

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	2 July 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Council Meeting Structure
REPORT NUMBER	CORS/25/164
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Vikki Cuthbert and Alan Thomson, Interim Chief Officer – Governance
REPORT AUTHOR	Vikki Cuthbert and Alan Thomson
TERMS OF REFERENCE	17

1. PURPOSE OF REPORT

- 1.1 This report meets the Council's instruction from 16 April 2025 to report back with further proposed revisions concerning meeting structure as well as motions and amendments for requisitioned meetings.
- 1.2 The report also proposes changes to the Terms of Reference to align all procurement reporting through the Finance and Resources Committee, provides assurance in relation to the Council's Local Code of Governance following revision of guidance for local authorities, and seeks an instruction in response to recommendations made by Audit Scotland in the annual audit report.

2. RECOMMENDATIONS

That Council:-

- 2.1 considers the options, including purposes, risks and mitigations, set out in Appendix A;
- 2.2 determines which, if any, of these options to implement;
- 2.3 instructs the Chief Officer – Governance to make:
- (i) any amendments to the Standing Orders which are necessary to implement the determination made under recommendation 2.2, and
 - (ii) any amendments to other Scheme of Governance documents which are necessary to reflect the Standing Orders as so amended;
- 2.4 delegates power to the Chief Officer – Governance to, following consultation with the Co-Leaders, bring the Standing Orders (and any other Scheme of Governance documents) as so amended into force on 10 August 2025 prior to the next Council meeting; and instructs that Chief Officer to thereafter circulate

the relevant documents (with tracked changes) to all members of Council for information;

- 2.5 approves that, with effect from 3 July 2025, the Terms of Reference be amended by deletion of:

- (i) *“to approve annual procurement workplans, reflecting the LOIP, the Population Needs Assessment, the Council’s commissioning intentions, the Council’s service standards, the views of customers and citizens, and the best evidence of effective interventions to ensure a preventative focus on demand reduction”*; and
- (ii) *“to receive an annual procurement performance report to enable scrutiny of performance”*;

from the Aberdeen City Council section of that document and addition of that wording to the Finance and Resources Committee section thereof; instructs the Chief Officer – Governance to make any other amendments to Scheme of Governance documents which are necessary to reflect the said amendments to the Terms of Reference and delegates power to that Chief Officer to, following consultation with the Co-Leaders, bring such other amendments into force as soon as practicable; and instructs that Chief Officer to thereafter circulate the relevant documents (with tracked changes) to all members of Council for information;

- 2.6 for the reasons set out in the “Scheme of Governance Reviews” section of this report, agrees that no further reviews of the Standing Orders and Terms of Reference shall take place before the next local government elections in 2027, subject of course to exercise of the Chief Officer – Governance’s existing delegated powers (under the Scheme of Governance) to amend the Council’s Scheme of Governance documentation and subject also to that Chief Officer concluding that an earlier review is necessary;
- 2.7 Instruct the Chief Officer – Governance, to give consideration to the two Audit Scotland recommendations noted in paragraph 3.13 and to provide a service update to Council by December 2025; and
- 2.8 notes that the interim Chief Officer – Governance has reviewed the revised CIPFA guidance for local authorities on their Local Code of Governance; and agrees that no further changes are required to the Council’s Local Code to give effect to this guidance at this time.

3. CURRENT SITUATION

- 3.1 Council instructed officers to report back to this meeting with further proposed revisions concerning meeting structure and motions and amendments for requisitioned meetings, utilising further input from the Governance Reference Group. These proposals are intended to address the additional number of adjourned, reconvened and requisitioned meetings, particularly the impact these have on the Council’s ability to conclude business, the associated costs,

and the impact on officer and elected member time. These proposals relate only to meetings of Council – not to meetings of committees or sub-committees.

- 3.2 The Governance Reference Group has met on two occasions and discussed options for consideration, falling under two main headings:
1. Questions and debate at Council meetings
 2. Timescales for submission and circulation of motions and amendments for requisitioned Council meetings.

