
COMMITTEE	Council
DATE	21 August, 2013
LEAD OFFICER	Valerie Watts
TITLE OF REPORT	Roles and Responsibilities: Is Aberdeen City Council Getting it Right? – Committee Structures and Standing Orders and Governance Arrangements for Arms Length External Organisations
REPORT NUMBER:	CG/13/070

1. PURPOSE OF REPORT

- 1.1 This report proposes changes to the committee structure, Orders of Reference and Standing Orders and also presents the diary of meetings to December, 2014, for substantive approval.

2. RECOMMENDATION(S)

2.1 It is recommended that Council:-

- (a) agrees (1) the revised committee structure set out at **Appendix A**, incorporating a Finance, Policy and Resources Committee and a Petitions Committee with the same seat allocation as the Corporate Policy and Performance Committee; and (2) the corresponding changes to the committee Orders of Reference at **Appendix B**, on the understanding that the proposed procedure for the Petitions Committee at **Appendix B1** is approved in principle and thereafter forms the basis of Orders of Reference to be submitted for approval by that Committee at its first meeting;
- (b) approves the diary of meetings to December, 2014 at **Appendix C**, which was approved in principle on 6 March, 2013 and which officers have subsequently adjusted to, amongst other things referred in paragraph 5.17, move the Council meeting from 3 to 31 October; and authorises officers, in consultation with affected Conveners, to incorporate dates for any other newly-established committees or sub committees;
- (c) instructs officers to report to the relevant committees on timetables for scrutiny of arms length external organisations;
- (d) agrees that the Stakeholder Scrutiny Group established by the Urgent Business Committee be a Sub Committee of the Audit and Risk Committee and that it undertake that Committee's remit for scrutiny of the Bon Accord Care companies; determines the allocation of the six member seats on the Group; and confirms the number of trade union

representatives and voting rights, as well as the period of appointment if not to be until the end of the current Council term;

- (e) notes that governance teams will be established for each ALEO, as outlined at paragraph 5.10;
- (f) approves the revised Standing Orders at **Appendix D**;
- (g) appoints a Convener and Vice Convener of the Petitions Committee and determines any changes required to the payment of senior councillor allowances as a result of the revised committee structure (the existing allowances are attached as a guide at **Appendix E**);
- (h) notes that the Standing Orders on Contracts and Procurement will be revised later this year, which may entail further changes to Council Standing Orders, both of which will be reported back to Council
- (i) instructs officers to report to the 31 October meeting on a process for handling complaints against external members of the Education, Culture and Sport Committee and the Shareholder Scrutiny Group;
- (j) instructs that a report be submitted to the meeting on 31 October, on a revised Scheme of Delegation to officers; and
- (k) approves the minute of meeting of the Democratic Processes Working Groups of 4 June, 2013, noting the minute of 29 April, as attached at **Appendices F and G**.

3. FINANCIAL IMPLICATIONS

- 3.1 There may be minor changes to senior councillor allowances depending upon the committee structure agreed.

4. OTHER IMPLICATIONS

- 4.1 There are no legal or other implications arising from this report, apart from a possible need, depending upon the committee structure agreed, to fill one of the vacant posts in the Committee Services team. This will be determined in the light of the resultant workload, and funding is available should the need materialise.

5. BACKGROUND/MAIN ISSUES

Background

- 5.1 In August, 2010, Audit Scotland produced a report entitled “Roles and Working Relationships – Are You Getting It Right?” which set out strengths and areas for development in Scottish councils. Audit Scotland co-ordinates scrutiny of each council through a Local Area Network (LAN) and in the initial risk assessment for Aberdeen City Council the LAN reported that the Council was taking steps to improve and strengthen its political leadership and governance arrangements including actions to address previously identified weaknesses in scrutiny and challenge. In the update assessment produced in 2011, the LAN reported that important improvements had been identified but that there were still some areas requiring further development. Whilst the Council’s political arrangements were improving, they remained volatile; particular reference was made to the need to improve member/officer relations to create a position of

mutual trust and respect founded on a clear understanding of the distinctive roles that officers and members played within the Council. As part of the Council's response to this report, a self-evaluation project was undertaken by a former Inspector of Her Majesty's Inspectorate for Education and this was reported to the Audit and Risk Committee on 25 September, 2012 (Article 11 of the minute of meeting refers).

5.2 The Roles and Responsibilities report which had been commissioned made ten recommendations to Council, and eight of these were approved by the Audit and Risk Committee.

5.3 In addition, Council agreed at its meeting of 19 December, 2012:-

“Council acknowledges that the Public Petitions Committee is a commitment of the Coalition Partners and the Liberal Democrats, which requires to be acted upon within the lifetime of this Council. Agrees that officers be instructed to bring forward to the March, 2013 meeting of Council proposals for changes to the way in which Council currently operates including any proposals for a Public Petitions Committee.”

5.4 Having considered a report at its meeting of 6 March, 2013 (article 13 of the minute of meeting refers) Council agreed, amongst other matters:-

- (1) That a questionnaire be issued to all members on any changes they would wish to see to the Council's democratic processes and that completed questionnaires be returned to the Senior Democratic Services Manager by 15 April, 2013;
- (2) To establish a small working group, the membership of which was specified, to consider (a) any detailed proposals to changes to the Committee Structure, Standing Orders and the Scheme of Delegation, reporting to Council in June, 2013, and (b) the introduction of a Petitions Committee; and
- (3) To approve the Diary to December, 2014 in principle, subject to confirmation when the Working Group reports back to Council in June, 2013.

5.5 The Working Group met on 29 April and 4 June, 2013, and its minutes form Appendices F and G to this report.

5.6 The following sets out the various proposals for changes to the committee structure, Standing Orders and associated governance documents.

Committee Structure

5.7 Administration representatives presented a proposed committee structure to the Democratic Processes Working Group which would disband the Corporate Policy and Performance Committee and transfer its remit to a renamed Finance, Policy and Resources Committee, except for those functions pertaining to Community Planning, Police Scotland and the Scottish Fire and Rescue Service. There was general agreement within the Working Group that

this be implemented, and it is the recommendation of officers that the functions relating to police, fire and community planning remain with Council. Other proposals presented included:-

- the creation of a Petitions Committee, on which there was general agreement;
- establishing the Development Management Sub-Committee as a stand alone committee; and
- establishing a Property Sub-Committee reporting to Finance, Policy and Resources Committee.

5.8 It is recommended that the proposals for disbanding Corporate Policy and Performance and creating a Petitions Committee be approved. A revised structure reflecting these changes is attached at **Appendix A**.

Scrutiny of Arms Length External Organisations (ALEOs)

5.9 At its meeting of 16 April, 2013 (Article 7 of the Minute of Meeting refers) the Audit and Risk Committee considered a report by Internal Audit on the scrutiny of Arms' Length External Organisations, which made a number of recommendations relating to monitoring, scrutiny, risk management and Council appointments to the boards of ALEOs. In particular, the report noted that there was a lack of corporate visibility and no consistency in monitoring such organisations, that risk based and performance governance was ad hoc, that there were no clear links between ALEO objectives and Council Single Outcome Agreement objectives and that there was a need for scrutiny of delivery against contracts and business plans, of service and finance performance and of risk management arrangements.

