

REPORT

Amendment of Stirling and Clackmannanshire City Region Deal Standing Orders

Executive summary

This report seeks amendment of the Stirling and Clackmannanshire City Region Deal Joint Committee Standing Orders (the “Standing Orders”) to reflect the change in makeup of Stirling Council following the recent local government elections.

Author

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Recommendations

Joint Committee is asked to:-

1. Adopt the revised Standing Orders attached as appendix 1 with effect from 27th July 2022;
2. Note that Stirling Council will be asked to appoint members to the City Region Deal Joint Committee to maintain compliance with the revised Standing Orders; and
3. Note that a full review of the Standing Orders will be presented to the September 2022 meeting of the Stirling and Clackmannanshire City Region Deal Joint Committee.

Legal & Risk Implications and Mitigation

Membership of the Stirling and Clackmannanshire City Region Deal Joint Committee (the “Joint Committee”) is set out at Standing Order 11. In terms of Standing Order 71 the Joint Committee has the power to make alterations to the Standing Orders.

Background

The current Standing Orders were approved at a meeting of Joint Committee on 7th September 2021. The purpose of the Standing Orders is to regulate the membership of the Joint Committee and conduct of business at meetings of the Joint Committee. Since the adoption of the current Standing Orders, local government elections have taken place. As a result Stirling Council requires to make appointments to the Joint Committee which reflect the make-up of the Council subsequent to those elections.

Considerations

It is proposed that the Standing Orders be amended to update Standing Order 11, and to make consequential changes to terms setting out Stirling Council arrangements for holding chair and vice chair positions.

Membership of the Joint Committee was amended at the last full review of the Standing Orders on 7th September 2021 to provide parity of membership across both Stirling and Clackmannanshire Councils and the University of Stirling. Standing Order 11, in so far as it relates to Stirling Council currently states:

MEMBERSHIP

The Joint Committee will comprise the following members, all of whom are voting members:-

- *3 elected members of Stirling Council (being the Leader, Depute Leader and Leader of Opposition), with Stirling Council having also appointed 3 substitute members;*

The amendment will delete the words in parenthesis. The revised wording will read as follows:-

'3 elected members of Stirling Council, with Stirling Council having also appointed 3 substitute members;'.

The purpose of the proposed amendment is to give Stirling Council flexibility in its appointments to the Joint Committee. Stirling Council has made appointments to the Joint Committee in accordance with the current Standing Orders to facilitate this meeting of the Joint Committee, but it is expected that further consideration will be given by the Council to its membership subsequent to the amendment.

Additionally it is proposed to remove references in the Standing Orders to the Chair or Vice Chair, when held by Stirling Council. These posts are properly the Leader or Deputy Leader of Stirling Council.

As noted above, a full review of the Standing Orders will be carried out and presented to the September 2022 meeting of the Joint Committee.

Resource Implications

Financial Details

The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. N/A ✓

Finance Officers have been consulted and have agreed the financial implications as set out in the report. N/A ✓

Staffing

The full implications on staffing are set out in the report. N/A ✓

Exempt Reports

Is this report exempt? Yes (please detail the reasons for exemption below) No ✓

Equalities Impact

Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? N/A ✓

Legality

It has been confirmed that in adopting the recommendations contained in this report, the Joint Committee is acting within its legal powers.

Yes ✓

Sustainability and Environmental

It has been confirmed that sustainability and environmental issues have been considered within the report.

N/A ✓

Policy Implications

None

Consultations

None

Background Papers

Have you used other documents to compile your report?

Yes ✓ No

1. Stirling and Clackmannanshire Joint Committee Standing Orders

Appendices

1. Stirling and Clackmannanshire Joint Committee Standing Orders as revised
2. Stirling and Clackmannanshire Joint Committee Standing Orders as revised with tracked changes

Approved by:

Isabel McKnight

Chief Operating Officer – Communities and Performance,

Stirling Council

06.07.2022

Nikki Bridle, Chief Executive,

06.07.2022

Clackmannanshire Council

John Rogers

05.07.2022

Executive Director

University of Stirling



Clackmannanshire
Council



UNIVERSITY of
STIRLING



**STIRLING AND CLACKMANNANSHIRE
CITY REGION DEAL JOINT COMMITTEE**

STANDING ORDERS

Effective from and including 27th July 2022

STANDING ORDERS

APPLICATION OF INTERPRETATION ACT

1. These are the Standing Orders of the Stirling and Clackmannanshire City Region Deal Joint Committee, hereinafter called “the Joint Committee”.
2. The Interpretation Act 1978 applies to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.

COMMENCEMENT

3. These Standing Orders will apply from and including 8 September 2021.

DEFINITIONS

4. The Joint Committee was established in terms of sections 56 and 57 of the Local Government (Scotland) Act 1973. The Joint Committee is the decision making forum for all City Region Deal matters and oversees the governance arrangements for the Stirling and Clackmannanshire City Region Deal.
5. Stirling Council will act as the Lead Authority for the City Region Deal.
6. In these Standing Orders, the following words and expressions will have the following meanings-

“City Region Deal” means the Stirling and Clackmannanshire City Region Deal the Heads of Terms for which were signed on 31 May 2018.

“Constituent Authority” means each of the Local Authorities and the University of Stirling, as the case may be.

“Lead Authority” means the Council holding and distributing the Government grant funding to the partners which are the recipient of the Government funding for the City Region Deal.

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

“Local Authorities” means Stirling Council, established under the Local Government etc. (Scotland) act 1994 and having its principal offices at Viewforth, Stirling, FK8 2ET and Clackmannanshire Council, established under the Local Government etc. (Scotland) Act 1994 and having its principal offices at Kilncraigs, Alloa, FK10 1EB.