Questions and Debate

- 3.3 Currently, Standing Orders make provision for questions to be asked of officers as part of an item on the agenda, with no set limitations on the number of questions or the time spent on questions (the only exception being that questions cannot be asked on proposed budgets). Members are also required “wherever reasonably possible” to approach officers in advance with any questions they may have. Questions are then managed by the Convener under the relevant Standing Orders. Following questions, motions and amendments are moved and debate follows, prior to a vote. During this part of the meeting, there is no reliance on officers other than those supporting the meeting itself.
- 3.4 The Governance Reference Group recognised that considerable time can be spent on both questions to officers and debate at Council meetings and that there is a wish to structure these meetings in a more efficient way, specifically with the following objectives in mind:-
- Release officers to their other duties when they are not required to input to the meeting
 - Allow sufficient time for members to ask questions and undertake adequate scrutiny
 - Provide clear timings for when votes will be taken.
- 3.5 Options for delivering on these objectives were discussed within the Governance Reference Group and are set out in Appendix A. Officers consider that it is feasible to separate out question sessions from debate. There are several ways of achieving this and Council is asked to determine which option(s), if any, it wishes to select and to instruct officers to amend the Standing Orders (and, if necessary, other Scheme of Governance documents) accordingly.

Requisitioned Meetings

- 3.6 There is provision in the Standing Orders for a quarter of members to call a special meeting of Council, which reflects the statutory provision contained within paragraph 1(4) of Schedule 7 to the Local Government (Scotland) Act 1973, referred to as a requisitioned meeting. Thirteen such meetings have taken place in the last 12 months. Currently, the timescales for motions and amendments for such meetings are as per a normal scheduled meeting – motions must be submitted by noon on the second working day before the meeting in accordance with Standing Order 29.1, and circulated by 4pm on the working day before the meeting in accordance with Standing Order 29.4. There

is no timescale stipulated for the submission of amendments, however these cannot be submitted until after the motion has been circulated as the content of the motion is required to inform an amendment. This generally results in amendments being drafted, reviewed and circulated on the day of the meeting which can cause delays for members and cause meetings to take longer than necessary. This could be better managed by stipulating timescales in Standing Orders, to which end two feasible options are set out in Appendix A.

- 3.7 Council is asked to determine which option, if any, it wishes to select and to instruct officers to amend the Standing Orders (and, if necessary, other Scheme of Governance documents) accordingly.

Terms of Reference – Procurement

- 3.8 It is recommended that the Terms of Reference be amended so that the remits “*to receive an annual procurement performance report to enable scrutiny of performance*” and “*to approve annual procurement workplans...*” are no longer reserved to Full Council and instead form part of the remit of the Finance and Resources Committee, with the Chief Officer – Governance being instructed to make any other amendments to Scheme of Governance documents which are necessary to reflect the said amendments.
- 3.9 The Finance and Resources Committee has purposes to “*approve and monitor financial strategies, budgets and financial performance in light of available funding*”, scrutinise performance, and set budgets to ensure best value and delivery of the Council’s agreed outcomes. Its remit includes approval of procurement activity. The annual procurement performance report outlines how procurement activity in the preceding annual period delivers best value against budgets for contracts. It is therefore considered that giving that Committee oversight of annual procurement performance reports, and power to approve annual procurement workplans, would align well with its purpose and remit.

Scheme of Governance Reviews

- 3.10 External Audit have signed off on the Council’s governance arrangements during annual and thematic Best Value audits which demonstrates our adherence to CIPFA’s principles of good governance. A substantial number of changes have been made to the Standing Orders in recent times and it is considered appropriate to allow these changes to ‘bed in’. It is therefore proposed that no further reviews of the Standing Orders and Terms of Reference take place before the next local government elections in 2027, subject to exercise of the Chief Officer – Governance’s existing delegated powers (under the Scheme of Governance) to amend the Council’s Scheme of Governance documentation – e.g. by making amendments of a minor nature, to reflect the law or to make corrections. However if that Chief Officer was to conclude for any reason that an earlier review of the Standing Orders and/or Terms of Reference was necessary, such a review would be progressed and reported to Council as required.

