERPRETATION ACT

- 1 The Interpretation Act 1978 applies to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.

COMMENCEMENT

- 2 These Standing Orders will apply and have effect on and after **20 May 1999**.

DEFINITIONS

- 3 In these Standing Orders, the following words and expressions will have the following assigned to them, that is to say -

“the 1973 Act” means the Local Government (Scotland) Act 1973

“the 1989 Act” means the Local Government and Housing Act 1989

“the 1994 Act” means the Local Government Etc (Scotland) Act 1994

“Council” means The Stirling Council incorporated under the 1994 Act

“Councillor” means a Member of the Council duly elected at an election or by-election or duly elected to fill a Council vacancy and who has made a declaration of acceptance of office in terms of Section 33A of the 1973 Act

“Proper Officer” means the person designated as such and for the purpose specified by the Council

“Member” means in relation to the Council, a councillor and in relation to any Committee or sub-Committee a person appointed as a Member of that Committee or sub-Committee whether or not entitled to vote

“Head of Paid Service” means the person designated as such by the Council under Section 4 of the 1989 Act

“Monitoring Officer” means the person designated as such by the Council under Section 5 of the 1989 Act or, if that person is unable to act owing to absence or illness, the person nominated by him or her as his or her deputy under sub-section (7) of that section

“Finance Officer” means the person designated by the Council for the purpose of Section 95 of the 1989 Act

“Chief Officer” means a statutory or non-statutory Chief Officer, as defined in Section 2 of the 1989 Act

CHAIR

- 4 At a meeting of the Council, the Provost or, in his absence, the Depute Provost will preside. If the Provost and Depute Provost are both absent from a meeting, the Proper Officer will call on the Members of the Council to choose a Member to preside.
- 5 The Council may effect the early removal from office of the Provost providing
 - (i) prior notice to that effect is given at one meeting of the Council on the basis that the matter will be considered at the next meeting of the Council, or
 - (ii) where no such prior notice is given, not less than two-thirds of Councillors present and entitled to vote at a meeting agree that the early removal from office of the Provost be considered at that meeting.
- 6 The provisions of Standing Order 5 relating to the early removal from office of the person elected as Provost will also apply to the position of Depute Provost.

CALLING MEETINGS

- 7 Meetings of the Council will be held on the days at the times and in the places fixed by the Council or at such place and time as may be otherwise specified by the Provost in consultation with the Proper Officer.
- 8 A special meeting of the Council will be called by the Proper Officer (a) at any time on being required so to do by the Provost or (b) on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting signed by at least one-fourth of the whole number of Members of the Council, which meeting will be held within fourteen days of the receipt of the requisition by the Proper Officer.
- 9 Public notice of the time and place of the meeting will be given by posting it at the office of the Council, Old Viewforth, at least three clear working days before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened. Notices, agendas and papers will be sent to all Members at least three clear days before meetings or, if convened at shorter notice, then as soon as meetings are convened. Notices, agendas and papers will be left at or sent by post to the usual place of residence, or such address as any Member may notify.

CANCELLATION OF MEETINGS

- 10 Meetings of the Council cannot be cancelled once the public notice calling the meeting has been issued. When a meeting is cancelled in advance of the issue of the public notice, this will be done on the instruction of the Provost and notice of the cancellation will be sent to all Members as soon as is practicable by the Proper Officer.

PUBLIC ACCESS

- 11 Every meeting of the Council, its Committees and Panels will be open to the public, except in special circumstances which are set out below.