“Elected Member” means a duly elected member of the Local Authority in question in terms of Section 33A of the 1973 Act.

“Member” means a voting member of the Joint Committee appointed pursuant to Standing Order 11.

“Senior Responsible Officer(s)” means the Senior Officer(s) appointed by each of the Local Authorities with responsibility for the delivery of the City Region Deal.

“Monitoring Officer” means the officer appointed by the Local Authority in question under Section 5 of the 1989 Act or the person nominated as a deputy under sub-section (7) of section 5.

“Clerk” is the person appointed as such by the Local Authority in question to arrange for the preparation and circulation of agendas and minuting of meetings of the Joint Committee and to provide such procedural advice at meetings of the Joint Committee as may be necessary.

“Confidential information” means (a) information provided to the Joint Committee or either of the Local Authorities by a Government department or others upon terms (however expressed) which forbid the disclosure of information to the public and/or (b) information, the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

“Exempt information” means information which is exempt from disclosure in terms of Schedule 7A of the Local Government (Scotland) Act 1973.

GENERAL PRINCIPLES

7. Stirling Council and Clackmannanshire Council have delegated full power and authority to the Joint Committee to take all actions and decisions the Joint Committee considers necessary to oversee and direct the implementation and delivery of the City Region Deal, to the extent the Joint Committee has been allocated funding for the same, with each of Stirling Council/Clackmannanshire Council (as the case may be) to then implement and deliver the approved projects.
8. The specific Terms of Reference for the Joint Committee are set out in Appendix 1.
9. Members of the Joint Committee will be expected to act in the interests of the Stirling and Clackmannanshire City Region as a whole when making decisions in relation to the City Region Deal.
10. The Joint Committee will establish and collaborate and work in partnership with, the Stirling and Clackmannanshire Regional Economic Advisory Board (“SCREAB”) to deliver a shared vision of improving the economy within the Stirling and Clackmannanshire local authority areas, in particular aligning regional strategies and plans, including those relating to inclusive growth and inward investment, as well as Local Development Plans/Local Transport Strategies.

MEMBERSHIP

11. The Joint Committee will comprise the following members, all of whom are voting members:-
 - 3 elected members of Stirling Council, with Stirling Council having also appointed 3 substitute members;

- 3 elected members of Clackmannanshire Council (being the Leader of the Council and the Leaders of the other two political groups), with Clackmannanshire Council having also appointed 3 substitute members; and
 - 3 representatives of the University of Stirling.
12. The Chair of the Joint Committee will be an elected member of Stirling Council for the period until 31 March 2020 and will then be an elected member of Clackmannanshire Council for a period of 12 months and then alternate on a yearly basis.
 13. The Vice-Chair of the Joint Committee will be an elected member of Clackmannanshire Council for the period until 31 March 2020 and will then be an elected member of Stirling Council for a period of 12 months and then alternate on a yearly basis.
 14. Where a vacancy occurs in the case of the Chair or Vice-Chair, the Joint Committee shall appoint a replacement(s) from the same local authority for the remainder of their period of office as Chair or Vice-Chair, as the case may be, in terms of Standing Orders 12 and 13.
 15. Subject to Standing Order 16, elected members on the Joint Committee are appointed to serve for a period determined by the relevant local authority.
 16. If a Member resigns from the Joint Committee, the relevant Constituent Authority will be entitled to appoint/nominate (as the case may be) another representative.
 17. The duties of the Chair of the meeting, in accordance with these Standing Orders, will include the following, with the Chair's decision on any such matters being final, provided reasons are given where appropriate:-
 - 17.1. Deciding on all matters of protocol, decorum, order, competency and relevancy;
 - 17.2. Determining all matters of procedure for which no provision is made within these Standing Orders. In reaching this determination he/she may be advised by the Clerk;
 - 17.3. Deciding priority between two or more Members wishing to speak; ensuring that a fair opportunity is given to all members to express their views in any items of business;
 - 17.4. Varying the order of business at any meeting;
 - 17.5. Preserving order within the meeting;

- 17.6. Ordering the exclusion of any member of the public, in order to prevent or suppress disorderly conduct or any other behaviour which impedes or is, in the Chair's opinion, impeding the business of the meeting;
- 17.7. In the event of disorder arising, adjourning the meeting to a time and date the Chair will fix then or later. In leaving the meeting, the Chair in such circumstances, will without further procedure have formally adjourned the meeting; and
- 17.8. Signing the minutes of the previous meeting.

SUBSTITUTES

18. If a Member who is an elected member is unable to attend a meeting of the Joint Committee that elected member may arrange for one of the appointed substitute members for that local authority to attend. The substitute member must tell the Clerk of their attendance before the meeting starts.
19. If a Member who is a representative of the University of Stirling is unable to attend a meeting of the Joint Committee that Member may arrange for a substitute representative of the University of Stirling to attend. The substitute member must advise the Clerk of their attendance before the meeting starts.

QUORUM

20. The quorum is the minimum number of people who must be present before a meeting of the Joint Committee can take place
21. The quorum for the Joint Committee is six Members, to include at least two elected members from each of the local authorities and two representatives of the University of Stirling
22. If 15 minutes after the designated start time of a meeting the quorum has not been met, the Chair or person chairing the meeting will adjourn the meeting to another time on the same day or such other date and time as the Chair shall determine. If the Chair is among those absent, the Clerk will record that no business was transacted because of the lack of the necessary quorum.
23. If at any time during a meeting a question arises on the presence of a quorum, the Chair will direct the Clerk to call the roll and if a quorum is not present the meeting will immediately be adjourned to another time on the same day or such other date and time as the Chair shall determine.

