



Tay Road Bridge

TAY ROAD BRIDGE JOINT BOARD

Standing Orders of The Tay Road Bridge Joint Board

Prepared by:	Alan Hutchison (Bridge Manager)
Reviewed by:	Roger Mennie (Clerk)

Document Reference:	TRB 13 rev 1
Approved for Issue:	TRB Board at March 2018
Date: 6 March 2018 Board	TRBJB

STANDING ORDERS

OF

TAY ROAD BRIDGE JOINT BOARD

These Standing Orders shall apply and have effect on and from the day they are adopted by the Joint Board with such amendments as may be made by the Joint Board from time to time. These Standing Orders shall also apply, so far as relevant, to Sub-Committees.

PART I

MEETINGS AND PROCEEDINGS OF THE JOINT BOARD

Days and Times of the Meetings

1. (1) The ordinary meetings of the Joint Board shall be held in accordance with the timetable to be determined by the Joint Board.
- (2) All other meetings of the Joint Board shall be held at such place and on such date and at such hour as the Joint Board may, from time to time, direct.
2. The Chairperson, or, in his or her absence, the Vice-Chairperson, may in special circumstances (of which the Chairperson or the Vice-Chairperson, as the case may be, shall be the sole judge) alter the date of any ordinary meeting of the Joint Board.

Special Meetings

3. The Clerk shall call a meeting of the Joint Board at any time on being required to do so by the Chairperson or, in his or her absence, the Vice-Chairperson, or on receiving a requisition in writing for that purpose signed by at least three members of the Joint Board specifying the business proposed to be transacted at the meeting, which meeting shall be held within fourteen days of receipt of the requisition.

Calling of Meetings

4. (1) Notice of all meetings of the Joint Board shall be given by the Clerk and the notice shall specify the business proposed to be transacted at the meeting and the order in which such business is to be brought before the meeting.
- (2) Not less than three clear days before a meeting of the Joint Board a summons to attend the meeting, specifying the business to be transacted thereat and signed by the Clerk shall be left at or sent by post either to the usual place of residence of every member of the Joint Board or Sub-Committee thereof.
- (3) Want of service of a summons on any member of the Joint Board shall not affect the validity of a meeting of the Joint Board.

Quorum

5. No business shall be transacted at a meeting of the Joint Board unless five members are present, provided that the members present shall not all be members appointed by the same constituent authority.

Order of Business

6. The business of the Joint Board at an ordinary meeting shall (unless otherwise directed by the Chairperson who may, at his/her discretion, alter the order of business at any stage) proceed in the following order:-
 - (a) Reception of deputations.
 - (b) Minutes of the Joint Board and Committees and Sub-Committees thereof.
 - (c) Ordinary business including business on agenda at the request of members.

- (d) Matters of urgency of which no previous notice has been given, provided that consideration of any such matters shall be subject to the provisions of Standing Order 7.

Matter of Urgency

7. An item of business shall not be considered at a meeting of the Board unless either:-
- (a) a copy of the agenda including the item (or a copy of the item subject to exclusion as provided for in terms of Section 50B(2) of the Local Government (Scotland) Act 1973) is open to inspection by members of the public at the offices of the Constituent Authorities for at least three days before the meeting or, where the meeting is convened at shorter notices, from the time the meeting is convened; or
- (b) by reason of special circumstances, which shall be specified in the minutes, the Chairperson of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

Chairperson

9. A Chairperson and a Vice-Chairperson shall be appointed by the members of the Joint Board at the first meeting following an election and at such other times as may be necessary. The Chairperson and Vice-Chairperson shall not both be persons appointed by the same Council. The Chairperson, if present, shall preside at meetings of the Joint Board and in his or her absence the Vice-Chairperson shall preside. If both are absent, another member of the Joint Board, chosen by the members present, shall preside.

Powers and Duties of Chairperson

10. It shall be the duty of the Chairperson:-
- (a) to preserve order, and to ensure that every member of the Joint Board shall have a fair hearing;
- (b) to decide all matters of order, competency and relevancy;
- (c) to decide between two or more members of the Joint Board rising to speak by calling on the member who has first caught his or her eye; and
- (d) to ensure that due and sufficient opportunity is given to members of the Joint Board who wish to speak to express their views on the subject under discussion.
11. The decision of the Chairperson on all matters within his or her competency shall be final, and shall not be open to question or discussion.
12. Deference shall at all times be paid to the authority of the Chairperson. When he or she is speaking he or she shall be heard without interruption.