- a) The public must be excluded from a meeting of the Council or a Committee or Panel when an item of business is being considered if it is likely, because of the business itself or what might be said, that confidential information as meant by the relevant law would be given to members of the public.
 - b) The Council may decide, by passing a resolution at any meeting, to exclude the public when they are considering an item of business if it is likely, because of the business itself or what might be said that exempt information as meant by the relevant law would be given to members of the public. The resolution to exclude the public will make clear the proceedings or which part of the proceedings of the meeting it applies to and state the description of the exempt information.
- 12 It is always open to the Council, in order to stop disorderly conduct or other misbehaviour at a meeting to exclude members of the public whose presence or actions are stopping the good conduct of the meeting. If a member of the public interrupts any meeting, the Provost may warn the person. If they continue the interruption the Provost may ask that they leave the chamber or will adjourn the meeting to another time the same day, or to another date and time.
- 13 Copies of Agendas and reports for meetings will be open and available at the Council's Headquarters during normal office hours for at least 3 clear days before the meeting for any members of the public who may wish to look at these. Copies of reports and agendas will also be available at appropriate Area Offices and Libraries as soon as practicable after the Public Notice has been posted at the Council's Headquarters.
- 14 If the Director of Civic Services believes that there is a proper reason she or he may exclude from copies of reports which are to be available for members of the public who wish to look at them, the whole of a report (or any part of a report) which relates to items of business which she or he thinks are likely to be considered when the meeting is not to be open to the public. Every copy of any report in that category (or part of that report) will either be marked "Not for Publication" or marked "Confidential".

QUORUM

- 15 No business will be carried out at a meeting of the Council unless at least 12 Members of the Council are present.
- 16 No business will be carried out at a meeting of a Committee or Panel of the Council unless the requisite number of Members provided for in Standing Order No 21 are present.

LACK OF A QUORUM

- 17 If within 15 minutes after the time appointed for a meeting of the Council there is no quorum the Provost will adjourn the meeting to a time she or he may then or afterwards fix. In the event of the Provost being among those absent, the Proper Officer will minute that owing to the lack of the necessary quorum no business was transacted.

- 18 If during any meeting of the Council the attention of the Provost is called to the number of Members present, he or she will (unless it is apparent to the Provost that a quorum is present) direct the roll to be called and if a quorum is not present the meeting will immediately terminate.

SUBSTITUTES

- 19 When a Member is unable to attend a meeting (with the exception of the Council Tax/Housing Benefit Review Panel) the Member concerned may arrange for any other Member of the Council to attend the meeting as their substitute. Any Member attending a meeting as a substitute must advise the Clerk prior to the commencement of the meeting. A Member (whether the substantive Member or a substitute) may not be replaced during the course of a meeting or at any adjourned meeting.

ORDER OF BUSINESS

- 20 The business of the Council will proceed in the order specified in the notice calling the meeting except that any item of business may, at the discretion of the Provost, be taken out of order and provided that the Council may adjourn a meeting of the Council to any other day, hour and place. The order in the notice will, unless circumstances otherwise require, be as follows:-

- 1 Sederunt (Council only)
- 2 Notification of Apologies and Substitutions (Committees and Panels only)
- 3 Appointments and Resignations - Members of Council (Council only)
- 4 Business brought forward by the Provost as a matter of urgency in terms of Standing Order No 20(ii) intimated at the start of the meeting and discussed in the order determined by the Provost.
- 5 Deputations agreed by the Provost, intimated at the start of the meeting to be heard in the order determined by the Provost.
- 6 Minutes of previous meeting(s)
- 7 “ Written Questions” - (Standing Order No **27** refers - Council and Committee only)
- 8 Question Time - (Standing Order No **28** refers - Council only)
- 9 Appointments and Resignations - Outside Organisations (Council only)
- 10 Statutory, or other competent business with reports by Committees being followed by new business.
- 11 Statutory Motions (e.g. Road Orders)
- 12 Notices of Motion, previously intimated in terms of Standing Order No **24(i)**.

APPOINTMENT OF COMMITTEES AND PANELS

- 21 (i) Subject to any statutory provision, the Council will establish and amend the constitution, membership and functions of such Committees and Panels as they consider necessary and will prepare and adopt a Scheme of Delegation

on the Reference and delegation to Committees, Panels and Officers for the purpose of arranging for the discharge of the functions of the Council. Without prejudice to the foregoing generality, the Council will appoint the following Standing Committees and Panels:-

(ii) **Standing Committees -**

Committee	Membership	Quorum
Care	11	6
Children's*	14	7
Community and Economic Development*14		7
Environmental Quality	11	6
Resources	11	6

* The Membership of these Committees includes three representatives of religious bodies appointed in terms of Section 31 of the 1994 Act. These Members having the same voting rights as Councillors.

