

## **STANDING ORDERS**

**(as at 29 September, 2011)**

In exercise of the powers contained in paragraph 8 of Schedule 7 to the Local Government (Scotland) Act, 1973, and subject to the provisions of the said Schedule and of other relevant provisions of the said Act, the Aberdeenshire Council hereby make the following Standing Orders for the regulation of the business and proceedings of the Council and of its Committees and Sub-Committees, which Standing Orders shall operate from 27 June, 1996.

## **STANDING ORDERS**

### **1. CHAIR**

- (1)
  - (a) At a meeting of the Council, the Provost, if present, shall preside as Chair.
  - (b) If the Provost is absent from a meeting of the Council, the Deputy Provost, whom failing another member of the Council chosen by a majority of the members present, shall preside as Chair.
- (2) The Chair shall, inter alia, -
  - (a) preserve order and ensure that every member of the Council shall have a fair hearing;
  - (b) if a member of the public interrupts the proceedings at any meeting, warn him or her; if he or she continues to interrupt, the Chair shall order his or her removal from the Council Chamber or meeting room; in the case of a general disturbance in any part of the Chamber or meeting room open to the public, the Chair shall order that part to be closed;
  - (c) decide all matters of order, competency and relevancy;
  - (d) decide between two or more members of the Council indicating a wish to speak by calling on the member who has first caught his or her eye;
  - (e) see that due and sufficient opportunity is given to members of the Council who wish to speak to express their views on the subject under discussion; and
  - (f) ensure that the sense of the meeting is properly ascertained with regard to any matter which is properly before the meeting.
- (3) The ruling of the Chair on all matters within his or her jurisdiction as Chair shall be final and shall not be open to question or discussion.

### **2. GENERAL CONDUCT OF MEETINGS**

- (1) At meetings of the Council -
  - (a) every member of the Council shall stand when speaking and shall address the Chair;
  - (b) when the Chair rises to speak, no other member of the Council shall continue standing, nor shall any other member rise to speak until the Chair is seated;
  - (c) when the Chair is speaking he or she shall be heard without interruption; and

- (d) in the event of any person present disregarding the authority of the Chair or being guilty of obstructive or offensive conduct, a motion may thereupon be moved and seconded to suspend such person for the remainder of the sitting; the motion shall be put without discussion and, if it be carried, such person shall leave the Council Chamber and, if refusing to do so, shall be removed from the Council Chamber (including the precincts thereof) with such force as may be reasonably necessary.
- (2) Members of the Council, members of Committees of the Council and all officers of the Council are required to comply with the terms of the Councillors' Code of Conduct issued by the Standards Commission for Scotland.
- (3) The Director of Corporate Services shall maintain a Register of disclosures of pecuniary interests and other interests made by members of the Council, which Register shall be open to inspection by any member of the public.
- (4) Where a member discloses a pecuniary interest, direct or indirect, in any contract or other matter and is present at a meeting of the Council or of a Committee of the Council at which the contract or other matter is the subject of consideration, that person shall, after disclosing the fact, withdraw from the meeting while the contract, proposed contract or other matter is under consideration.
- (5) Where a member discloses a private or personal interest which is not pecuniary, he or she may take part in discussion and vote, unless he or she considers that interest is clear and substantial, in which case he or she shall withdraw as if the interest were pecuniary.

### **3. MEETINGS OF COUNCIL**

- (1) In an election year, a meeting of the Council shall be held within 21 calendar days immediately following the date of the election.
- (2) The Council shall, not later than 31 December in each year, determine dates of meetings to be held by the Council during the 12 months commencing on 1 May following provided (a) that all ordinary meetings of the Council shall commence at 10.15 a.m., shall adjourn not later than 5.00 p.m., and, if the meeting is held on a morning, shall adjourn at 12.45 p.m. for lunch, and (b) that a special meeting of the Council may be called at any time by the Chair of the Council, or on the signed requisition of at least one-fourth of the whole number of members of the Council, which meeting shall be held within 14 calendar days of the day of receipt of the requisition by the Director of Corporate Services and the requisition and notice of business shall specify the business to be transacted.

