

**TERMS OF REFERENCE OF THE  
FLOODING ISSUES GROUP**

**A SUB-COMMITTEE OF THE BALLATER & CRATHIE COMMUNITY COUNCIL  
("BCCC")**

**NAME**

1. The group shall be FLOODING ISSUES GROUP ("FIG")

**OBJECTS AND FUNCTIONS**

2. The objects and function of FIG shall be to assist BCCC at its request and under its direction:
  - 2.1 Proactively to identify and assess issues regarding flooding of the local community.
  - 2.2 Assist BCCC in obtaining the broadest possible consensus in the local community as to the level of protection from flooding that is realistic, obtainable and desirable.
  - 2.3 Taking into account views expressed by the public and any other relevant evidence, it should co-ordinate and communicate such actions as it considers to be suitable and supported by the local community and to convey its finding and conclusions to the relevant authority for consideration.
  - 2.4 To promote the well-being and safety of the community resident within the Community Council boundaries ("the Community Council Area").

**MEMBERSHIP OF FIG**

3. FIG shall consist of not fewer than 5 and not more than 13 persons resident within the Community Council Area, chosen and co-opted by BCCC and such persons shall be eligible in accordance with Section 3.1 below.
  - 3.1 BCCC may appoint as Members of FIG, persons with skills, knowledge and interests which BCCC consider would be of assistance to the FIG and BCCC in carrying out its functions. Members of FIG will serve for such time as may be determined by BCCC at the time of their engagement or until BCCC decide that their services are no longer required.

**MEETINGS**

5. FIG shall meet throughout the year at intervals and report orally or in writing to BCCC at its monthly meetings.

**OFFICERS OF THE FIG**

6.
  - a. BCCC, shall elect one of its members to be Chairperson and may elect one of its members to be Vice-Chairperson.

- b. The Chairperson and Vice-Chairperson shall continue in office until their respective successors are elected.
- c. Subject to the consent and approval of BCCC, the Chairperson (and Vice-Chairperson, if appointed) shall appoint and shall have power to dismiss other Members of FIG.

## **COMMITTEES AND SUB-COMMITTEES**

7. Subject to the consent and approval of BCCC, FIG shall have powers to appoint such Committees and/or Sub-Committees or sub-groups as it may from time to time decide and shall determine their terms of reference, powers, duration and composition.

## **FINANCE**

8. FIG shall not have power to raise money nor to secure resources for schemes, projects and all other purposes consistent with its functions and shall not be eligible to apply for grants for suitable projects, but shall request BCCC to exercise such powers on its behalf.

## **SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS**

9. FIG shall at all times abide by the requirements and constitution of BCCC and shall not do anything which is inconsistent with Aberdeenshire Council's Scheme for the Establishment of Community Councils and in the event of any inconsistency, the Scheme for the Establishment of Community Councils shall take precedence.

## **DISCIPLINARY PROCEDURES**

10. In the event of a complaint by a member of FIG or a third party that FIG or a member of FIG is in serious breach of the Community Councillors' Code of Conduct or has otherwise brought FIG or BCCC into disrepute it shall be dealt with in accordance with the Complaints and Appeals Procedure in Schedule 7 of the Scheme for the Establishment of Community Councils.

## **APPENDIX 1**

### **STANDING ORDERS**

The Standing Orders contain the rules which regulate the business and proceedings of FIG

## **1. Meetings**

### **1.1**

- 1.1.1 The frequency of meetings will be determined by BCCC, subject to a minimum of one ordinary meeting being held each year.
- 1.1.2 All FIG Meetings shall be held at the times and locations detailed in accordance with the programme approved by BCCC.

### **1.2 Calling Meetings**

- 1.2.1 For all Meetings a notice will be published at least 3 working days before the date of the Meeting, which will detail the time and place of the Meeting.
- 1.2.2 The notice and agenda of meetings shall be placed in a suitable public place.
- 1.2.3 In addition to the notice, all members of FIG must be invited to each meeting.
- 1.2.4 If a meeting is adjourned to a new day, notice and summons will be issued in accordance with section 1.5.1 above.

### **1.3 Cancelling Meetings**

The Chairperson may cancel or reschedule any meeting because of a lack of business or in exceptional circumstances, notice of the cancellation must be given as soon as practicable, all members (including associate, junior and ex-officio members) should be advised and a public notice confirming the cancellation should be displayed at the meeting venue as well as on the Community Council's website.

## **2. Members attendance At Meetings**

### **2.1 Quorum**

- 2.1.1 There must be a minimum number of FIG Members present at a Meeting. This is known as the quorum. The quorum for each Meeting shall be at least one-third of the current eligible voting membership of FIG or three current eligible voting members, whichever is the greater. No business can be determined at a Meeting unless a quorum is present.
- 2.1.2 If at any time during a Meeting there is a question about whether or not there is a quorum, the Chairperson will, after allowing an interval of ten minutes, ask the Secretary to count the number of members present. If a quorum is not present, the Meeting will be adjourned.
- 2.1.3 If, ten minutes after the time set for the start of a Meeting a quorum is not present, the Meeting will be abandoned and the Secretary will record that no business was considered because there was no quorum.