5.10 The Audit and Risk Committee approved the recommendations apart from calling for a further report on a proposal that members who sit on first tier ALEO boards (Sport Aberdeen, Aberdeen Sports Village, AECC and Bon Accord Care) should not also be members of bodies which scrutinise them. Work is continuing on this and will be presented to that Committee after the recess, but at this stage it is proposed that Council amends Standing Orders so as to make a clear distinction between the strategic or policy setting role and the scrutiny role. In addition, it is proposed to establish an officer governance team for each ALEO. This would comprise, in each case, the Corporate Accounting Manager, the Community Planning and Performance Manager, a team leader from Legal Services and service representatives. This team will work with each appropriate service directorate to provide guidance on operational reporting for each ALEO.

5.11 It is recommended that the relevant service committees should undertake the strategic and policy setting role for the above ALEOs providing services to them so as to:-

- ensure that services commissioned by the Council are aligned to the Council's SOA objectives
- provide corporate visibility of planning with ALEOs

- ensure informed decision making by meeting representatives of ALEO boards to receive presentations on forward plans and future linkages to service aspirations
- ensure a consistent approach to strategic planning with service providers by client teams in each service

It will be for each committee to determine a timetable for reporting on the above.

- 5.12 It is also recommended that the remit of the Audit and Risk Committee should be extended to give it the role of scrutinising ALEO performance and risk management, so as:-
- to scrutinise ALEO compliance against contract and business plan and the delivery of outcomes
 - to scrutinise service and finance performance and evidence of the ALEO as a going concern
 - to scrutinise risk management arrangements
 - to ensure the management of key corporate risks
 - to ensure compliance with legislation, audit requirements and the Following the Public Pound code
 - to receive quarterly financial and performance reports on each ALEO
 - to receive annual presentations (with additional meetings as required) with ALEO board representatives on performance

Again, a further report should be submitted to the Audit and Risk Committee on 24 September setting out a timetable for reporting on the above.

- 5.13 In the meantime, Council will be aware that the Urgent Business Committee on 11 July agreed a proposal to create a Stakeholder Scrutiny Group (SSG) as part of the governance arrangements for Bon Accord Care. The Committee requested that details of the remit of the Group be submitted to Council.
- 5.14 It is recommended that the functions set out in paragraph 5.11 rest with the Social Care and Wellbeing Committee and the scrutiny function set out in 5.12 be delegated to the Shareholder Scrutiny Group as a Sub Committee of Audit and Risk Committee.
- 5.15. The SSG as established by the Urgent Business Committee comprises six member places which require to be allocated, and has trade union representation. The number of trade union places to be given requires to be confirmed. In terms of section 57 of the Local Government (Scotland) Act 1973, at least two thirds of the membership of any committee or sub committee must be members of the appointing authority, and a term of office should be specified. Members should also determine if it is intended that union representatives be given a vote or not. In addition, as proposed at 5.21 for external members of the Education, Culture and Sport Committee, a complaints procedure should be prepared for external members on the SSG, if they are to be given voting powers, and a report submitted to the next meeting of Council. Training will also be provided in areas such as codes of conduct,

conflicts of interest and data protection. This is reflected in a revised Standing Order 28.

Committee Orders of Reference

- 5.16 Revised Orders of Reference taking into account the proposals set out at 5.8, 5.11 and 5.12 above are attached as **Appendix B** to this report. It is also recommended that officers make further changes as may be necessary following decisions this day and submit a finalised version to the meeting on 31 October, 2013. **Appendix B1** contains a draft procedure for a Petitions Committee based on practices elsewhere. Council is asked to approve this procedure in principle, with Orders of Reference to be submitted for approval to the first meeting of the Petitions Committee.

Council Diary to December, 2014

- 5.17 Council agreed on 6 March, 2013 (Article 13 of the Minute of Meeting refers) to approve the Diary to December, 2014 in principle subject to confirmation following consideration of this report. Members are now asked to give this substantive approval. Meetings of the Corporate Policy and Performance Committee have been removed and replaced with the Petitions Committee, and two meetings of the Audit and Risk Committee have been moved at the request of the Council's external auditors and in agreement with the Convener. Additional dates for some of the Council's sub committees have been added. The diary also recommends that the next Council meeting be moved from 3 to 31 October. The revised diary is attached at **Appendix C**.

Standing Orders

- 5.18 A number of revisions to Standing Orders as discussed by the Working Group are set out in **Appendix D** to this report, as well as some further changes which have since been highlighted by officers. Incorporated into the amendments is a recommendation from the Freedom of the City Working Group of 5 June, 2013, which proposes a new Standing Order on a process for considering proposals for the conferral of the Freedom of the City, which is set out under Standing Order 21. In addition, the Standing Orders on Contracts and Procurement are scheduled to be revised later this year, and further changes to Standing Orders may be necessary to ensure consistency with any changes made to those for Contracts and Procurement. Training on the revised Standing Orders will be provided to members.

Senior Councillor Allowances

- 5.19 Council will wish to make alterations to the allocation of Senior Councillor Allowances. The existing allocations are attached as a guide at **Appendix E**.

Scheme of Delegation

- 5.20 The Scheme of Delegation to officers will require to be updated in the light of any changes to committee structures etc; on that basis, it is proposed to

consult directors and heads of service over the recess and report to the 31 October meeting with proposals to amend the Scheme. As this is a large document, it has not been appended here but members can visit the document at http://thezone/cg/DemocraticServices/ct_Further_Information.asp

Procedure for Complaints Against External Members

5.20 The Council has no process in place for handling complaints against external members of its committees. Whilst no complaints have been made, questions have been raised about how any would be disposed of and so it is proposed that a draft procedure be presented to Council on 31 October. This is also reflected within the revisions proposed to the Orders of Reference of that Committee.

6. IMPACT

6.1 The Governance issues addressed in this report arise from the Council's previous consideration of work undertaken in conjunction with or proposed by Audit Scotland which, taken as a whole, should lead to an improvement in the governance and decision making processes of the Council. Members would be better trained and better informed with a clearer understanding of the relationship between the role of members and the role of officers and such clarity should lead to a better understanding of the Council's work by the public and improve the transparency of the democratic processes in the City.

7. MANAGEMENT OF RISK

The recommendations in the report address the risks previously identified in the report produced by consultants, "Roles and Responsibilities – Is Aberdeen City Council Getting It Right?" and further identifies a means of reducing risk relating to Arms' Length external organisations discussed by the Audit and Risk Committee.

