

SECTION D

CONDUCT OF MEETINGS

- D1 - Frequency
- D2 - Advertised Meetings
- D3 - Advance Notice to Members
- D4 - Attendance
- D5 - Non Attendance
- D6 - Sederunt
- D7 - Quorum
- D8 - Chairing the Meeting
- D9 - Chairperson's Duties
- D10 - Order of Business
- D11 - Voting on a motion
- D12 - Register of Interests
- D13 - Declarations of Interests
- D14 - Secretary's Duties
- D15 - The First Meeting
- D16 - Annual General Meeting
- D17 - Special General Meeting
- D18 - Minutes of Meeting
- Appendix D1 - Draft Agenda
- Appendix D2 - Draft Register of Interests
- Appendix D3 - Draft Sederunt
- Appendix D4 - Draft Minutes of Meeting

D CONDUCT OF COMMUNITY COUNCIL MEETINGS

Each Community Council, as soon as practicable after its formation, but within a period no longer than six months, shall draw up a draft Constitution consistent with this Scheme and shall forward a copy of these to South Ayrshire Council for approval. Community Councils must have the formal approval of South Ayrshire Council prior to the adoption, or subsequent amendments, of their Constitution.

Community Councils should have a Code of Conduct within their Constitution.

A Community Council can conduct its business in a way that it considers appropriate for its own situation. These notes are for general guidance.

D1 Frequency

Community Councils shall meet at least six times between 1 April and the following 31 March for the conduct of formal business following elections and may hold additional meetings as required. The maximum period between meetings should not exceed three months.

D2 Advertising Meetings

A meeting must be advertised in public places at least seven days before the meeting is due to take place. The notice should be placed in a number of prominent locations in the Community Council area and on the Community Council's website. A copy should also be sent to communitycouncils@south-ayrshire.gov.uk

D3 Advance Notice to Members

Written notice of the meeting, an agenda and minutes of the previous meeting must be sent to all Members, including Councillors, and to the Link Officer at least seven days before the meeting is scheduled to take place. Other *ex officio* members shall be sent written notice, etc only where they request it.

D4 Attendance

All meetings of Community Councils, and any of its sub-committees, shall be open to the public, except that Community Council or sub-committee members may, by resolution agree to consider in private any items of business of a confidential nature, as defined in the Local Government (Access to Information) Act 1985. Proper provision is to be made for the accommodation of members of the public.

D5 Non Attendance

A member of a Community Council who fails to attend three consecutive meetings, without reasonable excuse or prior notification, shall be assumed to have resigned.

D6 Sederunt

A sederunt of all members and co-optees attending meetings of Community Councils, and any of its sub-committees must be attached to the minutes of any such meeting.

D7 Quorum

The Chairperson will call the meeting at the chosen time, date and location. If a quorum of members is not available the Chairperson can either (a) delay the start of the meeting, for a period not exceeding 15 minutes to see if more members arrive so that a quorum is achieved, otherwise (b) postpone the meeting to a later date if it is thought unlikely that more members will arrive. If the meeting is postponed, reasonable notice must be given before convening a new meeting.

The quorum will be not less than one half of the actual membership (rounded-up where there is an odd number of members).

D7.1 Co-opted members do count for the purpose of the quorum.

D7.2 As specialist co-optees do not require to reside in the area or sub area of the Community Council they do not count towards the quorum.

D8 Chairing the Meeting

In the absence of the Chairperson the Vice-Chairperson should conduct meetings. This should continue until the Chairperson arrives or until the business is completed. If the Chairperson and the Vice-Chairperson are both unavailable, an office bearer, whom failing, a member shall be selected by those present, as the first item of business, to conduct the meeting.

D9 Chairperson's Duties

D9.1 The Chairperson should conduct the business of the meeting, maintain order, decide who shall speak and if necessary request a speaker to draw their remarks to a close. All comments should be addressed to the Chairperson. Other speakers should be discouraged from commenting to allow order to be maintained and clear minutes of the meeting to be produced.