CALLING MEETINGS

24. The Joint Committee will meet at least once every three months in the local authority area of the incumbent chair. The meeting will be clerked and facilitated by officers from that local authority.

25. The Joint Committee will approve a schedule of meetings.
26. In addition to the scheduled meetings special meetings of the Joint Committee may be convened by the Clerk as follows:-
 - 26.1 at the written request of the Chair;
 - 26.2 by a resolution of either of the local authorities;
 - 26.3 on the written requisition of at least two thirds of the members of the Joint Committee, which meeting will be held within 14 days of the receipt of the requisition by the Clerk;
 - 26.4 at the written request of the Monitoring Officer of either local authority.
27. The Chair, if present, will chair the meeting of the Joint Committee. If the Chair is not present the Vice Chair will chair the meeting. If neither the Chair nor Vice Chair is present, the Members present will decide who will chair the meeting.

AGENDA SETTING

28. The Clerk from the local authority responsible for facilitating meetings will prepare an agenda for each meeting of the Joint Committee.
29. Notice of Motion - Any Member of the Joint Committee will have the right to have an item placed on the agenda for a meeting (a motion) providing they give the Clerk notice in writing (setting out the nature of the item) at least seven clear working days before the date of the relevant meeting. The motion will require to be signed by the Member giving notice and countersigned by another Member of the Joint Committee. The terms of the motion will be included in the agenda for the meeting, unless the Chair, in consultation with the Vice-Chair, considers the motion not to be competent or relevant for consideration by the Joint Committee.
30. The final decision on which items appear on the agenda, other than in respect of motions under Standing Order 29, rests with the Senior Responsible Officer of the local authority which is responsible for facilitating the meeting in question, subject to the same being in consultation with the Chair and Vice-Chair.
31. Agendas and reports will be issued to all members of the Joint Committee at least three clear working days before meetings, or if convened at shorter notice, as soon as meetings are convened.

32. Agendas and reports will be provided to each member of the Joint Committee electronically unless a member specifically requests the documents in hard copy format.
33. Agendas and reports will be displayed on the website of the local authority responsible for arranging meetings.

CANCELLATION OF MEETING

34. Prior to cancelling any meeting, the Clerk will consult the Chair and Vice Chair.
35. Meetings of the Joint Committee cannot be cancelled once the agenda calling the meeting has been issued.

URGENT BUSINESS

36. Urgent business may be considered at a meeting of the Joint Committee if the Chair rules that there is a special reason why the business is a matter of urgency. The reasons will be stated at the meeting and recorded in the minutes.

PUBLIC ACCESS

37. Every meeting of the Joint Committee will be open to the public except in special circumstances which are set out below:-
 - 37.1 the public must be excluded from a meeting of the Joint Committee where 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; and/or
 - 37.2 the Joint Committee may decide, by passing a resolution at any meeting, to exclude the public when it is 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 which part of the proceedings of the meeting it applies to and explain why the information is exempt.
38. If the Clerk believes that it is likely that exempt or confidential information (as meant by the relevant law) will be given to members of the public they may exclude the whole of a report (or any part of a report) from public viewing. Every copy of any report in that category (or part of that report) will either be marked "Not for Publication" or marked "Confidential", or equivalent.
39. Except at the discretion of the Chair, the Joint Committee will not allow the taking of photographs, use of mobile telephones, or music players during meetings. This does not prohibit the local authorities from webcasting or otherwise recording Meetings, subject to a resolution of the Joint Committee.

ORDER OF BUSINESS

40. The business of the Joint Committee will proceed in the order specified in the agenda calling the meeting which will be as follows, unless circumstances dictate otherwise:-
- (a) Notification of Apologies;
 - (b) Notification of Substitutions;
 - (c) Declarations of Interest;
 - (d) Urgent Business brought forward by the Chair in terms of Standing Order 36;
 - (e) Minutes (for approval only – there is no provision for Matters Arising);
 - (f) Reports; and
 - (g) Items of business from members of the Joint Committee intimated in terms of Standing Order 29 and the terms of which set out on the agenda.
41. After the Joint Committee has been sitting for two hours and no longer than two and a half hours, there will be an automatic break of at least 10 minutes. At the discretion of the Chair the break may be extended to not more than 30 minutes.

DECLARATIONS OF INTEREST

42. A Member of the Joint Committee must declare at the earliest possible stage in the proceedings, any direct financial or non-financial interest in relation to an item of business to be discussed at a meeting of the Joint Committee.
43. Where a financial or non-financial interest is disclosed under Standing Order 42, a Member of the Joint Committee must apply the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice their discussion or decision making in their role as a Member of the Joint Committee. If the Member applies the objective test and determines that they have an interest they should withdraw from the meeting when the item of business is being discussed.

CONSIDERATION OF REPORTS AND RECOMMENDATIONS

44. Introduction – The Chair will invite the relevant officer to introduce a report. Such introductions will normally be restricted to three minutes. Any presentations to the Joint Committee will be notified in advance on the agenda and restricted to 10 minutes.
45. Questions – The Chair will then give members of the Joint Committee the opportunity to ask questions, seek clarification or request further information.
46. Discussion – The matter will be open for discussion for a period of 10 minutes.
47. Determination – The Chair will ask if the Joint Committee is in agreement with the recommendations contained in the report and if there is consensus the matter will be so determined.
48. No agreement – If there is no consensus, then the Chair will invite notice of a motion, amendment(s) or the direct negative and the meeting will proceed to the debate.

