

## SCOTTISH RUGBY UNION

### Minute of Special General Meeting of the Scottish Rugby Union, held by video conference, on Thursday 26<sup>th</sup> November 2020 at 7.25pm.

#### Present

I Barr (President) in the Chair

C Rigby (Vice-President), G Thomson, G Tosh, E Hugh, B Frazer, M Gillanders, W Gardner, J O'Neill, AJ Forsyth, H Swankie, B Richmond, M Offord, K Knott, J Anderson and R Hume (Members of the Scottish Rugby Council); J Halliday and IT Rankin (co-opted Members of the Scottish Rugby Council).

J Jeffrey (Interim Board Chairman); LE Thomson and J Bracewell (Independent Non-Executive Directors); M Dodson (Chief Executive), RM Howat (Secretary), DC McKay (Chief Operating Officer) - Members of the Scottish Rugby Board.

WG Dixon, RW Flockhart and J Stevenson (Past Presidents)

S Begbie (Director of Rugby Development), SJH Gemmell (Technical Director), S Bell (Director of Human Resources), GA Ireland (Head of Regulation), RG McGhee (Regulatory and Technical Executive), A McCracken (Senior Solicitor), D Struth (Managing Director, Edinburgh Rugby).

Club, Associate Body and Associate Club area representatives comprising 179 individuals.

There were also in attendance: D Belmore (Championship Committee Convenor); E Cameron (sportscotland); representatives of the auditors, members of the press and members of staff.

#### Distributed for Meeting

- Meeting Notice dated 3 November 2020 including Motion  
- Agenda and note on procedure issued 19 November 2020

#### Apologies for Absence

GB Masson, JHR Wright, B Duffy, AR Irvine and AJ Lawson (Past Presidents).

#### Welcome and Notice calling the Meeting

The President welcomed all present and referred to the Notice calling the Meeting, which is filed with this Minute, and proposed that it be taken as read. There was no dissent. He invited the Secretary to intimate apologies, which were as noted above.

The President confirmed that the meeting was quorate, having more than one third of the representatives entitled to attend and vote present.

The President intimated that club representatives must be members of the clubs which they represent.

#### Motion

The President advised that the Motion had been properly and timeously received from Biggar along with the support of the requisite number of clubs.

The President confirmed that the Motion must stand or fall as put and could not be otherwise amended at the Meeting.

#### Majority

The President noted that the Motion would require a two-thirds majority to succeed as outlined in the papers.

#### Motion – Biggar

The President invited M Booth (Biggar) to speak to the Motion.

M Booth pointed out that on 7<sup>th</sup> March 2020 Biggar had beaten Stirling County to win National League Division 1 and promotion and were presented with the divisional trophy. On the 31<sup>st</sup> of March, however, the season was declared null and void following a consultation with clubs. M Booth argued that there had been serious flaws in the process and decision. Clubs had only been given 41 hours to respond to the consultation. The consultation included 5 questions, 4 of which had been against 'null and void', diluting the 'non-null and void' numbers. Biggar had then requested sight of the statistical outcomes of the consultation on a number of occasions but these had only been released at a very late hour ahead of the SGM when the SRU wanted to use them in their guidance document. Biggar had appealed against the decision to declare the season null and void but this was rejected by the Appeal Panel because it had been a decision of the Board, leaving the only option being to take the matter to

an SGM. He thanked the clubs who had supported them in bringing the matter to the SGM, saying that any club in their position would have done the same thing. The Council and Board had recommended that clubs voted against the Motion, quoting Bye-Law 14.2.3 which required the approval of a General Meeting, saying that it had not been possible to hold a General Meeting. But here were the clubs at General Meeting, proving that it was not too difficult to hold. M Booth concluded by saying that they had no agenda other than gaining the promotion which they had justifiably gained, they were not seeking to reverse the null and void decision and they did not seek to relegate any other team.

The President noted that the Board and Council fully respected Biggar's right to bring the Motion and understood their reasons for doing so, but were opposing the Motion. He added that the decision to close the season early and declare it null and void had been a very difficult one to make but it was the preferred outcome following consultation with clubs. He stressed that the Council and Board had sought to act fairly, proportionately and in the best interests of Scottish Rugby and the game as a whole, balancing the potential detriment to some clubs against the wider good of the game and the need for clarity and a decision to be made. They had also been duty bound to respect the Bye-Law provisions protecting the format of some leagues unless members' consent in general meeting was given for a change.

The Secretary confirmed that no questions had been received in advance and no questions had been received through the online platform at the Meeting. The President therefore asked M Booth to sum up. M Booth said that he noted the Council's sympathy for his club's situation and he hoped that this would turn into support.

The President advised that the Motion had been formally seconded by Dalkeith.

The President then called for a vote on the Motion and the votes cast were as follows:

Possible: 194

For: 78

Against: 90

Abstentions: 26

This represented a percentage of 40.2% of those present and eligible to vote in favour and the Motion was therefore not carried.

#### **Meeting Close**

The Meeting, which had commenced at 7.25pm, closed at 7.41pm.