### **4. NOTICE OF MEETINGS OF COUNCIL**

- (1) Six clear calendar days at least before a meeting of the Council -
  - (a) notice of the time and place of the intended meeting shall be published at the Council's offices and, where the meeting is called by members of the Council, the notice shall name those members and shall specify the business proposed to be transacted thereat; and
  - (b) a summons to attend the meeting, specifying the business to be transacted thereat and signed by the Director of Corporate Services, shall, subject to subparagraph (2) below, be delivered electronically to the councillor's

Aberdeenshire Council e-mail address, or by hand or post to the usual place of residence of every member of the Council.

- (2) If a member of the Council gives notice in writing to the Director of Corporate Services that he or she desires summonses to attend meetings of the Council to be sent to him or her by post at some address specified in the notice other than his or her place of residence, any summons addressed to him or her and left at, or sent by post to, that address shall be deemed sufficient service of the summons.
- (3) Want of service of a summons on any member of the Council shall not affect the validity of a meeting of the Council.

## **5. BUSINESS AT MEETINGS OF COUNCIL AND COMMITTEES**

- (1) The business of the Council at any meeting shall proceed in the order of the agenda except that the Chair may, at his or her discretion, alter the order of business at any stage.
- (2) Except in the case of business required by or under any statutory provision, no item of business shall be transacted at a meeting of the Council unless (a) it is specified in the summons relating thereto or any supplementary notice and copies of the summons and any supplementary notice are open to inspection by members of the public in pursuance of Section 50B(4) of the Local Government (Scotland) Act 1973 or (b) the Chair is of the opinion, by reason of special circumstances which shall be specified in the Minutes, that an additional item should be considered at the meeting as a matter of urgency.

## **6. ADJOURNMENT OF MEETING**

- (1) The Chair shall be entitled, in the event of disorder arising at any meeting of the Council, to adjourn the meeting to a time he or she may then or afterwards fix.
- (2) The Council may, at any of their meetings as a Council, adjourn the same to such time as the Chair may then or afterwards fix.
- (3) A motion for the adjournment of the meeting may be made at any time (not being in the course of a speech) and shall have precedence over all other motions. It shall be moved and seconded without speeches or discussions and shall be put at once to the meeting by the Chair. The vote shall be taken by means of a show of hands.
- (4) When an adjourned meeting is resumed, proceedings shall (subject to the discretion given to the Chair under Standing Order No. 5) be commenced at the point at which they were broken off at the adjournment.

## **7. QUORUM**

- (1) Subject to the provisions of Schedule 7 to the Local Government (Scotland) Act, 1973, the quorum of the Council shall be 17, being one-fourth of the whole number of members of the Council.
- (2) If, during any meeting of the Council, a quorum is not present, the Chair shall direct that the meeting be adjourned for 5 minutes and if, after a lapse of 5 minutes, the Chair shall find that there is not a quorum present, the meeting shall thereupon terminate; but if, before or upon the lapse of the said 5 minutes, a quorum is present, the Chair shall direct that the business of the meeting be forthwith resumed.

- (3) The Chair shall have power to direct that a special meeting of the Council be called to transact any business which has not been disposed of at a prior meeting which has terminated because of the lack of a quorum; if a special meeting is not convened in such a case, such adjourned business shall, at the next ordinary meeting of the Council, be considered immediately after the approval of Minutes of the previous meeting or meetings of the Council and shall (subject to the discretion given to the Chair under Standing Order No. 5) be commenced at the point at which it was broken off at the termination of the previous meeting.

## **8. APPROVAL OF MINUTES**

- (1) At each ordinary meeting of the Council, the Minutes of the previous ordinary meeting, and (when practicable) of any intervening special meeting, having been previously circulated, shall be submitted and shall be held as read. No motion or discussion shall be allowed in the Council on these Minutes, except as to their accuracy as a record of the meeting to which they relate. Any objection on this ground must be made by motion and, if necessary, the matter shall be decided by vote in the ordinary manner, provided that, for this matter, discussion and voting shall be restricted to those members who were present at the meeting to which the Minute relates.
- (2) The Minutes of any special meeting of the Council, if not submitted for approval at the next ordinary meeting of the Council, shall be submitted for approval at the earliest subsequent ordinary meeting at which it is practicable so to do and shall be disposed of as in this Standing Order.