DEBATES

49. A motion and any amendments must be given in writing to the Clerk together with 15 copies, which will then be made available to all members of the Joint Committee. In the case of a notice of motion in terms of Standing Order 29, the terms of which has been set out on the agenda, copies need not be made available.
50. Every amendment must be relevant to the motion to which it is moved. All additions to, omissions from or variations on a motion will be considered as amendments to the motion and will be dealt with accordingly.
51. Formal proposal of motions and amendments - A motion will be formally moved by a Member of the Joint Committee and seconded by another Member who may reserve their right to speak. Members will then move amendment(s) or the direct negative, which will require to be seconded by another Member who may also reserve their right to speak. The matter will then be opened up for formal debate.
52. A Member of the Joint Committee can only move or second one proposition (a motion, amendment or direct negative) on any matter on which the Joint Committee cannot reach consensus.
53. A proposition once moved and seconded will not be withdrawn unless the mover and seconder agree.
54. Time limits - The mover of a proposition may speak for no more than five minutes and the seconder may speak for no more than three minutes. All other Members will speak for no more than two minutes although the Chair may allow members to engage in free debate within reasonable limits.
55. Summing up - The Member moving a motion, the direct negative or amendment may reply in reverse order to sum up, provided that the summing up does not introduce any new matter into the debate. A Member exercising the right to sum up will speak for no more than three minutes, except by permission of the Chair.
56. The following procedural motions will be permitted during discussion of any item.
 - (a) "that the meeting proceed to next business";
 - (b) "that the question is now put to the vote";
 - (c) "that the vote be taken by a show of hands";

Procedural motions will be moved, seconded and put without discussion. They will be voted on by a show of hands.

57. Recording of dissent - Motions or amendments that are not seconded will not be discussed or included in the minutes but the proposer can require that his or her dissent be minuted.

VOTING

58. Subject to these Standing Orders and any statutory provision requiring a minimum number of votes to decide a matter, every question which is the subject of a division will be determined by a majority of votes of the members of the Joint Committee present and voting. In the event of an equality of votes the Chair will have a second or casting vote.

59. Subject to these Standing Orders, voting will be by a roll call vote where the names for or against the motion or amendment and those not voting will be taken down in writing and entered into the minute.
60. Voting will begin when the Clerk has put all competent motions and amendments before the Joint Committee. Members present at the meeting and eligible to vote will vote either “for” or “against” each amendment, to be taken in the order moved or in the order determined by the Chair.
61. If an amendment is not carried, any other amendments will be voted on. If an amendment is carried, it will take the place of the original motion (and become the substantive motion) and any remaining amendments will be voted on in the same manner. After all amendments have been disposed of, members will then vote “for” or “against” the motion (either the original motion or the substantive motion) remaining before the meeting.
62. Where the direct negative has been moved in addition to one or more amendments, the direct negative will be taken last.
63. Where only the motion and the direct negative are moved and seconded, a straight vote will take place “for” or “against” the motion.
64. Voting (Appointments) – When nominating or appointing any member of the Joint Committee to any organisation/body, voting will be conducted on the basis of an absolute majority (half of those present plus one). In any case of an equality of votes, the Chair of the meeting will not have a second or casting vote and the decision on which candidate is to be appointed/nominated will be determined by lot.

DECISIONS

65. The Clerk will issue a decision notice detailing decisions taken by the Joint Committee to all Members of the Joint Committee within two working days of the meeting.

REVOCATION OF PREVIOUS DECISIONS

66. No motion which seeks to alter or revoke a decision of the Joint Committee, or has that effect, will be considered or passed until at least six months after the decision was taken originally, unless notice has been given of the proposed item in the summons for the meeting and (i) the Chair rules that there has been a material change of circumstances, and provides the Joint Committee with an explanation of the nature of the material change which will be recorded in the minutes, or (ii) the Joint Committee agrees the decision was based on erroneous, incorrect or incomplete information.

ADJOURNMENT

67. A motion to adjourn the meeting may be put at any time, except if a Member is speaking, and will have precedence over all other motions. It must be moved and seconded without discussion, and must at once be put by the Chair in the form of “adjourn” or “not adjourn”.

DISORDERLY CONDUCT

68. In order to stop disorderly conduct or other misbehaviour at a meeting, the Joint Committee can exclude members of the public whose presence or actions are stopping the good conduct of the meeting.
69. In the event of a member of the Joint Committee disregarding the authority of the Chair, or behaving obstructively or offensively, the Chair will first ask the member to refrain from such behaviour, failing which a motion may be proposed and seconded to suspend the member for the rest of the meeting. The motion will be put without debate.

SUSPENSION AND ALTERATIONS TO STANDING ORDERS

70. As long as it is consistent with any statutory provisions, any one or more of the Standing Orders can be suspended at any meeting, provided that two-thirds of the Members of the Joint Committee who are present agree.
71. The Joint Committee has the power to alter these Standing Orders at any of its meetings or a special meeting convened for such purpose provided notice of the proposed alterations (in the form of a motion or inherent in a report) is sent to each member of the Joint Committee at least three clear working days before the meeting and such alterations are passed by a majority of the members of the Joint Committee present at the meeting.

ANNUAL REVIEW

72. These Standing Orders will be reviewed at least annually and any proposed changes will be reported to the Joint Committee.