8. BACKGROUND PAPERS

Roles and Working Relationships – Are You Getting It Right? Audit Scotland, August, 2010

Roles and Responsibilities – Is Aberdeen City Council Getting It Right? January, 2012

Shared Risk Assessment, Aberdeen City Council, Audit Scotland, 2010/11, 2011/12

Roles and Responsibilities – Is Aberdeen City Council Getting It Right? – Report to Audit and Risk Committee, 25 September, 2012

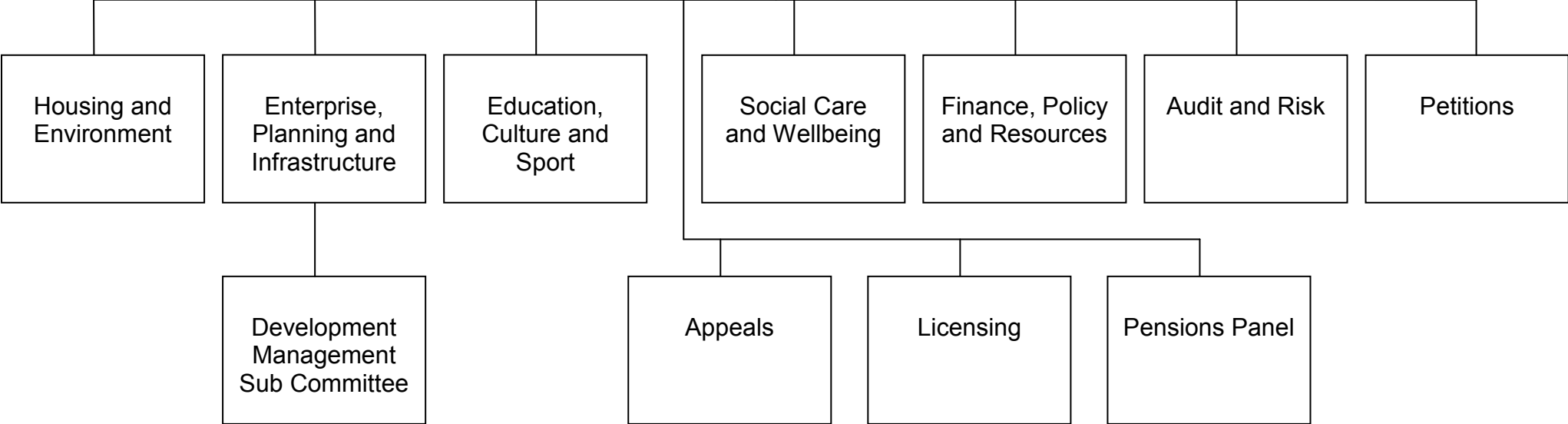
Roles and Responsibilities – Is Aberdeen City Council Getting It Right? – Report to Council, 6 March, 2013

9. REPORT AUTHOR DETAILS

Roderick MacBeath
Senior Democratic Services Manager
Email rmacbeath@aberdeencity.gov.uk
Tel (01224) 523054

Appendix A

COUNCIL



ABERDEEN CITY COUNCIL ORDERS OF REFERENCE

1. Aberdeen City Council has democratic legitimacy in the City and therefore holds the responsibility for working with the people of Aberdeen to ensure the long term well being of the City of Aberdeen, its people and its environment.
2. The Council will:
 - (i) provide a clear vision of the way forward to ensure the long term well-being of the City and its people.
 - (ii) provide strategies and supporting policies which will ensure the achievement of this.
 - (iii) deliver services which meet the needs of the citizens of Aberdeen.
 - (iv) ensure that in relation to the resources needed to achieve the long term well-being of the people of Aberdeen.
 - (i) that the supply of resources are maximised.
 - (ii) best long term value for money is achieved.
 - (v) monitor the success of the Council and its partners in achieving this for the City and its people.
 - (vi) ensure equality of access to these entitlements to all its citizens regardless of age, gender, social, ethnic or religious background, disability or sexual orientation.
 - (vii) ensure the well-being of all who work for the Council, elected members, staff etc.
3. The Council will work in partnership with other providers of services in the City to ensure the delivery of the vision.
4. The Council will ensure that the people of Aberdeen are involved in this process.
5. The Council will act as an advocate for the City:
 - (i) within the local area.
 - (ii) within Scotland and the UK (in particular to the agencies of Government in Holyrood and Westminster).
 - (iii) world-wide (and in particular with agencies of the European Community).
6. The Council will support the Civic Head in his/her duties as:
 - (i) Lord Provost of the City of Aberdeen.
 - (ii) Lord Lieutenant of the City of Aberdeen.

7. The Council will uphold and build the heritage and traditions of the City of Aberdeen, the wider North East of Scotland and Civic Government.
8. The Council will ensure that the highest standards are maintained in the stewardship of the City and the Council and any other organisation in which the Council plays a part.
9. The Council will be the final internal point of appeal on matters for which it has responsibility.
10. The Council will resolve all matters bound to be determined by it alone in terms of the relevant legislation.
11. The Council may delegate areas of responsibility to for instance, committees or other working groups to ensure the efficient discharge of these responsibilities.
12. The Council will oversee the community planning process.
13. The Council will agree and monitor neighbourhood community action plans.
14. The Council will ensure involvement of community, neighbourhood networks and partners in Committee decision making.
15. In respect of the Council's responsibilities in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service under the Police and Fire Reform (Scotland) Act 2012, the Council will:-
 - (a) comment on the strategic police plan and the strategic fire and rescue plan when consulted by the relevant national authority;
 - (b) respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;
 - (c) be involved in the setting of priorities and objectives for the policing of Aberdeen and for the Scottish Fire and Rescue Service for the undertaking of its functions in Aberdeen;
 - (d) specify policing measures the Council wishes the local commander to include in a local policing plan;
 - (e) approve a local police plan submitted by the local commander and to approve a local fire and rescue plan prepared by the local senior officer and submitted by the Scottish Fire and Rescue Service;
 - (f) monitor service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;

- (g) consider reports, statistical information and other information about the policing of Aberdeen and the undertaking of the Fire and Rescue function in Aberdeen provided in response to the Council's reasonable requests;
- (h) agree, with the local commander, modifications to an approved local police plan at any time; and
- (i) liaise with the local commander and local senior officer with regard to the undertaking by them of the community planning duties of the Chief Constable and the Scottish Fire and Rescue Service.

**ABERDEEN CITY COUNCIL
CORPORATE POLICY AND PERFORMANCE COMMITTEE
ORDERS OF REFERENCE**

1. ~~To develop and approve corporate policy and strategies including partnership working, and HR policies except those specified as relating to teaching staff and falling within the remit of the Education, Culture and Sports Committee.~~^[vc1]
2. ~~To oversee the community planning process.~~^[vc2]
3. ~~To agree and monitor neighbourhood community action plans.~~
4. ~~To ensure involvement of community, neighbourhood networks and partners in Committee decision making.~~
5. ~~To be accountable for the services provided by the Corporate Governance Service except internal audit.~~^[vc3]
6. ~~To receive and scrutinise performance information for the Corporate Governance Service (with the exception of budget monitoring reports).~~
7. ~~To be accountable for the services provided by the Office of Chief Executive.~~
8. ~~To receive and scrutinise performance information for the Office of Chief Executive.~~
9. ~~To oversee the provisions of the Code of Conduct for Elected Members including the taking of action in regard to allegations of misconduct and the introduction of any guidance, policy or procedures in accordance with the provisions of the Code.~~
10. ~~To oversee the implementation of the Five Year Business Plan.~~
11. ~~To approve a plan for Best Value Audits and to consider performance outcomes from the Audit.~~
12. ~~To ensure the Council meets its obligations in terms of Corporate Governance compliance.~~
13. ~~To ensure that the Council meets its responsibilities in terms of Best Value legislation.~~
14. ~~To monitor annually performance and consistency between service committees.~~
15. ~~Where the Chief Executive or Council so request, to monitor and scrutinise particular performance or service delivery matters.~~
16. ~~To receive reports on whistleblowing and other investigations.~~
17. ~~To instruct such performance information as the Committee requires to fulfil its remit.~~