## **9. DISSENTS**

- (1) Any member of the Council who at any meeting of the Council has taken part in a vote or has proposed a motion or amendment which has not been seconded may at such meeting enter his or her dissent from the resolution adopted, which dissent shall be recorded in the Minute of the meeting, without giving reasons therefor. A member entering his or her dissent in accordance with this provision may, within fourteen calendar days of such meeting, lodge with the Director of Corporate Services a statement containing his or her reasons of dissent.
- (2) No member shall be entitled to enter his or her dissent from a resolution of the Council except at the meeting at which such resolution is adopted.
- (3) Except as herein provided, no reservation or qualification by any member with respect to a particular resolution shall be recorded in the Minutes of Meetings of the Council.

## **10. QUESTIONS**

- (1) Written Questions - any member of the Council may, at any ordinary meeting of the Council, put a question to the Chair of the meeting or to the Chair of any standing or special committee or to the Chief Executive concerning any relevant or competent matter provided that the member shall have given notice of the question in writing, duly signed, to the Chief Executive not later than noon on the fourteenth calendar day before the date of the meeting.
- (2) Any such question shall be expressed without argument or reasons and shall be allowed only so far as deemed relevant and competent by the Provost or, in his or her absence, by the Deputy Provost.
- (3) The Chief Executive shall, as soon as practicable, provide the Chair of the meeting or of any Committee to whom the question is addressed with a copy, and shall give appropriate officials an opportunity to submit their observations on the questions

affecting their respective services. The Chief Executive shall consider any representations received from the Chair concerned, but the answers to questions shall be drawn up by the Chief Executive or his or her representative.

- (4) Each question and answer thereto shall be printed and attached to, and circulated with, the agenda of the meeting
- (5) No discussion shall be allowed on any question so put or any answer given but a supplementary question by the original questioner shall be allowed to clarify the content of the answer. The Chair of the Council or of a Committee may call upon an official of the Council to speak at a meeting of the Council to provide factual information in answer to a supplementary question.
- (6) The printed and supplementary questions and answers shall be recorded in the Minutes of Meetings of the Council.

## **11. RECEPTION OF DEPUTATIONS**

- (1) All applications requesting the Council or any of its Committees to receive a deputation shall be in writing, duly signed, and shall state (a) the subject on which the deputation desires to be heard and (b) the action, if any, that the deputation proposes to request the Council or the Committee to take.
- (2) Every such application shall be addressed to the Director of Corporate Services and shall be in his or her hands by noon of the fourteenth calendar day before the date of the Council or Committee meeting concerned. If, in the opinion of the relevant Chair, the subject on which the deputation desires to be heard is competent and relevant, it shall, be put on the agenda of the first ordinary meeting of the Council or Committee after its receipt. Thereafter, if agreed by Council or Committee as the case may be, the deputation shall be accorded the opportunity of being heard at the next ordinary meeting of that Council or Committee.
- (3) If, however, on receipt of any such application, the relevant Chair is of the opinion that the matter on which the deputation desires to be heard is not only competent but also urgent, he or she may direct that the deputation be requested to be present at the first ordinary meeting of the Council or Committee after receipt of the application whereupon the deputation shall, at the discretion of the Council or Committee concerned, be received and heard at such meeting.
- (4) Not more than two members of any such deputation shall be permitted to address the meeting and the total time allotted to such members at any one meeting shall not exceed 10 minutes. It shall be competent for any member of the Council or Committee, with leave of the Chair, to put any relevant questions to the deputation, but no member shall express an opinion upon the subject, nor shall the Council or Committee discuss the subject on which the deputation has been heard, until the deputation has withdrawn to the public benches.
- (5) In the case of deputations concerning planning applications:-
  - (a) Any request for the Council or any of its Committees to receive such a deputation in relation to an undetermined planning application shall be submitted in writing, duly signed, shall state the subject application on which the deputation desires to be heard and whether the intended speaker is in support or opposes the planning application.
  - (b) Every such application shall be addressed to the Area Manager within the particular administrative Area of the Council that the planning application

relates to and shall be in his or her hands by noon of the fourteenth calendar day before the date of the Council or Committee meeting concerned. If, in the opinion of the Chair of the Council or Committee concerned, the subject on which the deputation desires to be heard is competent, the request shall be put on the agenda of the Council or appropriate Committee after its receipt. Thereafter, the deputation shall, at the discretion of the Council or Committee, be accorded the opportunity of being heard at that meeting, subject always to adequate notice having been given to parties holding an opposing view e.g. if any deputation should comprise those objecting to a planning application, the applicant should also be given the opportunity of being heard.