## **2.2 Substitute Members**

FIG members may not appoint substitutes to attend any Meetings in their place.

## **3. The Agenda**

Agendas of Meetings shall be made available for public access within the Community Council area at least 3 working days prior to the holding of any meeting.

## **4. DURING MEETINGS**

### **4.1 Arrangements for Chairing Meetings**

4.1.1 At a Meeting the Chairperson, if present, will preside.

4.1.2 If the Chairperson is absent from a Meeting, the Vice Chairperson will preside.

4.1.3 At all times during a Meeting, members will respect the authority of the Chairperson. If the Chairperson speaks, any member who is speaking to the Meeting will stop.

4.1.4 The Chairperson's duty is to preserve order at the Meeting and ensure that members are given a fair hearing. If two or more members try to speak at the same time, the Chairperson will decide who is to speak first.

4.1.5 The Chairperson will decide all matters of order, admissibility and urgency and that ruling will be final.

4.1.6 The Chairperson will ensure that the decision of the Meeting is clear with regard to all matters which form the business of the Meeting.

4.1.7 If a member persistently misbehaves by disregarding rulings by the Chairperson, or behaves improperly or offensively, or wilfully obstructs the business of the Meeting, the Chairperson may take the following courses of action sequentially:-

- a. Warn the member about their behaviour,
- b. Tell the member not to speak during the remainder of the debate on the item being discussed,
- c. Move that the member should not speak again during the Meeting. The motion, if seconded, will be decided without discussion; if the motion is carried the member will not speak again during that Meeting,
- d. Move that the member should be suspended for the remainder of the Meeting. The motion, if seconded, will be decided without discussion; if the motion is carried, the member will leave the Meeting immediately,

- e. Adjourn the Meeting for a short time as seems reasonable to the Chairperson in the circumstances.

4.1.8 If there is disorder at any Meeting, the Chairperson will be entitled to adjourn the Meeting to later that day. If that is not practicable, the Meeting may be adjourned to another date and time as the Chairperson may decide then or afterwards.

## **4.2 Business at Meetings**

4.2.1 The business of FIG at any meeting shall proceed in the order of the agenda except that the Chairperson may, at their discretion, alter the order of business at any stage. Agendas and minutes of FIG shall be made available in advance at an appropriate place.

4.2.2 No item of business shall be transacted at a meeting of FIG unless it is specified in the notice calling the meeting, or any supplementary notice, unless the Chairperson is of the opinion, by reason of special circumstances which shall be specified in the Minutes, that an additional item should be considered at the meeting as a matter of urgency.

## **4.3 Rules of Debate and how motions and amendments are moved and decided**

4.3.1 Every motion and amendment must be moved and seconded.

4.3.2 Where the Chairperson rules any purported motion or amendment as irrelevant or incompetent, it shall not be put to the meeting.

## **4.4 How votes are taken**

4.4.1 A vote can be taken by calling the roll or by show of hands, the names will not be recorded in the Minute.

4.4.2 When there is more than one amendment to the motion, then, unless the Chairperson decides otherwise in order to avoid inconsistency in voting, the last amendment shall be put against the amendment immediately preceding. The amendment which is carried shall be put against the next preceding amendment. This process will continue until there is only one amendment remaining. A vote will then be taken between the motion and the remaining amendment, and whichever is carried will be the decision of the Meeting.

4.4.3 In the case of an equality of votes, the Chairperson will have the right to a second or casting vote.

## **5. Petitions and Requests to Speak at Meetings**

5.2.1 Members of the public may submit a Petition or request to speak for items on an agenda and not on an agenda to FIG as soon as practicable before the meeting at which they wish to attend and/or speak at.

- 5.2.2 If, in the opinion of the Chairperson, the subject matter of the Petition and/or the request to speak is a matter in which FIG has a general interest and it is competent and relevant for them to consider, the member of the public shall address the Meeting.
- 5.2.3 If a member of the public is attending a Meeting, it is at the discretion of the Chairperson to allow the person to speak to the Meeting.

## **6. AFTER THE MEETING**

### **6.1 Minutes of Meetings**

- 6.1.1 Minutes of FIG meetings must be approved at the next meeting of FIG. Approved minutes of FIG's meetings must be presented to BCCC within 10 working days from the date of the meeting at which the minutes were approved.
- 6.1.2 No discussion or amendment will be competent on a Minute submitted at any Meeting for approval other than any amendment or discussion to the effect that they are not a correct record. Any amendment will include the words of the alteration which is proposed to the Minute. An objection to the correctness of a Minute will be dealt with by way of an amendment to a motion to approve the Minute.
- 6.1.3 Only FIG Members who were present at the Meeting to which a Minute relates may vote on the correctness of the Minute.
- 6.1.4 Approved minutes should be signed by the Chairperson and retained for future reference.
- 6.1.5 BCCC will ensure that the approved minutes of FIG's meetings are added to the website and that this is done within 10 working days of the BCCC meeting at which the minutes are approved.