- ~~18. To ensure that in fulfilling this remit the Committee has regard to statutory requirements such as the Local Government in Scotland Act 2003, in relation to Best Value and continuous improvement.~~
- ~~19. To ensure the Council meets its legal obligations through:-
 - ~~(a) The approval of a fraud policy and monitoring its implementation; and~~
 - ~~(b) Commissioning investigations to secure value for money in the delivery of services.~~~~
- ~~20. To oversee the processes by which services are exposed to competition and costs are let, where the Council itself is a bidder for the work.~~
- ~~21. The Committee will refer business items relating to service delivery issues to the appropriate committees, while reserving the function of monitoring performance of those other committees in dealing with items so referred.~~
- ~~22. To receive external performance reports, and ensure any necessary action, unless service specific.~~
- ~~23. To receive reports from the Commission of Local Administration in Scotland and ensure any necessary action.~~
- ~~24. To maintain an overview of the Code of Guidance on Funding External Bodies and Following the Public Pound Review of the allocation of grants to outside bodies.~~
- ~~25. The Committee is charged with the responsibility for corporately monitoring and validating the activities of other Standing Committees relating to the development and implementation of processes for achieving Continuous Improvement (including Best Value) in the design and delivery of services and in the development of measures to achieve social inclusion and sustainable development, and generally with the promoting, in a visible and challenging manner, the development of Continuous Improvement (including Best Value) in all its senses.~~
- ~~26. The committee will have the responsibility of monitoring:-
 - ~~(a) the development and implementation of new systems for ensuring performance management and quality assurance in the Council's structure for service delivery;~~
 - ~~(b) the due influencing of service delivery, planning and strategic development;~~
 - ~~(c) the planning and progress of service reviews and the implementation of action plans arising from those reviews;~~
 - ~~(d) arrangements for achieving Value for Money, Continuous Improvement and Best Value in services provided by external contractors; and~~
 - ~~(e) the adoption and implementation of the management framework for planning, implementing, monitoring, reporting and reviewing delivery~~~~

27. ~~In respect of the Council's responsibilities in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service under the Police and Fire Reform (Scotland) Act 2012: [vc4]~~

~~(a) to comment on the strategic police plan and the strategic fire and rescue plan when consulted by the relevant national authority;~~

~~(b) to respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;~~

~~(c) to be involved in the setting of priorities and objectives for the policing of Aberdeen and for the Scottish Fire and Rescue Service for the undertaking of its functions in Aberdeen;~~

~~(d) to specify policing measures the Council wishes the local commander to include in a local policing plan;~~

~~(e) to approve a local police plan submitted by the local commander and to approve a local fire and rescue plan prepared by the local senior officer and submitted by the Scottish Fire and Rescue Service;~~

~~(f) to monitor service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;~~

~~(g) to consider reports, statistical information and other information about the policing of Aberdeen and the undertaking of the Fire and Rescue function in Aberdeen provided in response to the Council's reasonable requests;~~

~~(h) to agree, with the local commander, modifications to an approved local police plan at any time; and~~

~~to liaise with the local commander and local senior officer with regard to the undertaking by them of the community planning duties of the Chief Constable and the Scottish Fire and Rescue Service.~~

ABERDEEN CITY COUNCIL
FINANCE, POLICY AND RESOURCES COMMITTEE
ORDERS OF REFERENCE

1. To set and monitor a resources strategy for the Council and to scrutinise performance within this.
2. To undertake overall management of the Council's resources – finance, people, systems and technology, and property at the stage of acquisition or disposal.
3. To set budgets, including those managed by the service Committees, having regard to the priorities set by each service Committee.
4. To approve staffing structures and additional staffing where no budget provision exists within the services.
5. To monitor all of the Councils budgets, in particular:-
 - (a) To establish processes and procedures for the close monitoring of budget approved by the Council.
 - (b) To receive budget monitoring reports from each service and to ensure close scrutiny of the management of each service budget.
 - (c) To call budget holders to account for the proper control of the budget for which they are responsible.
 - (d) To ensure action plans are in place to meet the budget savings approved by the Council and to monitor the performance thereof.
 - (e) To approve changes to the budget to meet the savings required including the power to vire between Service budgets.
 - (f) To scrutinise performance of each service against each budget forecast within the approved transformation strategy.
 - (g) To scrutinise the implementation of the Five Year Plan and to monitor budgets accordingly.
6. To manage the civic functions of the Council.
7. In respect of the Corporate Governance Service and the Office of the Chief Executive:-
 - (h) To be accountable for the services provided, except internal audit;
 - (ii) To receive budget monitoring reports and take financial decisions concerning the service budgets where there will be no adverse effect;
 - (iii) To receive and scrutinise performance information.
- ~~6. To receive budget monitoring reports for the Corporate Governance Service.~~

~~To take financial decisions concerning the Corporate Governance Service budget where there will not be an adverse impact.~~

6. To develop and approve corporate policy and strategies including partnership working, and HR policies except those specified as relating to teaching staff and falling within the remit of the Education, Culture and Sports Committee.
7. To oversee the provisions of the Code of Conduct for Elected Members including the taking of action in regard to allegations of misconduct and the introduction of any guidance, policy or procedures in accordance with the provisions of the Code.
8. To oversee the implementation of the Five Year Business Plan.
9. To approve a plan for Best Value Audits and to consider performance outcomes from the Audit.
10. To ensure the Council meets its obligations in terms of Corporate Governance compliance.
11. To ensure that the Council meets its responsibilities in terms of Best Value legislation.
12. To monitor annually performance and consistency between service committees.
13. Where the Chief Executive or Council so request, to monitor and scrutinise particular performance or service delivery matters.
14. To receive reports on whistleblowing and other investigations.
15. To instruct such performance information as the Committee requires to fulfil its remit.
16. To ensure that in fulfilling this remit the Committee has regard to statutory requirements such as the Local Government in Scotland Act 2003, in relation to Best Value and continuous improvement.
17. To ensure the Council meets its legal obligations through:-
 - (a) The approval of a anti-fraud policy and monitoring its implementation;
and
 - (b) Commissioning investigations to secure value for money in the delivery of services.
25. To oversee the processes by which services are exposed to competition and costs are let, where the Council itself is a bidder for the work.
26. The Committee will refer business items relating to service delivery issues to the appropriate committees, while reserving the function of monitoring performance of those other committees in dealing with items so referred.
27. To receive external performance reports, and ensure any necessary action, unless service specific.