D9.2 The ruling of the Chairperson on any question of order, competence or relevance shall be final.

D9.3 The Chairperson may adjourn any meeting to a time he/she may then fix.

D10 Order of Business

The Chairperson should follow the order of business on the agenda unless circumstances change and the Community Council agrees changes to the order of business. A common order of business could be as follows:

D10.1 the Chair opens the meeting and the Secretary records the sederunt;

D10.2 any declarations of interest on matters of business on the agenda;

D10.3 apologies for absence;

D10.4 late items (include notification of any items to be considered under 'Any Other Competent Business');

- D10.5 approval of the minutes of:-
 - D10.5.1 the previous meeting of the Community Council;
 - D10.5.2 meetings of any sub-committees;
- D10.6 matters arising from the minutes that are not otherwise included on the agenda
- D10.7 correspondence;
- D10.8 open forum;
- D10.9 regular reports:-
 - D10.9.1 Treasurer;
 - D10.9.2 Secretary;
 - D10.9.3 Link Officer;
 - D10.9.4 Police;
- D10.10 special reports;
- D10.11 deputations may be heard;
- D10.12 ordinary items of business;
- D10.13 any other competent business not on the agenda but notice of which was given after the item recording apologies and was agreed by the Community Council to be discussed at this meeting; (Note: It is not possible to have a vote on matters taken under AOCB. If the matter is controversial it should be placed on the agenda for the next meeting.) and
- D10.14 arrangements for next meeting.

A standard Agenda which may be added to as circumstances require, is shown in Appendix D1 – Agenda.

Members of the public have a right to attend all Community Council meetings, but only have a right to speak at the annual meeting and other public meetings called for public consultation by the Community Council. The public may speak at ordinary meetings with the consent of the Chairperson or at the agenda item 'Open Forum' as described below.

Some Community Councils have an "open forum" as the final item on the agenda at all their regular meetings. This enables members of the public to bring matters of interest or concern within the community to the attention of the Community Council. Discussion during the "open forum" may not change any decisions taken earlier by the Community Council. If new information is made available, agreement may be reached to reconsider the matter at a subsequent meeting. The "open forum" item on the agenda is recommended as good practice. It should serve as another means of consulting with the public and enhancing the effectiveness and responsiveness of every Community Council.

D11 Voting on a Motion

- D11.1 The Chairperson should allow as full a discussion as possible of all of the items under consideration in conducting the business of the Community Council. The Chairperson may set a time limit on the duration of each speech if there are many individuals wishing to speak or where it is expected that discussion of a matter will be lengthy. It may be useful to allow a representative of each different point of view a short period to summarise their argument and respond to the opposing opinion.
- D11.2 If no agreement can be reached on a matter of business before the Community Council and the issue cannot be postponed until a later date, the matter shall be put to a vote. All votes shall be taken by a show of hands (except if the provision of paragraph D11.6 is invoked).
- D11.3 Voting itself shall be in accordance with the following procedure. A motion concerning the matter shall be proposed and then seconded. Anyone otherwise minded shall propose an amendment which must also then be seconded. Additional amendments may also be proposed and seconded. No-one shall be able to propose or to second more than one motion and amendment. Votes shall then be taken by a show of hands starting with the last amendment, then any other amendments in reverse order to the order in which they were proposed, then on the motion itself. Members shall be entitled to one vote only. The Chairperson shall have an additional or casting vote in the event of an equality of votes. When the votes have been counted the proposal which secures a majority of all votes cast shall be declared to be the decision. In exercising the casting vote, the Chairperson must support the *status quo* where that course of action exists, irrespective of his/her own views on the issue. This is because, in these circumstances, there is insufficient number of members willing to vote for change.
- D11.4 If the vote is taken where there is a motion and more than one amendment and no one proposal secures the majority of the votes cast, the proposal with the least number of votes shall be dropped and a fresh vote taken on the remaining proposals and so on until one proposal receives a majority of votes cast. Once a motion has been passed by the Community Council it should remain unchallenged. No motion contrary to it should be considered for a period of six months or for a period stated by the Community Council in its constitution.
- D11.5 A member who has not spoken on the matter may propose at any time during a discussion that a vote be taken immediately without further debate by requesting the "the question be now put". If this is seconded and the Chairperson believes that sufficient debate has taken place, then the proposer of the original motion shall be permitted to make a few brief remarks before it is put to an immediate vote. No one else is then permitted to speak.
- D11.6 If any member present at the meeting requests that the vote takes place by secret ballot, the Chair will then ask the Secretary to issue a paper to each member present and eligible to vote for each member to mark his/her vote in secret (usually the words will be 'FOR' or 'AGAINST' that will be written on the paper). A member who wishes to abstain should return an unmarked paper.