Membership

13. (1) With regard to the allocation of places on the Joint Board, should it be necessary or expedient for any of these constituent authorities to change their nominated representatives at any time other than at the meeting of the Joint Board immediately following an election, it shall be competent for such changes to be intimated to the Joint Board.
- (2) It shall be competent for substitutions to be intimated and effected for individual meetings of the Joint Board.

Suspension of Members

14. If any member of the Joint Board disregards the authority of the Chairperson, or obstructs the meeting, or conducts himself or herself offensively at the meeting, such member may be suspended for the remainder of the sitting. A motion to suspend a member shall be made and seconded without discussion and forthwith put to the meeting. Any member of the Joint Board so suspended shall forthwith leave the meeting and shall not without the consent of the meeting again enter the meeting, and if any member so suspended refuses to leave the meeting when so required by the Chairperson he or she may immediately by order of the Chairperson be removed from the meeting by a Joint Board officer or by any other person authorised by the Chairperson to remove him/her.

Adjournment

15. (1) In the event of disorder arising at any meeting of the Joint Board, the person in the chair may adjourn the meeting to a date he or she may fix or which the Chairperson of the Joint Board may afterwards fix, and the quitting of the chair by the Chairperson shall be the signal that the meeting is adjourned.
- (2) The Joint Board may, at any of their meetings, adjourn the same to such date as they may then fix, failing which as the Chairperson of the Joint Board or, in his or her absence, the Vice-Chairperson, may thereafter 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 discussion, and shall forthwith be put to the meeting.

Reception of Deputations

16. (1) All applications requesting the Joint Board to receive a deputation shall be in writing, duly signed, addressed and, where possible, delivered to the Clerk at least five clear working days prior to the date of the meeting at which the subject may be considered. Any later requests for deputations to be received shall be reported to the meeting and shall be dealt with in accordance with the provisions of the remainder of this Standing Order.
- (2) An application requesting the Joint Board to receive a deputation shall in the first instance be submitted to the Joint Board and the deputation shall, if so resolved, be received and heard by the Joint Board.
- (3) No deputation exceeding ten in number shall be received by the Joint Board.
- (4) Not more than two speakers on any deputation shall be heard, and the time allowed to the deputation for speaking shall not exceed seven minutes except at the discretion of the Chairperson.
- (5) Any member of the Joint Board may put any relevant question to the deputation, but no member shall express an opinion upon, nor shall the Joint Board discuss, the subject on which the deputation has been heard, until the deputation has withdrawn.

Order of Debate

17. (1) Any member of the Joint Board desiring to speak at any meeting of the Joint Board shall indicate an intention to the Chair and when called upon shall address the Chair, and direct his/her speech:-
- (a) to the matter before the meeting by proposing, seconding, or supporting a motion or any amendment relative thereto;
- (b) to a point of order; or
- (c) to asking a question.

- (2) A member shall not speak supporting a motion or any amendment until the same shall have been seconded.
- (3) Subject to the right of the mover of a motion to reply, a member shall not speak more than once on the same issue at any meeting of the Joint Board, except on a point of order, or with the permission of the Chairperson, in explanation or to clear up a misunderstanding in regard to some material part of his/her speech, in which case he/she shall introduce no new matter.
- (4) The mover of an original motion shall have a right of reply, but he/she shall introduce no new matter, and, after he/she has commenced his/her reply, no other member shall speak on the issue except as provided in the immediately preceding paragraph of this Standing Order.

Motions and Amendments

- 18. (1) The import of all motions and amendments shall be stated immediately on their being proposed to the meeting by the mover before being spoken to.
- (2) All amendments must be relative to the motion and after the first amendment has been voted upon, all subsequent amendments must be substantially different from the first amendment.
- (3) In any case where a motion or an amendment has been duly seconded neither the motion nor the amendment, as the case may be, shall be altered in substance or withdrawn without the consent of a majority of the members present.
- (4) Whenever an amendment upon an original motion has been moved and seconded, no further amendment shall be moved until the result of the first amendment has been determined. If an amendment be rejected, further amendments to the original motion may be moved. If any amendment be carried, such amendment shall take the place of the original motion and shall become the motion upon which any further amendments may be moved.

Closure of Debate

- 19. A motion that the debate be adjourned, or that the question be now put, may be made at any stage of the debate, (not being in the course of a speech), and such motion, if seconded, shall be the subject of a vote without further debate.