28. To receive reports from the Scottish Public Services Ombudsman and [vcs] ensure any necessary action.
29. To maintain an overview of the Code of Guidance on Funding External Bodies and Following the Public Pound - Review of the allocation of grants to outside bodies.
30. The Committee is charged with the responsibility for corporately monitoring and validating the activities of other Standing Committees relating to the development and implementation of processes for achieving Continuous Improvement (including Best Value) in the design and delivery of services and in the development of measures to achieve social inclusion and sustainable development, and generally with the promoting, in a visible and challenging manner, the development of Continuous Improvement (including Best Value) in all its senses.
31. The committee will have the responsibility of monitoring:-
- (a) the development and implementation of new systems for ensuring performance management and quality assurance in the Council's structure for service delivery;
 - (b) the due influencing of service delivery, planning and strategic development;
 - (c) the planning and progress of service reviews and the implementation of action plans arising from those reviews;
 - (d) arrangements for achieving Value for Money, Continuous Improvement and Best Value in services provided by external contractors; and
 - (e) the adoption and implementation of the management framework for planning, implementing, monitoring, reporting and reviewing delivery

**ABERDEEN CITY COUNCIL
AUDIT AND RISK COMMITTEE
ORDERS OF REFERENCE**

1. The Committee will:-
 - (a) receive an annual review of the risk management process, and an update every six months on the risk register and related action plans;
 - (b) approve the risk management strategy and implementation plan;
 - (c) monitor risk management and internal control arrangements; and
 - (d) commission and review annual assessments of the effectiveness of the risk management and control framework.
2. The Committee is charged with responsibility for ensuring that there is an effective Internal Audit function. This to be achieved through the following:-
 - (a) the approval of the Internal Audit Annual Plan;
 - (b) the consideration of all reports issued by Internal Audit with the exception of those on the Pension Fund;
 - (c) responsibility for ensuring that there is an adequately resourced Internal Audit service; and
 - (d) the consideration of performance reports on Internal Audit activity.
3. To receive all reports prepared by the Council's External Auditor with the exception of those on the Pension Fund.
4. To consider the Council's Annual Report, Annual Accounts and Trading Services Annual Report and Accounts and refer these to Council for approval.
5. To ensure the Council meets its legal obligations through:-
 - (a) reviewing the reliability and robustness of financial information;
 - (b) ensuring compliance with audit legislation; and
 - (c) the preparation of reports of avoidable losses.
6. To review minuted actions from all main Committees with the exception of the Development Management and Licensing Committees to ensure compliance with legal requirements and good practice. The Committee will not prevent any decision being taken and will only review a decision.
7. To require Heads of Service and managers to be available to answer questions at each meeting on matters set out on the agenda.
8. The Committee may wish to call all Senior Councillors to attend meetings.

9. The Committee may, on occasion, seek information from partner organisations, contractors or other stakeholders such as Community Councils or groups of interest in any particular issue.
10. The Committee will make its recommendations by way of its minutes of meetings which will be submitted to Council. Minority views will also be put forward to Council in the minute.
11. The Committee will consider any previously unscrutinised issue, process or practice provided the matter has been the subject of a report to Council or Committee and the consideration of the subject matter concluded by Council or said Committee.
12. The Committee will have the following responsibilities in terms of first tier arms length external organisations (ALEOs) –
 - to scrutinise ALEO compliance against contract and business plan and the delivery of outcomes
 - to scrutinise service and finance performance and evidence of the ALEO as a going concern
 - to scrutinise risk management arrangements
 - to ensure the management of key corporate risks
 - to ensure compliance with legislation, audit requirements and the Following the Public Pound code
 - to receive quarterly financial and performance reports on each ALEO
 - to receive annual presentations (with additional meetings as required) with ALEO board representatives on performance

**ABERDEEN CITY COUNCIL
ENTERPRISE, PLANNING AND INFRASTRUCTURE COMMITTEE
ORDERS OF REFERENCE**

1. To be accountable for all services provided by the Enterprise, Planning and Infrastructure Service, except where delegated to the Development Management Sub-Committee.
2. To receive and scrutinise performance information for the Enterprise, Planning and Infrastructure Service, except where delegated to the Development Management Sub-Committee.
3. To take financial decisions concerning the Enterprise, Planning and Infrastructure Service budget where there will not be an adverse impact.
4. To ensure that it delivers the services within the overall resources and management strategies as set by the Council and overseen by the Finance and Resources Committee; and to ensure that it achieves maximum value for money and Best Value in service delivery; except where delegated to the Development Management Sub-Committee.
5. To approve changes to staffing structures and establishment within the agreed budget.
6. To develop and agree service policies.
7. In respect of Aberdeen Exhibition and Conference Centre Ltd and its subsidiary companies –
 - to ensure that services commissioned by the Council are aligned to the Council's Single Outcome Agreement objectives
 - to provide corporate visibility of planning
 - to ensure informed decision making by meeting representatives of AECC Board to receive presentations on forward plans and future linkages to service aspirations
 - to ensure a consistent approach to strategic planning with service providers by client teams in each service

**ABERDEEN CITY COUNCIL
EDUCATION, CULTURE AND SPORT COMMITTEE
ORDERS OF REFERENCE**

1. To be accountable for all services provided by the Education, Culture and Sport Service.
2. To receive and scrutinise performance information for the Education, Culture and Sport Service.
3. To take financial decisions concerning the Education, Culture and Sport Service budget where there will not be an adverse impact.
4. To develop and approve policies and strategies for all functions of the Council as education authority.
5. To oversee the functions of the Council as education authority under the Education (Scotland) Act and all other relevant legislation and regulations relating thereto.
6. To ensure that it delivers the services of the Education, Culture and Sport Service within the overall resources and management strategies as set by the Council and overseen by the Finance and Resources Committee; and to ensure that it achieve maximum value for money and best value in service delivery.
7. To approve changes to staffing structures and establishment within the agreed budget.
8. To develop and agree service policies.
9. To approve HR policies for teaching staff including instrumental music instructors, advisors and educational psychologists.
10. To hear appeals by teaching staff.
11. To determine any complaints against external members of the Committee in accordance with the agreed procedure.^[VC6]
12. In respect of Sport Aberdeen Ltd and Aberdeen Sports Village Ltd–
 - to ensure that services commissioned by the Council are aligned to the Council's Single Outcome Agreement objectives
 - to provide corporate visibility of planning
 - to ensure informed decision making by meeting representatives of the boards of both arms length external organisations to receive presentations on forward plans and future linkages to service aspirations

- to ensure a consistent approach to strategic planning with service providers by client teams in each service

**ABERDEEN CITY COUNCIL
HOUSING AND ENVIRONMENT COMMITTEE
ORDERS OF REFERENCE**

1. To be accountable for all services provided by the Housing and Environment Service.
2. To receive and scrutinise performance information for the Housing and Environment Service.
3. To take financial decisions concerning the Housing and Environment Service budget where there will not be an adverse impact.
4. To ensure that it delivers the services within the overall resources and management strategies as set by the Council and overseen by the Finance and Resources Committee; and to ensure that it achieves maximum value for money and best value in service delivery.
5. To approve changes to staffing structures and establishment within the agreed budget.
6. To develop and agree service policies.