- (c) No more than two members of any such deputation or identified parties holding an opposing view shall be permitted to address the meeting and the total time allotted to such deputation or identified parties holding an opposing view shall not exceed 10 minutes. It shall be competent for any elected member of the Council or relevant Committee, with the leave of the Chair, to put any relevant questions to the deputation, but no elected member shall express an opinion upon the subject, nor shall the Council or Committee discuss the subject on which the deputation has been heard, until the deputation has withdrawn to the public benches.

## **12. NOTICES OF MOTION**

- (1) Not later than noon on the fourteenth calendar day before the date of an ordinary meeting of the Council or of an Area Committee, notice of motion in writing or in electronic form, duly signed in manuscript or electronically, may be given by any member of the Council for consideration at that meeting of the Council or by any member of the Area Committee for consideration at that meeting of the Area Committee providing the notice of motion for a meeting of the Area Committee is consistent with the delegated powers of the Area Committee. Such notice, which shall set forth the proposal without argument or reasons, shall be submitted to the Director of Corporate Services or the appropriate Area Manager in respect of Notices of Motion to area committees.
- (2) Before submitting such notice of motion, the member shall provide written evidence in an approved format to the Director of Corporate Services or Area Manager as appropriate of having taken all reasonable steps to have the subject matter dealt with through available normal channels; the member shall not have been satisfied with the action taken; and no other options remain open to the member to have the matter dealt with.
- (3) The Chair of the Council or Area Committee meeting before which the Notice of Motion is placed shall, prior to the meeting of the Council or Area Committee, decide as to its competence or relevance. Once ruled incompetent, a Notice of Motion in the same, or broadly similar, terms may not be re-submitted.
- (4) If a member of the Council or Area Committee who has given a notice of motion is absent when it falls to be considered by the Council or Area Committee in the first instance, it shall, unless the Council or Area Committee otherwise decides, be put on the agenda of the next ordinary meeting of the Council or Area Committee. If, at the said next ordinary meeting, the member is again absent, the notice of motion shall fall.
- (5) Any member of the Council submitting a notice of motion shall, if the motion is remitted to a Policy Committee or Area Committee for consideration and report or with powers, be invited to attend and, where the mover so desires, to address that Committee, if not already a member thereof for the purpose of the remit, and, if the matter is remitted to a Sub-Committee by the Committee, he or she shall also be invited to attend and, where

the mover so desires, to address that Sub-Committee for such purpose, if not already a member thereof. Unless the mover is a member of the committee to which his or her motion is referred, he or she shall not be entitled to vote on the motion.

- (6) Notwithstanding the terms of Standing Order 13(8), any notice of motion remitted by the Council to a Committee or Sub-Committee which is moved but not seconded shall be recorded in the Minutes.

### **13. MOTIONS AND AMENDMENTS**

The following provisions shall apply to motions and amendments directly and competently arising in connection with any subject before the Council:-

- (1) Every motion or amendment on any question shall be moved and seconded and shall, if the Chair so requires, be given to the Director of Corporate Services in writing and read to the meeting before the motion or amendment is further discussed.
- (2) All amendments must be relative to the motion and no member shall be at liberty to move or second (a) more than one amendment to any motion or (b) an amendment if he or she has moved or seconded the motion. If an amendment is withdrawn, the mover and seconder thereof shall be at liberty to move or second another amendment or to speak in support of such amendment.
- (3) No motion to which an amendment has been moved and seconded shall be altered in substance or withdrawn without the leave of the mover and seconder.
- (4) After an amendment has been moved and seconded, it shall not be withdrawn or altered in substance without the leave of the mover and seconder.
- (5) A motion for the approval of a Minute of a meeting of a Committee, or of any part of such Minute, shall be considered as the motion and any form of proposal which implies mere negation or otherwise if moved, shall be dealt with as an amendment thereto.
- (6) If any motion or amendment is, in the opinion of the Chair, irrelevant or incompetent, he or she shall rule the same out of order.
- (7) No matter in the Minute of a meeting of a Committee competently before the Council shall be withdrawn by the Chair of that Committee except with the consent of the Council.
- (8) Save as provided in Standing Order 12(6), motions and amendments moved but not seconded shall not be put to the meeting nor shall they be recorded in the Minutes.