STIRLING AND CLACKMANNANSHIRE CITY REGION DEAL JOINT COMMITTEE

TERMS OF REFERENCE

The specific Terms of Reference for the Joint Committee include the following:-

- The Joint Committee will approve City Region Deal strategic and policy plans;
- The Joint Committee will approve City Region Deal project business cases and oversee the implementation and monitoring of the same, all in accordance with a framework to be approved by the Joint Committee;
- The Joint Committee will approve (i) the overall programme funding for the City Region Deal, (ii) the detailed breakdown and use of Stirling Council and Clackmannanshire Council financial contributions to the City Region Deal in relation to the approved overall programme funding for the City Region Deal and (iii) the distribution of funding to approved City Region Deal projects, which funding may be direct to Stirling Council, Clackmannanshire Council or other approved partner organisations;
- As stated in the Standing Orders , Stirling Council will be the lead authority, and will hold/distribute City Region Deal funding on behalf of the Joint Committee;
- The Joint Committee will prioritise City Region Deal projects;
- The Joint Committee will receive updates from and provide feedback to the UK and Scottish Governments in connection with the City Region Deal, and any strategic, economic or infrastructure activities associated with the City Region Deal, and act as the strategic point of contact with the UK and Scottish Governments;
- The Joint Committee will collaborate and work in partnership with the Stirling and Clackmannanshire Regional Economic Advisory Board and the Regional Enterprise Forum to deliver a shared vision of improving the economy within the Stirling Council and Clackmannanshire Council areas and to build and support inclusive growth, focusing on the needs of the areas and strengthening the partnership between public, private and third sectors;
- The Joint Committee will make recommendations to Stirling Council and Clackmannanshire Council, and other partners who are committing funding, on the setting of budgets as they relate to City Region Deal implementation;
- The Joint Committee will make suitable arrangements, in consultation with Stirling Council, Clackmannanshire Council and the Stirling and Clackmannanshire Regional Economic Advisory Board for the independent review and audit of its activities; and

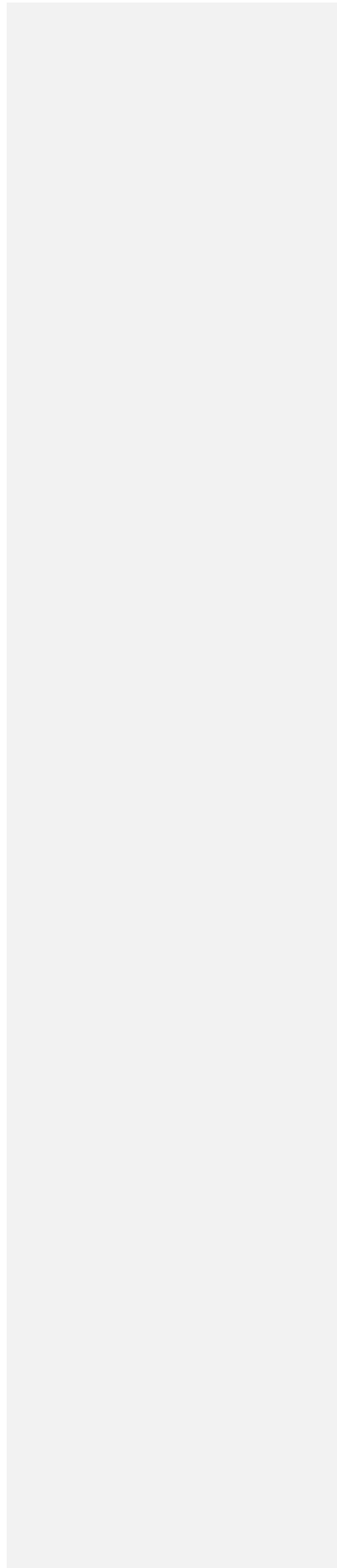
- The Joint Committee will approve/delegate the approval of operational expenditure allocated by Stirling Council, Clackmannanshire Council and/or other partner organisations to further the aims of the City Region Deal and implement the same, within agreed City Region Deal Joint Committee budgets.

**STIRLING AND CLACKMANNANSHIRE
CITY REGION DEAL JOINT COMMITTEE**

STANDING ORDERS

Effective from and including ~~8 September~~
2021^{27th} July 2022

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STANDING ORDERS

APPLICATION OF INTERPRETATION ACT

1. These are the Standing Orders of the Stirling and Clackmannanshire City Region Deal Joint Committee, hereinafter called “the Joint Committee”.
2. The Interpretation Act 1978 applies to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.

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“Monitoring Officer” means the officer appointed by the Local Authority in question under Section 5 of the 1989 Act or the person nominated as a deputy under sub-section (7) of section 5.

“Clerk” is the person appointed as such by the Local Authority in question to arrange for the preparation and circulation of agendas and minuting of meetings of the Joint Committee and to provide such procedural advice at meetings of the Joint Committee as may be necessary.

“Confidential information” means (a) information provided to the Joint Committee or either of the Local Authorities by a Government department or others upon terms (however expressed) which forbid the disclosure of information to the public and/or (b) information, the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

“Exempt information” means information which is exempt from disclosure in terms of Schedule 7A of the Local Government (Scotland) Act 1973.

GENERAL PRINCIPLES

7. Stirling Council and Clackmannanshire Council have delegated full power and authority to the Joint Committee to take all actions and decisions the Joint Committee considers necessary to oversee and direct the implementation and delivery of the City Region Deal, to the extent the Joint Committee has been allocated funding for the same, with each of Stirling Council/Clackmannanshire Council (as the case may be) to then implement and deliver the approved projects.
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MEMBERSHIP

11. The Joint Committee will comprise the following members, all of whom are voting members:-
 - 3 elected members of Stirling Council (~~being the Leader, Depute Leader and Leader of Opposition~~), with Stirling Council having also appointed 3 substitute members;