**ABERDEEN CITY COUNCIL
SOCIAL CARE AND WELLBEING COMMITTEE
ORDERS OF REFERENCE**

1. To be accountable for all services provided by the Social Care and Wellbeing Service.
2. To receive and scrutinise performance information for the Social Care and Wellbeing Service.
3. To take financial decisions concerning the Social Care and Wellbeing Service budget where there will not be an adverse impact.
4. To ensure that it delivers the services within the overall resources and management strategies as set by the Council and overseen by the Finance and Resources Committee; and to ensure that it achieves maximum value for money and best value in service delivery
5. To approve changes to staffing structures and establishment within the agreed budget.
6. To develop and agree service policies.
7. In respect of Bon Accord Care Ltd and Bon Accord Support Services Ltd–
 - to ensure that services commissioned by the Council are aligned to the Council’s Single Outcome Agreement objectives
 - to provide corporate visibility of planning
 - to ensure informed decision making by meeting representatives of the Board to receive presentations on forward plans and future linkages to service aspirations
 - to ensure a consistent approach to strategic planning with service providers by client teams in each service

**ABERDEEN CITY COUNCIL
LICENSING COMMITTEE
ORDERS OF REFERENCE**

1. The functions of the Council in relation to all licensing matters under the Civic Government (Scotland) Act 1982 and all other Acts (not falling specifically within the remit of any other Committee) covering personal or other licences, certificates and permits (excluding all matters dealt with by the Licensing Board).
2. The consideration of applications for the grant, renewal or suspension of Licences for Houses of Multiple Occupation that require a hearing. (The responsibility for all other matters relating to the licensing of Houses of Multiple Occupation resting with the Housing and Environment Committee).
3. All other matters relating thereto, including fixing of application fees, taxi fares and taxi stances.
4. The functions of the Council under the Safety of Sports Ground Act 1975.

**ABERDEEN CITY COUNCIL
PENSIONS PANEL
ORDERS OF REFERENCE**

1. Appoint the Convener and Vice Convener of the Pensions Panel.
2. Appoint the Convener of the Joint Investment Advisory Committee.
3. Specify the name of the Fund.
4. Authorise the Convener and Vice Convener of the Pensions Panel to act on behalf of the Panel.
5. Prepare, maintain and publish the Governance Policy Statement.
6. Ensure that the Fund complies with:
 - the Local Government Pension Scheme Regulations 1998;
 - the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998;
 - the Local Government Pension Scheme (Management and Investment of Funds) (Scotland) Regulations 1998 as amended; and
 - all other legislation governing the administration of the Fund.
7. Ensure that an actuarial valuation is carried out on a triennial basis and consider the outcome of the valuation. Determine the level of employer contributions necessary to ensure a 100% funding level.
8. Prepare, maintain and publish the Funding Strategy Statement.
9. Set the investment objective and strategy in light of the Fund's liabilities.
10. Oversee and monitor the investment strategy and investment management of the Pension Fund having considered the recommendations of the Joint Investment Advisory Committee.
11. Receive on a quarterly basis a report from the Joint Investment Advisory Committee on their recommendations with regard to the appointment, retention and termination of fund management appointments.
12. Ensure that appropriate arrangements for the benefit administration of the Pension Fund are in place.
13. Oversee admission agreements and their implementation.
14. Review on a regular basis, discretions available under regulation 96.
15. Receive reports from officers on regulation consultation exercises carried out with the SPPA (Scottish Public Pensions Agency).
16. Prepare, maintain and publish the Communications policy.
17. Prepare, maintain and publish the Statement of Investment Principles.
18. Approve the budget and service plan.
19. Ensure that an effective system of internal financial control is maintained.

20. Review the annual report and accounting statement.
21. Consider all reports issued by internal and external audit on the Pension Fund.

**ABERDEEN CITY COUNCIL
DEVELOPMENT MANAGEMENT SUB-COMMITTEE
ORDERS OF REFERENCE**

1. The Development Management Sub-Committee will have the primary responsibility for ensuring the effective and proper disposal of the Development Management and Building Standards responsibilities of the Council.
2. The Sub-Committee will ensure that the functions, powers and duties of the Council as planning authority and buildings authority in terms of relevant planning legislation and building standards regulations are met and, in particular, the Sub-Committee shall:-
 - (a) determine all applications for consent or permission except those local applications which fall to be determined by an appointed officer under the adopted Scheme of Delegation;
 - (b) visit application sites where agreed;
 - (c) authorise the taking of enforcement action;
 - (d) authorise participation in the appeals process;
 - (e) make Orders and issue Notices;
 - (f) approve development briefs and masterplans;
 - (g) develop and adopt non-statutory development management guidance (supplementary planning guidance); and
 - (h) conduct pre-determination hearings in pursuance of the provisions contained within Section 38A of the Town and Country Planning (Scotland) Act 1997 (as introduced by Section 14 of the Planning etc. (Scotland) Act 2006).
3. The Sub-Committee will ensure the integrated delivery of these services within the policies and strategies of Aberdeen City Council.
4. The Sub-Committee will ensure that it delivers services within the overall resources management strategies as set by the Council and that it achieves maximum value for money and Best Value in service delivery.
5. The Sub-Committee will receive and scrutinise performance information for the Development Management and Building Control services.

**~~ABERDEEN CITY COUNCIL
PLANNING (VISITING) PANEL
ORDERS OF REFERENCE~~**

~~To visit application sites and to determine applications for planning permission remitted to it by the Development Management Sub-Committee, subject to the proviso that, if requested by two members of the Panel or a local member in attendance on the visit, the application will be referred back to the Sub-Committee for final consideration.~~

**ABERDEEN CITY COUNCIL
HOUSING CASES REVIEW SUB-COMMITTEE
ORDERS OF REFERENCE**

That the Sub Committee acts with delegated powers to deal with all matters relative to the allocation and management of individual Council houses including the leasing and management of pitches at Clinterty Caravan Site and any similar site, with the exception of matters which have already been delegated to the Director of Housing and Environment.

**ABERDEEN CITY COUNCIL
LICENSING HEARINGS SUB-COMMITTEE
ORDERS OF REFERENCE**

As a sub committee of the Licensing Committee to hear any application for grant, renewal or suspension of any licence on behalf of the Licensing Committee where evidence is to be heard and to make decisions on such matters.

**ABERDEEN CITY COUNCIL
LICENSING INFORMAL BUSINESS PANEL
ORDERS OF REFERENCE**

To consider any matters placed before it by the Head of Legal & Democratic Services relating to any matters on which the Licensing Committee can make decisions and to either grant or refuse applications where it deems appropriate.

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**ABERDEEN CITY COUNCIL
CULTURE AND SPORT SUB COMMITTEE
ORDERS OF REFERENCE**

1. The Sub Committee will—

~~(a) monitor all aspects of Aberdeen City Council's external investment in culture and sport.~~

~~(b) require an annual programme of performance information relating to arms length and external organisations who receive Council support, which will scrutinise a range of factors including performance against the Council's strategic objectives; compliance with legislation, audit requirements and policy including 'Following the Public Pound'; organisational performance including financial management, governance, business planning and service delivery; and ensuring investment secures best value.~~

~~(c) request arms length and external organisations to provide reports or attend sub committee meetings to discuss performance and provide additional information.~~

~~(d) approve and implement policy for the Council's management and administration of its external investment in culture and sport. This includes, where appropriate, commissioning research to support the decision making process.~~

2. The Sub Committee will approve individual culture, sport and youth activity grants to the value of £5,000.

3. The Sub Committee may consider any item relating to Culture and/ or Sport except where expressly delegated to another Committee or Sub Committee.

**ABERDEEN CITY COUNCIL
CITY OF CULTURE 2017 SUB COMMITTEE
ORDERS OF REFERENCE**

1. To monitor and oversee all aspects relating to the development of Aberdeen City Council's bid for UK City of Culture 2017 within the approved budget, with the final bid to be submitted to Council for approval. This does not apply in respect of matters which fall within the remit of a Committee of the Council, or which are delegated to officers unless such delegation is removed by the Council.
2. To establish the bid project board and working groups and to monitor their activities.