Method of Voting

- 20. (1) The vote of the Joint Board shall be taken by calling the roll of those present, beginning with the Chairperson, and the voting shall be recorded in the minutes.
- (2) After the Chairperson or the Clerk has announced the issue on which the vote is to be taken, no member shall interrupt the proceedings in any way whatsoever (except that, in the case where his or her name has not been called, a member may direct attention to the fact and request that his or her name be called) until the result of the division has been intimated.
- (3) A member who is absent from the meeting when his or her name is called in a division shall be entitled to record his or her vote if he or she enters the meeting before the result of the division has been intimated, provided the attention of the Clerk is directed to the return of such member before the result of the division has been intimated.

Casting Vote

21. Subject to the provisions of any enactment and of any Statutory Order or Instrument the person presiding at a meeting of the Joint Board shall in the case of an equality of votes have a second or casting vote except where the matter which is the subject of the vote relates to the appointment of a member of the Joint Board to any particular office or Committee, in which case the decision shall be by lot.

Points of Order

22. (1) Any member of the Joint Board may, at any meeting of the Joint Board, speak upon a point of order if he or she does so as soon as it arises, and if he or she states that they raise a point of order and forthwith states the point of order.
- (2) The member who is then addressing the Joint Board shall give way to the point of order and the member who rises to the point of order shall, when he/she has concluded, give way to the Chair. No other member shall be entitled to speak to the point of order raised except by permission of the Chairperson.
- (3) The Chairperson shall thereupon decide the question, and, thereafter, the member who was addressing the Joint Board at the time the point of order was raised shall be entitled (if the ruling permits him or her so to do) to continue to speak, giving effect to the ruling of the Chairperson.

Questions

23. (1) If any member has a detailed question for officers relating to any item to be considered by the Joint Board they may approach the Clerk in advance and seek an answer before the Board meeting.
- (2) At any Board meeting any member may put a question to the Chair relative to any matter under consideration.

Inclusion of Business on Joint Board Agenda at the Request of Members

24. Subject to the provisions of the 1973 Act any member of the Joint Board who wishes brought before the Joint Board any matter which can be competently considered thereby, shall submit to the Clerk a detailed written statement and notice of the matter not later than five clear working days before the issue of the agenda and papers to members in order that the Clerk in terms of sections 50B, 50C and 50F of the 1973 Act may determine whether exempt information as included in Schedule 7A to the said Act is likely to be disclosed. A member whose item is included on an agenda in terms of this Standing Order shall, when that item is rendered, be called upon to speak first.

Alteration or Revocation of Previous Resolution

25. (1) Subject to the provisions of paragraph (2) of this Standing Order, no resolution of the Joint Board shall be altered or revoked except by a subsequent resolution made by the Joint Board and arising from a recommendation, involving alteration or revocation, approved by a majority of the members present at a meeting of the Joint Board. Provided that no resolution shall be altered or revoked within six months of its adoption.
- (2) The alteration or revocation of any resolution of the Joint Board shall not affect or prejudice any proceedings, action, or liability competently done or undertaken under any such resolution prior to its alteration or revocation.

Members Declaring Interests at Meetings

26. *In terms of the Councillors' Code, it is the responsibility of members to make decisions about whether to declare an interest in any item on an agenda and whether to take part in any discussion or voting. This includes all interests whether or not entered in the Register of Interests which might be perceived as influencing an elected member's opinion / vote on any*

matter.

Admission of Press and Public

27. (1) Subject to paragraphs (2) and (3) of this Standing Order, every meeting of the Joint Board shall be open to the public and press.
- (2) The public and press shall be excluded from any meeting of the Joint Board during consideration of an item of business whenever it is likely, in view of the nature of the business, that, if they were present, information would be disclosed which was confidential in terms of Part IIIA of the 1973 Act.
- (3) The Joint Board may, by resolution, exclude the public and press from any meeting of the Joint Board during consideration of an item of business whenever it is likely, in view of the nature of the business, that, if they were present, information would be disclosed which falls within one or more of the categories of exempt information in terms of Part IIIA of the 1973 Act.
- (4) A resolution under paragraph 3 of this Standing Order shall:-
- (a) identify the proceedings or the part of the proceedings to which it applies; and
 - (b) state, in terms of the Act the category or categories of exempt information concerned.

Suspension of Standing Orders

28. It shall be competent, subject to the provisions of Standing Order 35(2), for a member of the Joint Board at any time to move the suspension of any Standing Order as far as applicable which motion shall without any discussion be moved and seconded and be put to the meeting, and the motion shall be held to be carried if supported by a simple majority of those present and voting.