(iii) **Standing Panels -**

Panel	Membership	Quorum
Appointments	8 ¹	5
Appeals	5	3
Grievance and Discipline (Chief Officials)	5 ²	3
Finance	5	3
Council Tax/Housing Benefit	5 ³	3
Childcare	3	3
Parental Appeals	3 ⁴	3
Housing	5	3
Planning	7	4
Regulatory Functions	5	3
Stirling Common Good Fund	3	3

Notes

- 1 Comprising the Provost, Leader of the Council, Chair of the Resources Committee, 3 other Members and, dependant on the particular appointment, 2 other Members comprising the Chair or Chairs of the appropriate Committees or the Vice Chair of the Resources Committee, or Spokesperson, or Chair of the Policy Executive.
- 2 Comprising 5 members of the Resources Committee who are not members of the Appeals Committee.
- 3 Substitutes may not be appointed at any Review Hearings.
- 4 Comprising one Member of the Committee (drawn from a rota), one educational representative and one parental representative.

APPOINTMENT OF CO-OPTED MEMBERS/REPRESENTATIVES OF RELIGIOUS BODIES

22 (a) Children's and Community and Economic Development Committees

In accordance with Section 31 of the Local Government (Scotland) Act 1994, the Children's and Community and Economic Development Committees will include in its Membership three representatives of religious bodies who are not Members of the Council. These representatives will be counted for the purpose of establishing a quorum and will have the same voting rights as Elected Members. They will not be able to appoint substitutes.

The Membership of the Children's and Community and Economic Development Committees may also include persons other than Elected Members of the Council, provided that at least one half of the Members of these Committees are Elected Members of the Council.

(b) Other Committees

The Membership of any Committee other than the Children's and Community and Economic Development Committees, may include persons who are not Elected Members of the Council, provided that at least two thirds of the Members of such Committees are Elected Members of the Council.

(c) General Provisions

Co-opted Members appointed to Committees of the Council will be non-voting Members. They will not be counted for the purposes of establishing a quorum and will not be able to appoint substitutes. Co-opted Members of Committees of the Council may not be appointed to Panels.

APPLICATION OF STANDING ORDERS OF THE COUNCIL TO COMMITTEES

23 Subject to any matters reserved to Council and with the exception of Standing Orders **5, 6, 15, 21(i), 28, 53, 54** and **55** the provisions of the Standing Orders of the Council will apply to Committees of the Council and to Panels of Committees as they apply to the Council. Standing Order No **27** will apply to Committees of the Council but not to Panels. References to Provost and Depute Provost will be read as references to Chair and Vice Chair respectively.

NOTICES OF MOTION

24 (i) Every Notice of Motion will be in writing, signed by the Member giving notice and countersigned by one other Member and delivered to the Proper Officer at least seven clear working days before the next ordinary meeting of the Council. All such Motions of which notice has been duly given will be included in the summons for that next meeting in the order in which they are received.

(ii) The foregoing provision will not apply where the Provost decides, in terms of Section 56B(4)(b) of the 1973 Act, that by reason of special circumstances, which will be specified in the minutes, the matter is one of urgency.

25 If a motion, notice of which is specified in the circular of business, is not moved either by the Member who has given the notice, or by some other Member on their behalf, it will, unless postponed by leave of the Council, be considered as dropped, and will not be moved without fresh notice.

- 26 Standing Orders **24 and 25** will not apply to motions which are moved by the Provost or other Members in pursuance of a minute or report.