- 3 elected members of Clackmannanshire Council (being the Leader of the Council and the Leaders of the other two political groups), with Clackmannanshire Council having also appointed 3 substitute members; and
 - 3 representatives of the University of Stirling.
12. The Chair of the Joint Committee will be an elected member of Stirling Council for the period until 31 March 2020 and will then be an elected member of Clackmannanshire Council for a period of 12 months and then alternate on a yearly basis. ~~Stirling Council will adopt a co-chair arrangement for its tenure holding the Chair of the Joint Committee with the Leader and Depute Leader of the Council presiding at alternate meetings of the Joint Committee.~~
 13. The Vice-Chair of the Joint Committee will be an elected member of Clackmannanshire Council for the period until 31 March 2020 and will then be an elected member of Stirling Council for a period of 12 months and then alternate on a yearly basis. ~~Stirling Council will adopt a co-vice chair arrangement for its tenure holding the Vice-Chair of the Joint Committee with the Leader and Depute Leader of the Council holding the post at alternate meetings of the Joint Committee.~~
 14. Where a vacancy occurs in the case of the Chair or Vice-Chair, the Joint Committee shall appoint a replacement(s) from the same local authority for the remainder of their period of office as Chair or Vice-Chair, as the case may be, in terms of Standing Orders 12 and 13.
 15. Subject to Standing Order 16, elected members on the Joint Committee are appointed to serve for a period determined by the relevant local authority.
 16. If a Member resigns from the Joint Committee, the relevant Constituent Authority will be entitled to appoint/nominate (as the case may be) another representative.
 17. The duties of the Chair of the meeting, in accordance with these Standing Orders, will include the following, with the Chair's decision on any such matters being final, provided reasons are given where appropriate:-
 - 17.1. Deciding on all matters of protocol, decorum, order, competency and relevancy;
 - 17.2. Determining all matters of procedure for which no provision is made within these Standing Orders. In reaching this determination he/she may be advised by the Clerk;
 - 17.3. Deciding priority between two or more Members wishing to speak; ensuring that a fair opportunity is given to all members to express their views in any items of business;
 - 17.4. Varying the order of business at any meeting;
 - 17.5. Preserving order within the meeting;

- 17.6. Ordering the exclusion of any member of the public, in order to prevent or suppress disorderly conduct or any other behaviour which impedes or is, in the Chair's opinion, impeding the business of the meeting;
- 17.7. In the event of disorder arising, adjourning the meeting to a time and date the Chair will fix then or later. In leaving the meeting, the Chair in such circumstances, will without further procedure have formally adjourned the meeting; and
- 17.8. Signing the minutes of the previous meeting.

SUBSTITUTES

18. If a Member who is an elected member is unable to attend a meeting of the Joint Committee that elected member may arrange for one of the appointed substitute members for that local authority to attend. The substitute member must tell the Clerk of their attendance before the meeting starts.
19. If a Member who is a representative of the University of Stirling is unable to attend a meeting of the Joint Committee that Member may arrange for a substitute representative of the University of Stirling to attend. The substitute member must advise the Clerk of their attendance before the meeting starts.

QUORUM

20. The quorum is the minimum number of people who must be present before a meeting of the Joint Committee can take place
21. The quorum for the Joint Committee is six Members, to include at least two elected members from each of the local authorities and two representatives of the University of Stirling
22. If 15 minutes after the designated start time of a meeting the quorum has not been met, the Chair or person chairing the meeting will adjourn the meeting to another time on the same day or such other date and time as the Chair shall determine. If the Chair is among those absent, the Clerk will record that no business was transacted because of the lack of the necessary quorum.
23. If at any time during a meeting a question arises on the presence of a quorum, the Chair will direct the Clerk to call the roll and if a quorum is not present the meeting will immediately be adjourned to another time on the same day or such other date and time as the Chair shall determine.

CALLING MEETINGS

24. The Joint Committee will meet at least once every three months in the local authority area of the incumbent chair. The meeting will be clerked and facilitated by officers from that local authority.

25. The Joint Committee will approve a schedule of meetings.
26. In addition to the scheduled meetings special meetings of the Joint Committee may be convened by the Clerk as follows:-
 - 26.1 at the written request of the Chair ~~(being both the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Chair)~~;
 - 26.2 by a resolution of either of the local authorities;
 - 26.3 on the written requisition of at least two thirds of the members of the Joint Committee, which meeting will be held within 14 days of the receipt of the requisition by the Clerk;
 - 26.4 at the written request of the Monitoring Officer of either local authority.
27. The Chair ~~(being the Leader or Depute Leader of the Council in the case of Stirling Council, where it holds the Chair)~~, if present, will chair the meeting of the Joint Committee. If the Chair is not present the Vice Chair ~~(being the Leader or Depute Leader of the Council in the case of Stirling Council, where it holds the Vice Chair)~~ will chair the meeting. If neither the Chair nor Vice Chair is present, the Members present will decide who will chair the meeting.

AGENDA SETTING

28. The Clerk from the local authority responsible for facilitating meetings will prepare an agenda for each meeting of the Joint Committee.
29. Notice of Motion - Any Member of the Joint Committee will have the right to have an item placed on the agenda for a meeting (a motion) providing they give the Clerk notice in writing (setting out the nature of the item) at least seven clear working days before the date of the relevant meeting. The motion will require to be signed by the Member giving notice and countersigned by another Member of the Joint Committee. The terms of the motion will be included in the agenda for the meeting, unless the Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Chair)~~, in consultation with the Vice-Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Vice Chair)~~, considers the motion not to be competent or relevant for consideration by the Joint Committee.
30. The final decision on which items appear on the agenda, other than in respect of motions under Standing Order 29, rests with the Senior Responsible Officer of the local authority which is responsible for facilitating the meeting in question, subject to the same being in consultation with the Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Chair)~~ and Vice-Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Vice Chair)~~.
31. Agendas and reports will be issued to all members of the Joint Committee at least three clear working days before meetings, or if convened at shorter notice, as soon as meetings are convened.