- 3.11 In May 2025, CIPFA and SOLACE published updated guidance for Councils on evaluating their governance arrangements. This is done through the Annual Governance Statement which is included in the annual audited accounts and which has as its basis the Local Code of Governance. The Local Code forms part of the Scheme of Governance. Officers have reviewed the updated guidance and are comfortable that our existing Local Code, last revised in August 2024, does not require further revisions.
- 3.12 It is, however, intended that the Powers Delegated to Officers, Procurement Regulations and Financial Regulations will continue to be reviewed by officers annually and that proposed amended versions of these documents will continue to be brought to Full Council for approval each year – assuming that amendments to these documents are considered necessary or expedient and cannot be made in terms of the existing delegated powers of the Chief Officer – Governance. These documents are very operational in nature and it is to be expected that new legislation, guidance and codes of practice (and changes thereto), and indeed officers' experience of working in accordance with these documents, are likely to require or make advisable the annual amendment of these documents. It is anticipated that such a report would be brought to Full Council in August 2026.
- 3.13 Audit Scotland made the following recommendations in the action plan 2025/26 in the External Audit Annual Report 2025/26 at Audit, Risk and Scrutiny Committee on 26th June 2025:
- Governance Reference Group - The council may wish to consider having an officer facilitate the Governance Reference Group meetings instead of an elected member acting as chair; and
 - Consultation with elected members - It would be more transparent if criteria were developed to provide a framework for officers in considering the circumstances when consultation and/or a report to elected members would be appropriate in respect of delegated matters deemed to be politically sensitive.

It is proposed that these recommendations are considered by the Chief Officer – Governance and a Service Update provided to Council on any subsequent action taken or required.

5. FINANCIAL IMPLICATIONS

- 5.1 Approving changes to Council meeting structures will help to reduce the costs associated with additional and lengthy meetings. Webcasting all Council and Committee meetings costs £26,961 annually and this is based on 120 live webcast hours each year as per the terms of the contract. However, we have gone significantly over our webcasting hours in each of the last two years. In 2023/24, we were 80 hours over and in 2024/25, we were 93 hours over. At a cost of £68.68 per hour, this has cost the Council an additional £11,882 over 2 years.

6. LEGAL IMPLICATIONS

- 6.1 Standing Orders are designed to assist the Council in complying with its statutory duties and functions whilst also being consistent with the CIPFA principles of good governance against which the Council must provide an Annual Governance Statement as part of its annual accounts. The Standing Orders form part of the Scheme of Governance which supports the Council's CIPFA Governance Mark of Excellence accreditation.
- 6.2 Section 62 of, and Schedule 7 to, the Local Government (Scotland) Act 1973 empower the Council to make, vary or revoke standing orders for meetings of Council, committees and sub-committees.
- 6.3 Section 56 of the Local Government (Scotland) Act 1973 provides that the Council may arrange for the discharge of any of its functions, subject to some exceptions, by a committee or sub-committee. These are set out in the Committee Terms of Reference.

7. ENVIRONMENTAL IMPLICATIONS

- 7.1 There are no direct environmental implications associated with this report.

8. RISK

- 8.1 The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No direct risks	N/A	L	Yes
Compliance	Failure to update the Scheme of Governance and implement the necessary changes could expose the Council to risk in terms of	Approval of the proposals and adherence to the specified legislation ensures accountability. The Powers Delegated to Officers, Procurement Regulations and Financial Regulations will continue to be reviewed annually. If it becomes necessary to review the Standing	L	Yes

	complying with the law.	Orders or Terms of Reference before the next local government elections, officers will do so and report to Full Council as required. Review of all proposals by Internal and External Audit		
Operational	No direct risk	Adherence to the Scheme of Governance protects employees in undertaking their roles, as well as the organisation's buildings, plant and equipment.	L	Yes
Financial	No direct risks	The Scheme of Governance itself mitigates against the risk of poor financial management, poor value for money, fraud and financial loss.	L	Yes
Reputational	Failure to update the Scheme of Governance and make other necessary changes could present a reputational risk to the Council.	Consultation has been undertaken with officers and elected members and recommended proposals have regard to that process	L	Yes
Environment / Climate	No direct risks		L	Yes

9. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2023-2024</u>	
	Impact of Report
Aberdeen City Council Policy Statement	The proposals in the report have no direct impact on the Policy Statement

<u>Working in Partnership for Aberdeen</u>	
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
The proposals in the report have no direct impact on the LOIP stretch outcomes.	
Regional and City Strategies	The proposals in the report have no direct impact on Regional and City Strategies.

10. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	New Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required
Other	None

11. BACKGROUND PAPERS

None.

12. APPENDICES

Appendix A – Options for full Council meetings

13. REPORT AUTHOR CONTACT DETAILS

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