WRITTEN QUESTIONS

- 27 Any Member may put a question to the Provost or any Chair of a Committee, at any ordinary meeting of the Council, concerning any relevant and competent business not already upon the agenda provided that no Member can put more than one question at any meeting. To facilitate the business of the meeting a Member will give notice in writing of their question to the Proper Officer by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Provost or any Chair will be tabled 15 minutes before the start of the relevant meeting. On any principal question so submitted, a Member who has put a question may, after the answer has been given, ask one supplementary question directly bearing upon the subject matter of the original question, but no discussion will be allowed on any question, principal or supplementary, so put.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the item of business under which written questions are to be dealt with except with the consent of the Provost. If a member does not have the opportunity to put a supplementary question because no time remains, then the Member may submit a supplementary question, in writing, to the Director of Civic Services who will arrange for a written answer to be provided within 7 working days.

QUESTION TIME

- 28 At each ordinary meeting of the Council, 10 minutes will be allowed for Question Time. when any Member may put a question to the Provost or any Chair of a Committee concerning any business dealt with by Committees under delegated powers and included in the volume of minutes for that meeting of the Council.

DEBATES

- 29 All matters before the Council which are the subject of a written report by an Officer, will, at the direction of the Provost be introduced without interruption by the Officer responsible for the report. Members will then have the opportunity to ask questions, seek clarification, or request further information. It will not be competent to move a Motion, the Direct Negative or an Amendment at any of these stages. Once the report has been introduced, and all questions have been responded to, the Provost will direct that the matter is open for debate.

- 30 No debate will be allowed except where a Motion has been moved and seconded and the Direct Negative and/or competent Amendments have also been moved and seconded. The Motion, Direct Negative and any Amendments must be moved, in full, and must be reduced to writing and handed to the Proper Officer prior to the commencement of debate.

A Member may only move or second one proposition (either a motion or an amendment) on any matter which is the subject of a division.

- 31 In the event that a Member fails to find a seconder for a Motion/Amendment, the Member will have the right to have their dissent recorded in the minute.

- 32 Members of the Council wishing to speak will do so only when called by the Provost and no Member will speak unless called.

- 33 Any Member addressing the meeting will stand when speaking and will speak strictly to the Motion under discussion, or to the Motion or Direct Negative or Amendment to be proposed or seconded by her or him, or to a point of order or point of clarification.
- 34 The mover of a Motion, the Direct Negative, or an Amendment may not speak for more than 5 minutes and the seconder may not speak for more than 3 minutes, except by permission of the Provost. A Member will not address the Council more than once on any Motion or Amendment but the mover of the Motion, the Direct Negative or Amendment may reply in reverse order to sum up, provided that the reply is strictly confined to answering previous speakers and does not introduce any new matter into the debate. A Member exercising the right of reply will not speak for more than 3 minutes, except by permission of the Provost.
- 35 With the consent of the Provost, any Member may speak to a point of order, or in explanation of some material part of their speech which they believe to have been misunderstood. When a Member wishes to raise a point of order or a point of clarification, any Member speaking at that time will resume their seat until the matter has been decided upon by the Provost.
- 36 A Motion, Amendment or the Direct Negative once moved and seconded will not be withdrawn without the consent of the mover and seconder.
- 37 Every Amendment must be relevant to the Motion to which it is moved. The Provost will decide as to the relevancy and will have the power, with the consent of the meeting, to join Motions or Amendments (including the Direct Negative) which are not inconsistent with each other.
- 38 All additions to, omissions from, or variations upon a Motion will be considered as Amendments to the motion and will be disposed of accordingly.
- 39 The following closure Motions will be permitted during discussion of another Motion. They will be moved, seconded and put without discussion:-
- (i) "that the meeting proceed to next business";
 - (ii) "that the question is now put to the vote";
 - (iii) "that the vote be taken by roll-call or by ballot in terms of Standing Order 41".

VOTING (OTHER THAN APPOINTMENTS)

- 40 Subject to these Standing Orders and any statutory provision requiring a minimum number of votes to decide a matter, every question will be determined by a majority of votes of the Members present and voting at a meeting of the Council. In the event of an equality of votes, the Provost will have a second or casting vote except in relation to the appointment of a Member to any particular office, Committee or Panel, in which case the decision will be by lot.
- 41 Subject to these Standing Orders voting will be by a show of hands unless the Council decides either that:-
- (i) the voting will be by means of a roll-call vote, in which case the names for and against the Motion or Amendment will be taken down in writing and entered into the Minute; or,
 - (ii) the voting will be by ballot.

