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SCHEDULES.

THIRD SCHEDULE

MEETINGS AND PROCEEDINGS OF LOCAL AUTHORITIES.

PART IV

Provisions relating to local authorities generally.

Notice of meetings required by statute, &c.

- 1 Notice of any meeting of the authority or of any committee thereof appointed to be held by this Act or any other enactment or any statutory order or by standing order of the authority shall, without instructions, be given by the clerk of the authority or in the case of a committee by the clerk of the committee.

Transaction of business where members disabled by section 73 of Act.

- 2 No item of business shall be transacted at a meeting of a local authority or of any committee or sub-committee thereof if, in consequence of the provisions of section seventy-three of this Act, less than a quorum of the authority or committee or sub-committee, as the case may be, are entitled to vote on that item.

Adjournment of meeting.

- 3 A local authority or a committee or sub-committee may adjourn a meeting of the authority, committee or sub-committee, as the case may be, to any other day, hour and place.

Decision on questions.

- 4 (1) Subject to the provisions of this Act or any other enactment or any statutory order that may be applicable and to any provisions of standing orders relating to the suspension of such orders, all acts of, and all questions coming and arising before, a local authority or any committee or sub-committee of a focal authority shall be done and decided by a majority of the members of the authority or committee or sub-committee, as the case may be, present and voting at a meeting of the authority or committee or sub-committee, as the case may be:

Provided that any decision to transact at an ordinary meeting of a local authority or of any committee or sub-committee thereof business of which notice has not been given shall not, if standing orders made by the local authority so provide, be arrived at except by such majority greater than a bare majority as may be specified.

- (2) Save as otherwise provided in this Act, in the case of an equality of votes, the person presiding at the meeting shall give a casting vote.

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Names of members present to be recorded.

- 5 The names of members present at a meeting of a local authority shall be recorded.

Minutes.

- 6 (1) Minutes of the proceedings of a meeting of a local authority shall be drawn up by or on behalf of the clerk of the authority and shall be signed at the meeting by the person presiding thereat or shall be submitted to the next ensuing meeting of the authority for approval as a record of the meeting and signed by the person presiding at that next ensuing meeting, and, without prejudice to any of the other provisions of this Act, any minute purporting to be so signed shall be received in evidence without further proof.
- (2) Subject to any administrative scheme under this Act or any standing orders of or other directions by a local authority, the provisions of the preceding sub-paragraph shall apply with respect to any committee or sub-committee of the authority in like manner as they apply with respect to the authority.
- (3) Until the contrary is proved, a meeting of a local authority or of a committee or sub-committee thereof in respect of the proceedings whereof a minute has been made and signed in manner above provided, shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee, as the case may be, shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

Standing orders.

- 7 (1) Subject to the provisions of this Act and of any administrative scheme thereunder, a local authority may make standing orders for the regulation of their proceedings and business and may vary or revoke such orders.
- (2) Any such standing orders may, without prejudice to any other matters that may be dealt with therein, provide for the closure of debate, for voting by ballot with respect to any matter, and for the suspension by resolution of the local authority for the remainder of a meeting of any member disregarding the authority of the chairman of the meeting or obstructing the meeting or conducting himself offensively at the meeting. Any member of a local authority 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 when so required by the person presiding to leave the meeting, he may immediately by order of the person presiding be removed from the meeting by a police officer or by any other person authorised by the person presiding to remove him.
- (3) Any such standing orders shall, unless otherwise provided therein, apply with respect to any committee or sub-committee of the authority in like manner as they apply with respect to the authority.

Vacancies, &c. not to invalidate proceedings.

- 8 (1) The proceedings of a local authority or a committee or subcommittee thereof shall not be invalidated by any vacancy among their number or by any defect in the election

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or qualification of any member thereof, or by any member voting on or taking part in the consideration or discussion of any question when he is not entitled to do so.

- (2) If the proceedings at a meeting of a local authority or of a committee or sub-committee thereof are notwithstanding anything in this Schedule open to challenge on the ground that the meeting has not been duly convened, such proceedings shall be validated by confirmation of the minutes of the meeting at a subsequent meeting duly convened of the authority, committee or sub-committee, as the case may be.

Application of this Part of Schedule to magistrates of burgh.

- 9 The provisions of paragraphs 1, 2, 3, 4, 5, 6 and 8 of this Part of this Schedule and any standing orders made by a town council under paragraph 7 shall apply with respect to the magistrates of the burgh in like manner as they apply with respect to the town council, save as otherwise directed by the magistrates and subject to any necessary modifications.

Quorum in cases of vacancies.

- 10 Where there are at the same time vacancies in the case of more than one-third of the members of a local authority, then until the number of members in office is increased to not less than two thirds of the whole number of members of the local authority, the quorum of the authority shall be determined by a reference to the number of members of the authority remaining instead of by reference to the whole number of members of the authority, so however that the quorum shall never in the case of a county council or a town council be less than one-eighth of the whole number of members of the council or three members, whichever is the greater number.