The Ethical Standards in Public Life Etc (Scotland) Act 2000

29. All members of the Joint Board shall be guided by the provisions of the Code of Conduct for Councillors.

Annual Accounts of the Board

30. *The Treasurer shall submit to the Board not later than the 30 June of each year, an Abstract of Accounts for the previous financial year. The audited copy of the Abstract, together with the Audit Report, shall be laid before a meeting of the Board held not later than three months after receipt of the certification.*

Schemes of Administration for Tender Procedures, Financial Regulations and Delegated Powers

31. (1) The Clerk shall prepare and submit to the Joint Board a Scheme of Administration on Tender Procedures and such procedures, once approved and adopted by the Joint Board, shall be observed by all members and officers of the Board. Any revisions or alterations to the said Tender Procedures shall require to be approved by the Joint Board.
- (2) The Treasurer shall prepare and submit to the Joint Board a Scheme of Administration on Financial Regulations and such Regulations, once approved and adopted by the Joint Board, shall be observed by all members and officers of the Board. Any revisions or alterations to the said Financial Regulations shall require to be approved by the Joint Board.
- (3) The Clerk shall prepare and maintain a Scheme of Administration on Delegated Powers recording all powers delegated to officers as required by Section 50G(2) of the Local Government (Scotland) Act 1973. As and when any powers are so delegated by the Joint Board, or when any such delegated powers are altered or

withdrawn by the Board, the Clerk will make an appropriate amendment to the Scheme of Administration on Delegated Powers.

Corporate Governance

32. The Board shall operate in accordance with the principles of the CIPFA / SOLACE Delivering Good Governance in Local Government Framework.

PART II

CONSTITUTION, MEETINGS AND PROCEEDINGS OF SUB-COMMITTEES

These Standing Orders shall also apply, so far as relevant, to Sub-Committees.

Appointment of Sub-Committees

32. The Joint Board may, as they shall deem necessary from time to time, appoint Sub-Committees for the fulfilment of any of the functions of the Joint Board and shall at the first meeting following an election appoint the Standing Sub-Committees hereinafter mentioned for the performance of the functions referred or delegated to such Sub-Committees in pursuance of these Standing Orders or of any Act of Parliament or Statutory Order, Instrument or Scheme.

Standing Sub-Committees and Sub-Committees' Constitution

33. The Constitution of Standing Sub-Committees shall, so far as is practicable, reflect the geographical balance of the Joint Board's membership.

Appeals Sub-Committee - the Chairperson, Vice-Chairperson and one other member of the Joint Board.

Miscellaneous Sub-Committee - one member from Dundee City Council; one member from Fife Council; and one other member, none of these to be members of the Appeal Committee, as detailed above.

Membership of Sub-Committees

34. With regard to the allocation of places on Sub-Committees they shall be fixed at the first meeting following the election and may be amended at any meeting of the Joint Board so long as approved by a simple majority of those present and voting.

Appointment of Chairperson

35. (1) The Chairperson shall be ex-officio Chairperson of the Appeals Sub-Committee.
- (2) The Chairperson of Miscellaneous Sub-Committee shall be appointed at the first meeting following the election.
- (3) In the absence of the Chairperson of a Sub-Committee the Chairperson shall be elected by a majority of those present.

Reference to Sub-Committees

36. Subject to the terms of Standing Order 35(2) and to the provisions of any enactment and of any Statutory Order, Instrument, or Scheme, the functions of the Joint Board shall stand referred to the various Standing Sub-Committees in accordance with the Terms of Reference detailed below:-

Appeals Sub-Committee of the Tay Road Bridge Joint Board

To deal with staff grievance and disciplinary matters and regrading appeals.

Miscellaneous Sub-Committee of the Tay Road Bridge Joint Board

To deal with miscellaneous matters such as regradings and certain types of disciplinary matters which are outwith the jurisdiction of the Bridge Manager.

Delegation to Sub-Committees

37. Subject to the provisions of any enactment and of any Statutory Order, Instrument, or Scheme, the Joint Board may at any time delegate any function to a Sub-Committee or a Principal Officer of the Joint Board.

Quorum of Sub-Committees

38. Unless otherwise stipulated by the Joint Board the quorum of all Sub-Committees shall be three.

PART III

REVISION OF STANDING ORDERS

39. (1) Subject to the terms of any enactment and of any Standing Order, Instrument or Scheme, the foregoing Standing Orders may be altered or revoked at any ordinary meeting of the Joint Board, if the motion for alteration or revocation is supported by a majority of the Joint Board present and voting.
- (2) The preceding paragraph of this Standing Order shall not apply to these Standing Orders or portions thereof which incorporate the provisions of Statutes or of Statutory Orders or Instruments which cannot be altered or revoked by the Joint Board.