D11.7 The papers should then be folded up by each member to prevent anyone seeing how he/she has voted and passed to the Chair. The papers should be mixed up so as to prevent the identity of any voter being ascertained. The papers should be unfolded by the Chair who should read out 'FOR', 'AGAINST' or 'UNMARKED' as the case may be, and placed in separate bundles for each category. The total number of papers in each bundle marked either 'FOR' or 'AGAINST' will be counted and the Chair will declare the result. The procedure then will be the same as if the vote had been taken by a show of hands. The Secretary will then immediately dispose of the ballot papers in such a manner as to prevent anyone from examining the papers further. Where a ballot paper does not have 'FOR', 'AGAINST' written on it or is blank, it should not be counted but be rejected as being invalid.

D12 Register of Interests

Each Community Council will maintain a Register which will contain declarations by members of the Community Council in which they will disclose any financial or non-financial interest which they, or close family members, have which members of the public might reasonably think could influence their judgement on a relevant matter coming before the Community Council. The Register shall be maintained and kept by the Secretary or another office bearer if the Community Council so agrees. The Register shall be known as a Register of Interests and shall be available for inspection by members of the public. The Register of Interests will be in the form shown in Appendix D2. The fact that a Community Councillor has declared an interest in the Register does not affect their obligation to declare an interest at a meeting, in accordance with the immediately following paragraphs, should circumstances arise which would require such a declaration.

D13 Declarations of Interest

A member shall declare in advance any financial or other interest however minor that they or their immediate family may have in any matter which comes before the Community Council for consideration. The member shall withdraw from the meeting during consideration of this item of business and shall take no part in the discussions or decision. If a member is unclear as to whether something is sufficiently material so as to require him or her to make a declaration of interest he/she will declare it nevertheless for guidance to the Community Council who shall decide if the member should make a declaration of interest and accordingly withdraw. Unless those members present to whom the request for guidance has been made are unanimous that the matter does not require a declaration of interest, then the member will require to make a declaration of interest and to withdraw.

If it is subsequently established that a member had an interest in an item of business dealt with by the Community Council but had failed to declare that interest and to withdraw, the item of business shall be placed on the agenda of the next available meeting of the Community Council for re-consideration. The earlier decision may be adhered to or altered.

At that next meeting of the Community Council, the Community Council will also consider the position of the member who failed to make the declaration of interest and having considered this issue will be entitled to suspend the member from all meetings or activities of the Community Council for a period not exceeding 4 months.

The member who failed to make the declaration of interest will retire from the meeting during the reconsideration of the item of business and also during consideration of the matter of his/her suspension.

