

KEMNAY COMMUNITY COUNCIL

Planning Committee:- Minute of 19th October, 1979

1. Present:- The Committee met from 7 - 10.30 p.m. at Kemnay School. Present were Mrs. Forbes, Mrs. Innes, Mr. Bailey, Mr. Dow and Mr. McKay (Chairman)
2. Remit:- Mr. McKay explained that the Committee met under Paragraph 8.01 of the constitution as instructed by the September Council meeting to consider draft standing orders for K.C.C.
3. Business:- All present agreed to conduct the Committee in private according to Paragraph 9.06 of the constitution. Apart from members present, written comments were submitted from Mr. & Mrs. Wainman, Mr. Hughes and Mr. Stubbs. Mr. McKay proposed that the Committee proceed on the lines suggested by Mr. Stubbs. This was agreed. The draft document arising from the ensuing discussion is appended to this minute of which it forms part.
4. Recommendation:- The Planning Committee suggest that the Draft Standing Orders be used on a temporary basis as guidelines until all members and the public have an opportunity to propose further amendments at the November Council meeting. Failing any such amendments the Orders should be adopted at the November meeting. If amended then the Orders should be adopted at the December meeting and ratified at the 1980 annual general meeting.
5. Footnote:- Mr. Bailey wishes to draw attention to the possibility of minority motions being passed by a Council of five, six or seven members.
6. Appendix:- Draft Standing Orders.

KEMNAY COMMUNITY COUNCIL

Draft Standing Orders:- 19th October, 1979

1. General:- These standing orders will apply to all meetings of K.C.C. They may be set aside by a motion from any community councillor duly passed by a minimum of half the full council (eight votes).
2. Chairman:- The chairman shall take the chair. In the absence of or upon reasonable request of the chairman, the vice-chairman shall take the chair. Should both be absent, then those present shall elect an acting chairman for that meeting.

The chairman of the meeting shall control the conduct of the meeting, and decide all matters of relevance or procedure or competence in terms of the constitution and standing orders.

Any challenge by a councillor to a chairman's ruling must be made immediately. The challenger is to be allowed two minutes to state his reasons. The chairman may give the reasons for his ruling in a further two minutes. Such a challenge shall only succeed if supported by a majority of the members present.

In all votes, the chairman has the right to cast his vote to decide a tied result so long as he has cast a deliberative vote.

3. Order of Business:- The order of business shall contain the following:-
 - a. Acceptance of correctness of minutes of previous meeting. When passed the chairman shall sign the minutes, as corrected.
 - b. Matters arising from these minutes.
 - c. Outstanding business held over from previous meetings.
 - d. Correspondence received.
 - e. Any committee report.
 - f. New business notified.
 - g. Any other competent business.

Notwithstanding the above, the chairman may rule to alter the order of business at any stage.

4. Motions:-
 - a. All motions are to be clearly and distinctly stated or written, and must be proposed by and seconded by councillors. Amendments to motions must be proposed and seconded. The amendment, if passed, will become the substantive motion. Substantive motions are to be resolved by vote after discussion.
 - b. Voting shall be on a show of hands, and a simple majority of those present will suffice. Voting is to be recorded in the minutes as a numerical count, unless three or more members request that the record shall show the voting by names. The chairman is to give the results of any vote taken in a clear statement of result.
5. Addresses by Members of the Public/

5. Addresses by Members of the Public:- All members of the public may request permission to address the council. This may be done by:-
 - a. A written request to the chairman or secretary - listed on the agenda for the next meeting - stating name, address and subject matter.
 - b. An oral request at a meeting - also stating name, address and the subject of the request.Any such request, (a) or (b) may only be denied if challenged by a majority of the councillors present, with clear reason given for such a decision.
6. Alteration or Rescission of previous resolution:- No resolution may be altered or rescinded unless by a subsequent resolution following notice of motion on the agenda calling the meeting of the council; provided that no motion shall be amended or revoked within six months without the consent of two-thirds majority of the total councillors.
7. Adoption:- These Standing Orders are to be effective only from the date of adoption, and are not to be retrospective.
8. Amendments:- Amendments to Standing Orders, including additions, may be presented to any regular meeting of the council. Such amendments must be notified in writing with the papers calling the meeting. After discussion, such amendments shall be accepted if passed by a minimum of two thirds majority of the full council (ten voted).

DRAFT STANDING ORDERS

MSD

COMMENT BY BILL & MAVIS WAINMAN

Plain words clarity of meaning

4. a If one or more of the councillors present dissent

8. ~~Incomprehxx~~ I don't understand it

General Could it read

The only circumstances under which a decision of the council may be amended or overturned are

1. When the ~~intention~~ is notified on the notice calling the meeting keeping within wide guidelines. The key is the ruling of the

2. When two thirds majority of the total council ie. 10 members (which may include the Chairman) vote in favour of such an amendment or revocation.

quick and the will of the majority can prevail.