### **14. ORDER OF DEBATE**

- (1) Every member of the Council who indicates a wish to speak at any meeting of the Council shall address the Chair and shall direct his or her speech (a) to the matter before the meeting by proposing, seconding or supporting the motion or any amendment relative thereto or (b) to a point of order or information. No member shall speak supporting the motion or any amendment until the same shall have been seconded.
- (2) Subject to the right of reply vested in the mover of a motion, no member shall speak more than once in the same debate at any meeting of the Council except on a point of order.

- (3) The mover of the motion shall have a right of reply but he or she shall introduce no new matter and, after he or she has commenced his or her reply, no other member shall speak on the question except as provided in the immediately preceding paragraph of this Standing Order.
- (4) In moving a motion (other than a motion to adopt the Annual Revenue Budget) or an amendment, a member shall not speak for more than 10 minutes and every other speaker, and the mover of the motion in reply, shall not speak for more than 5 minutes. The foregoing limits of time may be exceeded with the consent of the majority of the members present and voting, such vote to be by means of a show of hands.

#### **15. POINTS OF ORDER**

- (1) Any member of the Council may at any time at any meeting of the Council speak upon a point of order suddenly arising if he or she does so as soon as possible and if he or she declares that he or she rises to a point of order and refers to the particular Standing Order which, in his or her opinion, is being infringed.
- (2) The member who is then addressing the Council shall resume his or her seat and the member who rises on the point of order shall, when he or she has concluded, also resume his or her seat. No other member shall be entitled to speak to the point of order raised except by permission of the Chair.
- (3) The Chair shall thereupon decide the question and, thereafter, the member who was addressing the Council at the time the point of order was raised shall be entitled (if the ruling permits him or her so to do) to continue his or her speech, giving effect to the ruling of the Chair.

#### **16. CLOSURE OF DEBATE**

- (1) At any meeting of the Council, any member of the Council who has not spoken on a matter being discussed, may move (without making a speech), "That the question be now put", where at least 5 members (excluding the movers and seconders of the original motion and any amendments) have spoken on the matter.

On the motion being seconded, the Chair shall put the same to the meeting without speeches or discussion, and the vote shall be taken by a show of hands. If the motion for closure of debate is carried, the mover of the original motion shall have the right of reply and thereafter the matter under discussion shall be voted on in the ordinary way; if the motion for closure is not carried, the debate shall be resumed.

- (2) Such a motion may be competently moved a second time after not fewer than 3 additional members have spoken and so on after every 3 additional members have spoken.

#### **17. VOTING AT MEETINGS OF COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- (1) Except in the case of filling a staff vacancy or vacancies and of making appointments, the following provisions shall apply as to voting:-
  - (a) When there is only one amendment to the motion, the vote shall be taken between the motion and the amendment and whichever is carried shall

become the finding of the meeting and the Council shall be deemed to have resolved accordingly.

- (b) When there are more amendments to the motion than one, then, unless the Chair decides otherwise in order to avoid inconsistency in voting, the last amendment shall be put against that immediately preceding and then the amendment which is carried shall be put against the next preceding and so on until there remains only one amendment, between which and the motion the Council shall divide, and whichever is carried shall become the finding of the meeting and the Council shall be deemed to have resolved accordingly.
  - (c) If, however, one of a number of amendments is any form of proposal which clearly indicates negation of the motion, the first division shall be taken between it and the motion. If the amendment is carried, the Council shall proceed to the next business. If the amendment is not carried, it shall be eliminated from the amendments which, with the motion, shall be voted on in the usual way.
  - (d) Where there is an equality of votes, the Chair of the meeting shall have a casting vote.
- (2) In the case of filling a staff vacancy or vacancies and of making appointments of members and officers to any particular office, committee or external body, the following provisions shall apply as to voting:-
- (a) Where only one vacancy requires to be filled or appointment made, and two candidates are proposed and seconded for appointment, a vote shall be taken between these candidates and the candidate who receives the majority of votes shall be declared duly appointed. Where in such a case more than two candidates are proposed and seconded for appointment, a vote shall first be taken between all these candidates, each member being entitled to vote for one candidate only. If, as a result of this vote, any candidate receives an absolute majority of the votes of the members of the Council present and voting, such candidate shall be declared duly appointed. If no candidate received such a majority, the name of the candidate receiving the smallest number of votes shall be struck out, provided that, if two or more candidates tie as receiving the smallest number of votes, a vote or votes shall be taken between these candidates and the candidate who receives the smaller or smallest number of votes shall be dropped. In subsequent votes, the same course shall be followed until one of the candidates receives an absolute majority of votes, when he shall be declared duly appointed or until the candidates are reduced to two, when a final vote shall be taken and the candidate receiving the majority of votes shall be declared duly appointed.
  - (b) Where more than one vacancy requires to be filled for posts of the same nature and at the same level, or where more than one appointment requires to be made, a vote shall first be taken between all the candidates proposed and seconded for appointment where these exceed the number of vacancies, each member being entitled to vote for candidates up to the number of vacancies to be filled. The result shall be decided by the first vote except in the case where two or more candidates tie as having received an equal number of votes for the vacancy or vacancies. In such cases an additional vote or votes shall be taken between these candidates with the candidate having the least votes being eliminated and so on until the number of candidates remaining is equal to the number of vacancies.