D14 Secretary's Duties

It is the Secretary's general responsibility to ensure that a true and accurate record is prepared of every Community Council meeting, in the form of minutes. The Scheme for Community Councils requires that minutes must record:

D14.1 the date, time and place of the meeting;

D14.2 the name and status of those members and other persons attending the meeting;

D14.3 the names and status of those members unable to attend, but who have presented apologies for non attendance;

D14.4 all decisions taken and actions approved; and

D14.5 the date, time and place of the next meeting;

The minutes must also:

D14.6 be distributed to all Members, Link Officer, and South Ayrshire Councillors and other *ex officio* members if they have requested at least 7 days before the next meeting;

D14.7 after approval by the Community Council, be sent to the Head of Policy, Community Planning and Public Affairs at communitycouncils@south-ayrshire.gov.uk

D14.8 be made available for inspection by the public.

Samples of: Agenda, Register of Interests, Sederunt and Minutes – Appendix D1 – D5.

D15 The First Meeting

The First Meeting of each Community Council following the triennial election shall be convened by a representative of South Ayrshire Council usually the Link Officer. Office Bearers will be elected at this meeting.

D16 Annual General Meeting

The Annual General Meeting should take place during the month of May and should:-

D16.1 approve the audited accounts for the preceding year (1 April – 31 March)

D16.2 hear reports from the Office Bearers for the preceding year.

D16.3 elect Office Bearers

D16.4 outline Community Council's plans for the forthcoming year.

The AGM can take place immediately prior to an ordinary Community Council meeting.

The election of Office Bearers may take place at the AGM in the second and third year of the Community Council. Office Bearers elected immediately following the election in the first year of the Community Council shall hold office until the second AGM.

Where an Office Bearer has demitted office at 31 March he/she may be invited to present his/her report in person or to submit a written report to be read out at the meeting. Where an Office Bearer (or former Office Bearer) had made a report in person he/she may answer any relevant questions about the report.

D17 Special General Meeting

Special General Meetings may be convened by a Community Council for the purpose of considering matters of interest or importance. These may, at the Community Council's discretion, be held as Public Meetings. No more than four such meetings may be called between Annual General Meetings.

D18 Minutes of Meetings

D18.1 All meetings of Community Councils, and its Sub-Committees, are required to be recorded in the form of written minutes.

D18.2 Minutes should be agreed and approved at the next meeting of the Community Council, or its Sub-Committee.

D18.3 A copy of the approved minutes must be sent to Head of Policy, Community Planning and Public Affairs, South Ayrshire Council, County Buildings, Wellington Square, Ayr at communitycouncils@south-ayrshire.gov.uk within two weeks of them being approved.

D18.4 Copies of all approved minutes should be made available for public inspection and displayed within the Community Council area and on the Community Council's website. Large print versions should be available and in other formats, if requested. Information on large print formats may be obtained from www.rnib.org.uk .

Agenda

XYZ Community Council

Meeting on [Date] to be held at [Time] am/pm at [Place]

1. Chairperson takes the Chair and the Secretary records the sederunt.
2. Declarations of interest.
3. Apologies for absence. (*Remind those present to sign Sederunt.*)
4. Notice of any items to be considered under Any Other Competent Business.
5. Minutes of:-
 - (i) The previous meeting of the Community Council.
 - (ii) Meetings of any Sub Committees.
6. Matters arising from the Minutes.
7. Correspondence.
8. Regular reports:-
 - (i) Treasurer's Report.
 - (ii) Secretary's Report.
 - (iii) Link Officer's Report.
 - (iv) Police Report
9. Special Reports. (*The Elected Member, if present, may make a report.*)
10. Deputations may be heard.
11. Ordinary Items of Business.
12. Any Other Competent Business.
13. Open Forum.
14. Arrangements for next meeting.

Register of Interests

XYZ Community Council

I, _____, a member of the XYZ Community Council give notice

either

I have no interest to declare

or

I have set out below under the appropriate heading interests which either I, or a close family member, has which members of the public might reasonably think could influence my judgement on a relevant matter coming before the Community Council.