Procedure arguments will of course come under the above,

The remit of the community council is to ascertain and express the views of the residents of Kemnay and district

It is impossible for 15 of us to cover the views of 2362 voting adults. As there was no election we are to a great extent expressing our own viewpoint.

Advertisements in the Press ask for representations (planning) If we are writing to comment on matters like planning applications in future we should refrain from putting the matter to the vote and only list the viewpoints expressed.

HOWEVER

If the policy committee and council decide that we should vote on contraversal issues and indicate this in writing to local authority names for and against the issue should be listed in the minutes.

We should be prepared to account to the people who we have volunteered to speak for.

Draft Standing Orders Attached.

General

The reasoning behind keeping the standing orders short is to allow the meetings to be as informal as possible whilst keeping within wide guidelines. The key is the ruling of the chairman which can be challenged and set aside if sufficient support is not forthcoming for the ruling. As only the challenger may speak to his challenge, the resolving will be quick and the will of the majority can prevail.

Procedure arguments will of course come under the above, this allows common sense to be applied, without the rigid standing orders which result in so much procedural manouvering in most councils of any description.

The necessary areas of clear-cut guidelines are covered.
e.g. Voting procedure, quorum, motions and their alteration or withdrawal.

Consultation Draft of Proposed Kemnay Community Council
Standing Orders

General

These standing orders will apply to all meetings of the Kemnay Community Council. They may be set aside by either:-

- a. A motion from any community councillor duly passed by a minimum of half the full council, ie eight votes.
- b. by the Chairman with the consent of the majority of members present.

2. Chairman

The chairman shall take the chair. In the absence ^{of} or upon reasonable request of the chairman, the vice-chairman shall take the chair. Should both be absent, then those present shall elect an acting chairman for that meeting.

The chairman of the meeting shall control the conduct of the meeting, and decide all matters of relevance or procedure or competence.

If, following a ruling from the chair, any member wishes to challenge that ruling, he is to be allowed two minutes to state his reasons for so doing. The matter shall then be resolved by a show of hands, a simple majority shall suffice support or overturn the ruling.

In all votes, the chairman has the right to cast his vote to decide a tied ~~xxxxx~~ result.

Any ruling given by the chairman may only be challenged at the meeting in which the ruling is given.

3. Order of Business

The order of business shall be as follows:-

- a. Acceptance of correctness of minutes of previous meeting. When passed the chairman shall initial the minutes, as corrected, ~~if~~
- b. Matters arising from these minutes.
- c. Outstanding business held over from previous meetings.
- d. Correspondence received.
- e. Policy Committee ~~xx~~ and/or any Sub-committee reports.
- f. Agenda items.
- g. Any other competent business.

Notwithstanding the above, the chairman may rule at his/her discretion to alter the order of business at any stage.

4. Quorum

A quorum shall be a simple majority of ^{1/2} the total council ie eight members. This includes the chairman of the meeting.

Notwithstanding the above, a meeting may take place with a minimum of five members present including the chairman. However, in this case no motion may be passed if there is either:-

- a. ⁷⁺ One ~~dissent~~ or more of the councillors ~~present~~. *dissent*
- b. Written objection from a councillor absent. This is the only occasion

where written objections from absent councillors ~~are~~^{may} to be taken into account on a vote.

5. Motions

All motions are to be clearly and distinctly stated or written, and must be proposed by and seconded by councillors. Amendments to motions must be proposed and seconded. The amendment, if passed, will become the substantive motion. Substantive motions are to be resolved by vote after discussion.

6. Voting

Voting shall be on a show of hands, and a simple majority of those present will suffice, except as 4a or 4b. Voting is to be recorded in the minutes as a numerical count, unless three or more members request that the record shall show the voting by names.

The chairman is to give the results of any vote taken in a clear statement of result.

7. Address by members of the Public

All members of the public may request permission to address the council. This may be done by:-

- a. Letter to the chairman or secretary.
- b. Request at a meeting to the chairman.

A letter requesting this facility is to be ~~marked with~~ noted on the agenda for the next meeting, together with the name and subject matter.

A request to the chairman at a meeting may only be denied if a majority of the councillors present so vote, and in this case clear reasons for the decision are to be given.

8. Alteration or Rescission of previous resolution

No resolution may be altered or rescinded unless by a subsequent resolution following notification of motion on the notice calling the meeting of the council. Provided that no motion shall be amended or revoked within six months without the consent of two-thirds majority of the total councillors i.e. ten members, which may include the chairman.

9. Effectiveness

These Standing Orders are to be effective only from the date of adoption, and are not to be retrospective.