32. Agendas and reports will be provided to each member of the Joint Committee electronically unless a member specifically requests the documents in hard copy format.
33. Agendas and reports will be displayed on the website of the local authority responsible for arranging meetings.

CANCELLATION OF MEETING

34. Prior to cancelling any meeting, the Clerk will consult the Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Chair)~~ and Vice Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Vice Chair)~~.
35. Meetings of the Joint Committee cannot be cancelled once the agenda calling the meeting has been issued.

URGENT BUSINESS

36. Urgent business may be considered at a meeting of the Joint Committee if the Chair ~~(being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Chair)~~ rules that there is a special reason why the business is a matter of urgency. The reasons will be stated at the meeting and recorded in the minutes.

PUBLIC ACCESS

37. Every meeting of the Joint Committee will be open to the public except in special circumstances which are set out below:-
 - 37.1 the public must be excluded from a meeting of the Joint Committee where 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; and/or
 - 37.2 the Joint Committee may decide, by passing a resolution at any meeting, to exclude the public when it is 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 which part of the proceedings of the meeting it applies to and explain why the information is exempt.
38. If the Clerk believes that it is likely that exempt or confidential information (as meant by the relevant law) will be given to members of the public they may exclude the whole of a report (or any part of a report) from public viewing. Every copy of any report in that category (or part of that report) will either be marked "Not for Publication" or marked "Confidential", or equivalent.
39. Except at the discretion of the Chair, the Joint Committee will not allow the taking of photographs, use of mobile telephones, or music players during meetings. This does not prohibit the local authorities from webcasting or otherwise recording Meetings, subject to a resolution of the Joint Committee.

ORDER OF BUSINESS

40. The business of the Joint Committee will proceed in the order specified in the agenda calling the meeting which will be as follows, unless circumstances dictate otherwise:-
 - (a) Notification of Apologies;
 - (b) Notification of Substitutions;
 - (c) Declarations of Interest;
 - (d) Urgent Business brought forward by the Chair in terms of Standing Order 36;
 - (e) Minutes (for approval only – there is no provision for Matters Arising);
 - (f) Reports; and
 - (g) Items of business from members of the Joint Committee intimated in terms of Standing Order 29 and the terms of which set out on the agenda.
41. After the Joint Committee has been sitting for two hours and no longer than two and a half hours, there will be an automatic break of at least 10 minutes. At the discretion of the Chair the break may be extended to not more than 30 minutes.

DECLARATIONS OF INTEREST

42. A Member of the Joint Committee must declare at the earliest possible stage in the proceedings, any direct financial or non-financial interest in relation to an item of business to be discussed at a meeting of the Joint Committee.
43. Where a financial or non-financial interest is disclosed under Standing Order 42, a Member of the Joint Committee must apply the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice their discussion or decision making in their role as a Member of the Joint Committee. If the Member applies the objective test and determines that they have an interest they should withdraw from the meeting when the item of business is being discussed.

CONSIDERATION OF REPORTS AND RECOMMENDATIONS

44. Introduction – The Chair will invite the relevant officer to introduce a report. Such introductions will normally be restricted to three minutes. Any presentations to the Joint Committee will be notified in advance on the agenda and restricted to 10 minutes.
45. Questions – The Chair will then give members of the Joint Committee the opportunity to ask questions, seek clarification or request further information.
46. Discussion – The matter will be open for discussion for a period of 10 minutes.
47. Determination – The Chair will ask if the Joint Committee is in agreement with the recommendations contained in the report and if there is consensus the matter will be so determined.
48. No agreement – If there is no consensus, then the Chair will invite notice of a motion, amendment(s) or the direct negative and the meeting will proceed to the debate.

DEBATES

49. A motion and any amendments must be given in writing to the Clerk together with 15 copies, which will then be made available to all members of the Joint Committee. In the case of a notice of motion in terms of Standing Order 29, the terms of which has been set out on the agenda, copies need not be made available.
50. Every amendment must be relevant to the motion to which it is moved. All additions to, omissions from or variations on a motion will be considered as amendments to the motion and will be dealt with accordingly.
51. Formal proposal of motions and amendments - A motion will be formally moved by a Member of the Joint Committee and seconded by another Member who may reserve their right to speak. Members will then move amendment(s) or the direct negative, which will require to be seconded by another Member who may also reserve their right to speak. The matter will then be opened up for formal debate.
52. A Member of the Joint Committee can only move or second one proposition (a motion, amendment or direct negative) on any matter on which the Joint Committee cannot reach consensus.
53. A proposition once moved and seconded will not be withdrawn unless the mover and seconder agree.
54. Time limits - The mover of a proposition may speak for no more than five minutes and the seconder may speak for no more than three minutes. All other Members will speak for no more than two minutes although the Chair may allow members to engage in free debate within reasonable limits.
55. Summing up - The Member moving a motion, the direct negative or amendment may reply in reverse order to sum up, provided that the summing up does not introduce any new matter into the debate. A Member exercising the right to sum up will speak for no more than three minutes, except by permission of the Chair.
56. The following procedural motions will be permitted during discussion of any item.
 - (a) "that the meeting proceed to next business";
 - (b) "that the question is now put to the vote";
 - (c) "that the vote be taken by a show of hands";

Procedural motions will be moved, seconded and put without discussion. They will be voted on by a show of hands.

57. Recording of dissent - Motions or amendments that are not seconded will not be discussed or included in the minutes but the proposer can require that his or her dissent be minuted.

VOTING

58. Subject to these Standing Orders and any statutory provision requiring a minimum number of votes to decide a matter, every question which is the subject of a division will be determined by a majority of votes of the members of the Joint Committee present and voting. In the event of an equality of votes the Chair (~~for the avoidance of doubt being either the Leader or Depute Leader of the Council where Stirling Council holds the Chair, whichever individual holds the Chair for the meeting in question, and not both~~) will have a second or casting vote.