1. Employment, office, trade, profession or vocation

2. Sponsorship

3. Contracts

4. Interests in land or property

5. Membership of local Groups or Associations

6. Other – please specify

Signed: _____

Date: _____

Note: *The Register of Interests should be updated as required and reviewed annually by all Community Councillors, including co-opted and specialist Members.*

(A Sederunt can be used when the Secretary chooses not to list those present on the actual Minutes. The Sederunt must however be attached to the Minutes.)

XYZ COMMUNITY COUNCIL

Held on [Date] [Place] at [Time]

S E D E R U N T

PRESENT: *(List here full Community Councillors)*

NAME	SIGNATURE
Janet Green (Chair)	
William Black (Vice-Chair)	
Tracey White (Secretary)	
Graham Brown (Treasurer)	
Jean Brown	
Ian Orange	
John Pink	
Margaret Purple	
Shona Turquoise	

IN ATTENDANCE *(List here Elected Members, local PC, Link Officer etc)*

NAME	SIGNATURE
Councillor Walter Pigeon	
Alan Sparrow (Link Officer)	
Constable Ewan Seagull (Community Police)	

MEMBERS OF THE PUBLIC

NAME	SIGNATURE

XYZ COMMUNITY COUNCIL

Minutes of Meeting held on [Date] [Place] at [Time]

PRESENT: *[List here all Community Councillors (with office, as appropriate and Co-optees in attendance)]*

ATTENDING: *[List here Elected Member, Link Officer, Local Police Constable]*

APOLOGIES: *[List here apologies for absence received]*

ACTION BY

<p>1</p>	<p>MINUTES OF PREVIOUS MEETING</p> <p>The minutes of the meeting held on XX at XXX should be recorded as accurate (or amended as appropriate) and proposed and seconded. The name of the proposer and seconder should be recorded in the minutes.</p>	<p>-</p>
<p>2</p>	<p>DECLARATION OF INTEREST</p> <p>If there are none state "None".</p>	<p>-</p>
<p>3</p>	<p>MATTERS ARISING</p> <p>Matters can be raised here from the previous meeting that were not otherwise on the Agenda.</p>	<p>-</p>
<p>4</p>	<p>CORRESPONDENCE</p> <p>The Secretary would intimate here all the correspondence he/she had received since the previous meeting. Any decision made regarding correspondence received should be noted.</p>	<p>Secretary</p>
<p>5</p>	<p>REGULAR REPORTS</p> <ul style="list-style-type: none"> • Treasurer's Report: XXXXXX, Treasurer would intimate the current financial position of the Community Council and report any income received and expenditure incurred since the last meeting • Secretary's Report: XXXXXX, The Secretary could intimate here that he/she had written letters as instructed at the previous meeting. • Link Officer's Report. • Police Report. 	

DRAFT**ACTION**

6	<p>ELECTED MEMBER</p> <p>The Elected Member would report on any issues carried forward from the previous meeting. If the Community Council raise anything with the Elected Member it should be noted here.</p>	Elected Member
7	<p>ORDINARY ITEMS OF BUSINESS</p>	
8	<p>ORDINARY ITEMS OF BUSINESS</p>	
9	<p>DEPUTATIONS</p> <p>If any are received they should be noted here, otherwise this item may be omitted.</p>	
10	<p>ANY OTHER COMPETENT BUSINESS</p> <p>It should be noted here any other items of business that were considered that was not listed on the Agenda.</p>	
11	<p>OPEN FORUM</p> <p>The Community Council is now opened up to all those in attendance. This item gives members of the public present the opportunity to raise any areas of concern they may have. All issues raised must be noted.</p> <p><i>This item may be taken at the beginning of the meeting which allows members of the public to leave should they not wish to sit through a full Community Council meeting.</i></p> <p>The minutes may record a list of points made during this item.</p>	
12	<p>DATE, TIME AND PLACE OF NEXT MEETING</p> <p>The date, time and place of the next meeting is noted here.</p>	

(The name(s) of the person(s) who should undertake action agreed should be written in the 'Action' column.)