Petitions Committee Appendix

Appendix B1

Petitions Committee - Proposed Procedure

Membership

It is proposed that the Committee comprise 15 elected members on a 7 Labour + 5 SNP+ 2 Liberal Democrat + 1 Conservative and Unionist + 0 Independent Alliance (as per Corporate policy and Performance Committee). *Alternatives at end of the paper.

Frequency of meetings

It is proposed that the Committee be scheduled to meet on a cyclical (8 weekly) basis. Meetings will be cancelled if no petitions have been received 10 working days prior to the next scheduled meeting.

Comment [VC1]: Petitions Committee to consider whether validity or competency needs to be checked at this stage.

Powers of Committee/ Orders of Reference

It is proposed that the Orders of Reference for the Petitions Committee be as follows –

To consider petitions addressed to Aberdeen City Council in accordance with the Council's approved petitions procedure.

Petitions will only be considered if the criteria outlined in the procedure note have been met. A report detailing any petitions which have been received but have not met the criteria will be submitted to each meeting, for noting. For clarity, the Committee will not have the power to consider a petition which has not been submitted in terms of the procedure.

The Committee will for each valid petition:

- (1) take no action and advise the petitioner of the Committee's reasoning; or
- (2) agree that the matter be the subject of a report to the relevant committee(s) (petitions can be referred with or without a recommendation); or
- (3) refer the matter to a relevant organisation with or without a recommendation.

Draft Petitions Procedure

A petition will require 250 signatures from different households in Aberdeen City (all signatories must be on the Register of Electors for the Aberdeen City Council area or 10 local businesses, voluntary organisations and/or social enterprise companies and/ or Community Planning Partner and/or other body.

Comment [VC2]: Minimum numbers to be determined by Petitions Committee

Comment [VC3]: Minimum numbers to be determined by Petitions Committee

If there is any missing information, such as no contact address, staff in Democratic Services will make every effort to contact the lead petitioner about this to bring it in line with the procedures.

Petitions Committee Appendix

Information about any individual will not be used for any purpose other than in relation to the petition.

Petitions received by Mail, Email or Hand Delivery

A Petitions Form (available to download from the Council website, or from staff in Democratic Services) must be completed and submitted to the clerk to the Petitions Committee 10 working days prior to a scheduled meeting of the Petitions Committee. Petitions will be checked by the staff in Democratic Services, and, if required, the Director responsible for the subject matter of the petition. If the petition is deemed valid, the petition will be submitted to the next scheduled meeting of the Petitions Committee. A valid petition received less than ten working days prior to a scheduled meeting, will be considered at the next scheduled meeting.

E-Petitions

A Petitions Form received and hosted on the Aberdeen City Council website, must have the required number of signatures ten working days prior to a scheduled meeting. If the petition has not attracted the required number of signatures ten days prior to the second scheduled meeting after submission, the petition will fall.

Comment [VC4]: Details on how online petitions will operate to be determined by Petitions Committee.

Comment [VC5]: Minimum numbers to be determined by Petitions Committee

The Council is unable to consider petitions on the following:

- (1) Matters that are sub-judice, that is, matters that are the subject of any current court proceedings.
- (2) Planning, licensing and other matters with their own procedures
- (3) Matters which should be dealt with through the Aberdeen City Council complaints procedure or through the Ombudsman
- (4) Matters concerning individual elected members or council employees
- (5) Employees terms and conditions
- (6) Housing allocations in respect of individuals
- (7) A decision taken by Aberdeen City Council in the previous 12 months
- (8) A matter which is very similar or the same to a petition the Committee has considered in the last 12 months
- (9) A matter which is the subject of an outstanding remit at a committee
- (10) Matters designed to gain or reduce support for one or more political party
- (11) Matters that could damage a persons reputation or discriminate against them
- (12) Personal or business interests
- (13) An allegation pertaining to people or organisations breaking the law or codes of practice
- (14) An allegation or matter which could be defamatory (contain information which is not true), discriminate against someone or contain offensive language, for example swear words, insulting, sarcastic or provocative language or other terms that could reasonably be considered as offensive by the reader

Petitions Committee Appendix

Councillors cannot submit or sign petitions.

The lead petitioner (and two supporters) will be invited to attend the meeting and speak for up to ten minutes in support of their petition, with a further ten minutes allowed for questions from the Committee. Deputations, in terms of Standing Order 10, shall not be heard by the Petitions Committee but may be heard by the Committee to which the petition is referred.

The Committee can consider two or more petitions together if they are similar or if they deal with the same subject. The lead petitioner will be told beforehand about this and will be asked to make either joint statements or individual statements for each petition.

Guidance Note for Petitions Committee

A guidance note will be produced, which will be placed on the Council's website. It will detail the powers of the committee, the decisions it can make, and make clear the information required, and the procedures to follow in order to submit a petition.

Petitions Committee Appendix

Petitions submitted to other local authorities – Benchmarking Exercise

Edinburgh City Council

Crackdown on legal loan sharks (938 signatures)
A Safer Mechanism for reporting ECC Mismanagement (515 signatures)
Princes Street for People (592 signatures)
Bedroom Tax (988 signatures)
Remove Religious Observance from Non Denominational Schools (896 signatures)
Retain Religious Observance from Non Denominational Schools (1522 signatures)
East Craigs Primary School Catchment Area – already being considered by a committee
Save the House Concerts – related to a planning matter
Closure of Holyrood Park to Through Traffic – only 171 signatures
Dog Control – only 112 signatures

East Lothian Council

To call on East Lothian Council to close Alderston Road (Haddington) at the Railway Walk Bridge due to safety issues (46 signatures)
To call on East Lothian Council to keep the Railway Bridge on Alderston Road (Haddington) open to vehicular traffic to and from Alderston Meadow, as per the current arrangements for the last 16 years (172 signatures)

Stirling Council

Road Safety between Killearn and Balfron (25 signatures (only 23 on electoral roll but had support of the Community Council so competent))

North Ayrshire

St Luke's Primary School: Accommodation Pressures (212 signatures)
Street Lighting at Kinneil Park, Lamlash, Arran (10 signatures)

Midlothian Council

To introduce a 20 mph Speed Limit in Lasswade Village (254 signatures)
To keep Community Facilities in Newtongrange in Council Ownership and to introduce a regular repair and maintenance programme in respect thereof (1 signature)
To make Midlothian Council aware of the opposition of Gorebridge residents to the possible closure of Gorebridge Leisure Centre and Library and to introduce a regular repair and maintenance programme in respect thereof (4327 signatures)
To stop the demolition of Bonnyrigg Leisure Centre (July) for at least 12 months (211 signatures)
Stop the Closure of the current Newbattle Swimming Pool and its relocation to the proposed new Newbattle High School (1 signature)
Coaching and Instructor Services in Leisure Centres (1040 signatures)

Petitions Committee Appendix

Waste Recycling Centre – Peniciuk (1 signature)

Speed Reduction on Musselburgh Road, Dalkeith (115 signatures received)