- (c) Where in any vote between two or more candidates, or after such additional vote as may be required by (a) and (b) above, there is an equality of votes, the Chair of the meeting shall have a casting vote, except where the matter which is the subject of the vote relates to the appointment of a member of the Council to any particular office, committee or external body, in which case the decision shall be by lot.
  - (d) Any vote relating to (i) the filling of a staff vacancy or vacancies or (ii) making an appointment of an officer to any particular office, committee or external body shall be conducted by secret ballot.
  - (e) In the case of any vote relating to the appointment of an officer, the Minute shall record
    - (i) the names of those candidates proposed and seconded for appointment but not the names of proposers or seconders, and
    - (ii) the name of the candidate who received the votes of a majority of those present and voting but not the names or numbers of those voting for each candidate.
- (3) Except where otherwise directed by these Standing Orders, the vote shall be taken electronically or by calling the roll and the names for and against the motion or amendment shall be recorded in the Minute. Where the vote is taken by show of hands, the names shall not be recorded in the Minute.

## **18. ALTERATION OR RESCISSION OF PREVIOUS RESOLUTION**

No resolution of the Council may be reconsidered, altered or revoked within six months of its adoption, unless the Council decides that the resolution so taken cannot be implemented or its effect has been substantially altered by subsequent circumstances.

## **19. ADMISSION TO MEETINGS**

- (1) By virtue of the provisions of Section 50A of the Local Government (Scotland) Act 1973 meetings of the Council and its Committees and Sub-Committees shall be open to the public except to the extent (a) that the public shall be excluded under Section 50A(2) of the 1973 Act during consideration of an item of business whenever it is likely that, if they were present, confidential information, as defined in Section 50A(3) of the 1973 Act, would be disclosed to them, or (b) that the public may be excluded by resolution under Section 50A(4) of the 1973 Act during consideration of an item of business whenever it is likely that, if members of the public were present, exempt information, as defined in Section 50J of the 1973 Act, would be disclosed to them. On a motion for adoption of such a resolution being duly moved and seconded, the Chair shall put the same to the meeting without speeches or discussion and, on such a motion being carried, all members of the public present (including representatives of the press but not including members of the Council) shall be directed to leave the meeting.

Members of the Council remaining in attendance at meetings of Committees or Sub-Committees of which they are not a member in terms of this provision are required to comply with the provisions of Standing Order 2(2) in relation to disclosure of interest and the provisions of Standing Order 19(2) as if they were members of that Committee or Sub-Committee.

Notwithstanding the exclusion of the public as aforesaid, the Council may permit any person to remain in attendance at any meeting for so long as they consider necessary and on the basis that such persons respect the confidentiality of the proceedings.

- (2) Information as to the proceedings at any meeting from which the public and press are excluded shall not be given to representatives of the press or to any other person except by the Chair of the meeting or by a person authorised by him so to do.
- (3) No person or body shall be permitted, without the permission of the Council, to tape record, photograph, video, film or use any other form of electronic, digital or computerised sound or visual recording system during Council or Committee meetings.

## 20. COMMITTEES

- (1) Chair - The Chair of a Committee or, in his or her absence, the Deputy Chair shall preside at meetings of the Committee. If the Chair or Deputy Chair is not present at the place of a meeting at the time when the meeting is due to commence, the members of the Committee present shall elect a Chair of the meeting who shall preside over the meeting in the absence of the Chair or Deputy Chair.
- (2) Members ex officio – The Provost and Deputy Provost of the Council, in addition to membership of Committees and Sub-Committees allocated to them as ordinary members of the Council, shall ex officio be members of all other Committees and Sub-Committees of the Council but such additional membership shall not confer the right to vote.