59. Subject to these Standing Orders, voting will be by a roll call vote where the names for or against the motion or amendment and those not voting will be taken down in writing and entered into the minute.
60. Voting will begin when the Clerk has put all competent motions and amendments before the Joint Committee. Members present at the meeting and eligible to vote will vote either “for” or “against” each amendment, to be taken in the order moved or in the order determined by the Chair.
61. If an amendment is not carried, any other amendments will be voted on. If an amendment is carried, it will take the place of the original motion (and become the substantive motion) and any remaining amendments will be voted on in the same manner. After all amendments have been disposed of, members will then vote “for” or “against” the motion (either the original motion or the substantive motion) remaining before the meeting.
62. Where the direct negative has been moved in addition to one or more amendments, the direct negative will be taken last.
63. Where only the motion and the direct negative are moved and seconded, a straight vote will take place “for” or “against” the motion.
64. Voting (Appointments) – When nominating or appointing any member of the Joint Committee to any organisation/body, voting will be conducted on the basis of an absolute majority (half of those present plus one). In any case of an equality of votes, the Chair of the meeting will not have a second or casting vote and the decision on which candidate is to be appointed/nominated will be determined by lot.

DECISIONS

65. The Clerk will issue a decision notice detailing decisions taken by the Joint Committee to all Members of the Joint Committee within two working days of the meeting.

REVOCAION OF PREVIOUS DECISIONS

66. No motion which seeks to alter or revoke a decision of the Joint Committee, or has that effect, will be considered or passed until at least six months after the decision was taken originally, unless notice has been given of the proposed item in the summons for the meeting and (i) the Chair (~~being the Leader and Depute Leader of the Council in the case of Stirling Council, where it holds the Chair~~) rules that there has been a material change of circumstances, and provides the Joint Committee with an explanation of the nature of the material change which will be recorded in the minutes, or (ii) the Joint Committee agrees the decision was based on erroneous, incorrect or incomplete information.

ADJOURNMENT

67. A motion to adjourn the meeting may be put at any time, except if a Member is speaking, and will have precedence over all other motions. It must be moved and seconded without discussion, and must at once be put by the Chair in the form of “adjourn” or “not adjourn”.

DISORDERLY CONDUCT

68. In order to stop disorderly conduct or other misbehaviour at a meeting, the Joint Committee can exclude members of the public whose presence or actions are stopping the good conduct of the meeting.
69. In the event of a member of the Joint Committee disregarding the authority of the Chair, or behaving obstructively or offensively, the Chair will first ask the member to refrain from such behaviour, failing which a motion may be proposed and seconded to suspend the member for the rest of the meeting. The motion will be put without debate.

SUSPENSION AND ALTERATIONS TO STANDING ORDERS

70. As long as it is consistent with any statutory provisions, any one or more of the Standing Orders can be suspended at any meeting, provided that two-thirds of the Members of the Joint Committee who are present agree.
71. The Joint Committee has the power to alter these Standing Orders at any of its meetings or a special meeting convened for such purpose provided notice of the proposed alterations (in the form of a motion or inherent in a report) is sent to each member of the Joint Committee at least three clear working days before the meeting and such alterations are passed by a majority of the members of the Joint Committee present at the meeting.

ANNUAL REVIEW

72. These Standing Orders will be reviewed at least annually and any proposed changes will be reported to the Joint Committee.

STIRLING AND CLACKMANNANSHIRE CITY REGION DEAL JOINT COMMITTEE

TERMS OF REFERENCE

The specific Terms of Reference for the Joint Committee include the following:-

- The Joint Committee will approve City Region Deal strategic and policy plans;
- The Joint Committee will approve City Region Deal project business cases and oversee the implementation and monitoring of the same, all in accordance with a framework to be approved by the Joint Committee;
- The Joint Committee will approve (i) the overall programme funding for the City Region Deal, (ii) the detailed breakdown and use of Stirling Council and Clackmannanshire Council financial contributions to the City Region Deal in relation to the approved overall programme funding for the City Region Deal and (iii) the distribution of funding to approved City Region Deal projects, which funding may be direct to Stirling Council, Clackmannanshire Council or other approved partner organisations;
- As stated in the Standing Orders , Stirling Council will be the lead authority, and will hold/distribute City Region Deal funding on behalf of the Joint Committee;
- The Joint Committee will prioritise City Region Deal projects;
- The Joint Committee will receive updates from and provide feedback to the UK and Scottish Governments in connection with the City Region Deal, and any strategic, economic or infrastructure activities associated with the City Region Deal, and act as the strategic point of contact with the UK and Scottish Governments;
- The Joint Committee will collaborate and work in partnership with the Stirling and Clackmannanshire Regional Economic Advisory Board and the Regional Enterprise Forum to deliver a shared vision of improving the economy within the Stirling Council and Clackmannanshire Council areas and to build and support inclusive growth, focusing on the needs of the areas and strengthening the partnership between public, private and third sectors;
- The Joint Committee will make recommendations to Stirling Council and Clackmannanshire Council, and other partners who are committing funding, on the setting of budgets as they relate to City Region Deal implementation;
- The Joint Committee will make suitable arrangements, in consultation with Stirling Council, Clackmannanshire Council and the Stirling and Clackmannanshire Regional Economic Advisory Board for the independent review and audit of its activities; and

- The Joint Committee will approve/delegate the approval of operational expenditure allocated by Stirling Council, Clackmannanshire Council and/or other partner organisations to further the aims of the City Region Deal and implement the same, within agreed City Region Deal Joint Committee budgets.