- 42 Voting will commence at the closure of debate with those Members present voting either “for” or “against” any amendments which will be taken in the order moved or in the order determined by the Provost.
- 43 If an amendment is not carried, other amendments of which notice has been given will be moved on the original motion, unless the Provost directs otherwise. If an amendment is carried, the motion, as amended, will take the place of the original motion and will become the substantive motion on which any remaining amendments may be moved. After all amendments have been disposed of, Members will then vote “for” or “against” the motion remaining before the meeting.
- 44 Where the Direct Negative has been moved in addition to one or more amendments, the Direct Negative will be taken last. no matter the order in which notice has been given.
- 45 Where a motion is moved and seconded and the Direct Negative is similarly moved and seconded, a straight vote will take place “for” or “against” the motion.

VOTING (ALL APPOINTMENTS)

- 46 In making appointments to any position(s) to be filled by the Council where the number of candidates exceeds the number of vacancies, the persons to be appointed will be determined by a vote or votes in each of which Members will be entitled to vote for as many candidates as there are vacancies; but may not cast more than one vote for any candidate. The name of the candidate having the least votes will be deleted from the list and a fresh vote, or votes, will be taken. This process of elimination will be continued until the number of candidates equals the number of vacancies.
- 47 Where only one vacancy requires to be filled, and any candidate has an absolute majority of the votes, the candidate will be declared appointed. Otherwise, the name of the candidate having least votes will be deleted from the list. This process of elimination will be continued until one candidate has a majority of the votes.
- 48 If in any vote among more than two candidates there is an equality of votes among the candidates having least votes, the candidates whose names will be eliminated will be determined by an additional vote. The candidate having least votes will be deleted from the list. Where in any vote there remains an equality of votes, the Provost will have a second or casting vote, except where the proposal relates to the appointment of a Member of the Council to any particular Office, Committee or Panel, in which case the decision will be by lot.
- 49 At any stage, Councillors may, by unanimous agreement, exclude candidates who they consider have no prospect of being appointed.

QUESTIONS OF PROCEDURE

- 50 The Provost will have discretion, with or without discussion, to determine all questions of procedure in reference to which no express provision is made under these orders.

OBSTRUCTIVE AND OFFENSIVE CONDUCT

- 51 In the event of any Member at any Council meeting disregarding the authority of the Provost, or being guilty of obstructive or offensive conduct, the Provost will stand, at which point all Members must stop talking. The Provost may then do any or all of the following:-

- (i) direct the Member to stop speaking during the remainder of the debate on the matter under discussion;
- (iii) that the Member should stop speaking for the remainder of the meeting;
- (iv) that the Member should leave the meeting;
- (v) adjourn the meeting for such period as seems reasonable.

REVOCAION OF PREVIOUS RESOLUTIONS

- 52 A decision of the Council will continue to be operative and binding and no motion which seeks to alter or revoke a decision or has that effect will be considered or passed for at least six months; provided that it will be competent to deal with the subject matter of such a resolution afresh;
- (i) where the Provost is satisfied that a material change of circumstances has occurred; and,
 - (ii) where notice has been duly given in the summons that such a resolution may be revoked or altered, unless the revocation or alteration is inherent in the terms of a report or minute to the Council.

SUSPENSION, ALTERATION AND REVIEW OF STANDING ORDERS ETC

- 53 Insofar as is consistent with any statutory provisions, any one or more of the Standing Orders may be suspended at any meeting, provided that two-thirds of the Members of the Council present so decide.
- 54 No alteration of the Standing Orders will be made without notice given at one meeting of the Council to be discussed at the following one, and will not come into effect except on a resolution, adopted by a majority of the Members present and voting.
- 55 At least once every year, the Council will review these Standing Orders to determine whether any alteration(s) should be considered.