Members ex officio may not nominate, nor be represented by, a substitute at any meeting of a Committee, Sub-Committee or Working Party not allocated to them as ordinary members of the Council.

- (3) Substitute members of Committees, Sub-Committees and Working Parties (this provision shall not apply to Area Committees nor to the Scrutiny and Audit Committee) – Members of any Committee, Sub-Committee or Working Party may, if unable to attend meetings of the Committee, Sub-Committee or Working Party, be represented by a substitute with full voting rights from, in the cases of Policy and Resources Committee, Education, Learning and Leisure Committee, Social Work and Housing Committee and Infrastructure Services Committee, the relevant pool of named substitutes and in other cases from members of the Council, provided the name of that substitute has been intimated to the Director of Corporate Services, prior to the commencement of the appropriate meeting. Except as otherwise provided, substitution for part of a meeting shall not be permitted.

Where any such meeting is adjourned to a second day, any member may nominate a second substitute with full voting rights, provided the name of that substitute has been intimated to the Director of Corporate Services, prior to the re-commencement of the adjourned meeting, or the original substantive member may attend on that second day of the meeting.

- (4) Quorum of Committees, Sub-Committees and Working Parties - The quorum of any Committee, Sub-Committee or Working Party shall be at least one-quarter of the total number of its members, subject to a minimum of three, except in the case of the Scrutiny and Audit Committee where the quorum shall be five.
- (5) Sub-Committees - The provisions of paragraph (1) of this Standing Order shall apply to the Chair and meetings of a Sub-Committee with necessary modifications.

- (6) Minutes of Meetings of Committees - The Minutes of meetings of Committees shall be submitted for confirmation as being correct records of the proceedings to the next appropriate meeting of the Council or area committee as appropriate and shall in any event be submitted to the Council (a) for the information of the Council in respect of matters delegated and (b) for the decision of the Council in respect of matters referred. In matters delegated to Committees, no motion or discussion shall be allowed in the Council on the Minutes of those matters, except as to their accuracy as a record. If any question arises as to the accuracy of a Minute such question shall be determined by the members of the Committee who were present at the meeting to which the Minute relates and are present at the meeting of the Council at which the matter is raised.
- (7) (a) Calling of Meetings - Committees shall meet in accordance with a programme approved by the Council and meetings shall be held on the dates specified in such programme except with the sanction of the Chair of the Committee.
- (b) Six calendar days or, in circumstances of urgency, three calendar days at least before a meeting of a Committee or Sub-Committee, a summons to attend the meeting, specifying the business to be transacted and signed by the Director of Corporate Services, or where the summons is for a meeting of an Area Committee, by the appropriate Area Manager, shall, subject to Standing Order 4(2), be delivered electronically to the councillor's Aberdeenshire Council e-mail address, or by hand or post to the usual place of residence of every member of the committee or sub-committee.
- (c) All Committee meetings held on mornings shall adjourn at 12.45 p.m. for lunch and those commencing in the afternoon, or which have been resumed in the afternoon, shall adjourn not later than 5.00 p.m.
- (8) Functions - The matters referred to or delegated to Committees shall be as set out in the Scheme of Delegation as approved by the Council and deemed to form part of these Standing Orders.
- (9) Application of Standing Orders to Committees and Sub-Committees - The Council's Standing Orders, except Standing Orders 2(1)(a), 3, 7(1), 8, 10, 12 and 21(2) shall apply with any appropriate changes to meetings of Committees or Sub-Committees of the Council as they apply to meetings of the Council.

## **21. SUSPENSION AND ALTERATION OF STANDING ORDERS**

- (1) Any one or more of the Standing Orders (except Orders numbers 3(1) and 4) in any case of urgency or upon motion made on a notice duly given may be suspended at any meeting provided that two-thirds of the members of the Council present and voting shall so decide. Any motion to suspend Standing Orders shall be made with a short explanation and, on such motion being seconded, the Chair shall put the same to the meeting without speeches or discussion. Any vote on such motion shall be by a show of hands.
- (2) No alteration to the Standing Orders or Scheme of Delegation shall be made without notice given at one meeting of the Council to be discussed at the following one.