Keep Newtongrange Library in its current location on the High Street (1231 signatures received)

Keep all Midlothian Public Toilets Open (1589 signatures)

Glasgow City Council

Discrimination against Kinship Children (25 signatures)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20 <u>SCHOOL TERM STARTS</u> Licensing Board (10.30am)	21 Council (10.30am)	22 Development Management Sub Committee (10am) Local Review Body (12pm)	23	24
25	26	27 Housing and Environment (2pm)	28 Appeals Committee (10am) NESTRANS (2pm), Woodhill House Community Planning Aberdeen (4pm)	29 Development Management Sub Committee (Visits) (am) Enterprise, Planning and Infrastructure (2pm)	30 Corporate Health & Safety Committee (10am)	31

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
1	2 Pensions Panel (10am)	3 <i>Offshore Europe</i>	4 <i>Offshore Europe</i>	5 <i>Offshore Europe</i>	6 <i>Offshore Europe</i> Local Review Body (10am)	7
8	9 Homelessness Strategy Working Group (10am)	10 Social Care and Wellbeing (10.30am)	11 Disability Advisory Group (10.30am) SDPA (2pm)	12 Education, Culture and Sport (2pm)	13	14
15	16	17 Licensing Committee (10am)	18 Housing Cases Review Sub Committee (2pm)	19 Local Review Body (12pm) Petitions Committee (2pm)	20 SEPTEMBER HOLIDAY	21
22	23 SEPTEMBER HOLIDAY	24 Audit and Risk (2pm)	25 Appeals Committee (10am)	26 Development Management Sub Committee (10am) Finance and Resources (2pm)	27	28
29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
		1	2 Culture and Sport Sub Committee (10am)	3	4 Development Sub Committee (Visits)(am) Local Review Body (12pm)	5
6	7	8 Licensing Board (10.30am)	9 City of Culture 2017 Sub Committee (9.30am) Zero Waste Management Sub Committee (2pm)	10	11 <u>SCHOOL TERM ENDS</u>	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28 <u>SCHOOL TERM STARTS</u>	29 Housing and Environment (2pm)	30 Appeals Committee (10am) NESTRANS (2pm), Woodhill House	31 Council (10.30am) To be rescheduled:- Development Management Sub Committee (10am) Local Review Body (12pm)		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
					1	2
3	4 <i>Elected Member Development Day</i>	5	6 Disability Advisory Group (10.30am) Housing Cases Review Sub Committee (2pm)	7 Development Management Sub Committee (Visits)(am) Social Care and Wellbeing (2pm)	8	9
10	11	12 Enterprise, Planning and Infrastructure (2pm)	13 Homelessness Strategy Working Group (10am)	14	15 Local Review Body (10am)	16
17	18	19 Licensing Committee (10am)	20 Audit and Risk (2pm)	21 Education, Culture and Sport (2pm)	22	23
24	25	26	27 Appeals Committee (10am)	28 Development Management Sub Committee (10am) Local Review Body (12pm) Petitions Committee (2pm)	29 Corporate Health & Safety Committee (10am)	30

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
1	2 Pensions Panel (10am)	3 City of Culture 2017 Sub Committee (2pm)	4 Culture and Sport Sub Committee (10am) Zero Waste Management Sub Committee (2pm)	5 Development Management Sub Committee (Visits) (am) Finance and Resources (2pm)	6	7
8	9 <i>Elected Member Development Day</i>	10 Licensing Board (10.30am) Community Planning Aberdeen (4pm)	11 Disability Advisory Group (10.30am) SDPA (2pm), Woodhill House	12	13 Local Review Body (10am)	14
15	16	17 Appeals Committee (10am)	18 Council (10.30am)	19	20 <u>SCHOOL TERM ENDS</u>	21
22	23	24	25	26	27	28
29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
			1	2	3	4
5	6 <u>SCHOOL TERM STARTS</u>	7	8	9	10	11
12	13	14 Housing and Environment (2pm)	15	16 Development Management Sub Committee (10am) Local Review Body (12pm) Social Care and Wellbeing (2pm)	17	18
19	20	21 Enterprise, Planning and Infrastructure (2pm)	22	23 Development Management Sub Committee (Visits) (am)	24	25
26	27	28 Licensing Committee (10am)	29 Appeals Committee (10am)	30 Education, Culture and Sport (2pm)	31 Local Review Body (10am)	

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
						1
2	3 <i>Elected Member Development Day</i>	4	5 Disability Advisory Group (10.30am)	6 Council Budget (2pm)	7	8
9	10	11	12 Housing Cases Review Sub Committee (2pm)	13 Development Management Sub Committee (10am) Local Review Body (12pm) Petitions Committee (2pm)	14	15
16	17 <u>SCHOOL MID TERM</u>	18 Licensing Board (10.30am)	19 Homelessness Strategy Working Group (10am) Culture and Sport Sub Committee (10am)	20 Development Management Sub Committee (Visits) (am) Finance and Resources (2pm)	21 Corporate Health & Safety Committee (10am)	22
23	24	25 Zero Waste Management Sub Committee (2pm)	26 Appeals Committee (10am)	27 Audit and Risk (2pm)	28	

2014

MARCH

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
						1
2	3 Pensions Panel (10am)	4	5 Council (10.30am)	6	7 Local Review Body (10am)	8
9	10	11 Housing and Environment (2pm)	12 SDPA (2pm)	13 Enterprise, Planning and Infrastructure (2pm)	14	15
16	17	18 Licensing Committee (10am)	19	20 Development Management Sub Committee (10am) Local Review Body (12pm)	21	22
23	24	25 Social Care and Wellbeing (10.30am)	26 Appeals Committee (10am)	27 Development Management Sub Committee (Visits) (am) Education, Culture and Sport (2pm)	28	29
30	31 <i>Elected Member Development Day</i>					

2014

APRIL

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
		1 Licensing Board (10.30am)	2 Disability Advisory Group (10.30am)	3	4 <u>SCHOOL TERM ENDS</u> Local Review Body (10am)	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22 <u>SCHOOL TERM STARTS</u>	23 Housing Cases Review Sub Committee (2pm)	24 Development Management Sub Committee (10am) Local Review Body (12pm) Petitions Committee (2pm)	25	26
27	28 <i>OTC Houston (TBC)</i>	29 <i>OTC Houston (TBC)</i>	30 <i>OTC Houston (TBC)</i> Appeals Committee (10am)			

2014

MAY

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
				1 <i>OTC Houston (TBC)</i> Development Management Sub Committee (Visits)(am)	2	3
4	5 MAY DAY HOLIDAY	6 Finance and Resources (2pm)	7 Homelessness Strategy Working Group (10am) Culture and Sport Sub Committee (10am) Zero Waste Management Sub Committee (2pm)	8 Audit and Risk (2pm)	9 Local Review Body (10am)	10
11	12 <i>Elected Member Development Day</i>	13 Licensing Committee (10am)	14 Council (10.30am)	15	16	17
18	19	20 Housing and Environment (2pm)	21	22 Development Management Sub Committee (10am) Local Review Body (12pm) Social Care and Wellbeing (2pm)	23 Corporate Health & Safety Committee (10am)	24
25	26	27	28 Appeals Committee (10am)	29 Development Management Sub Committee (Visits) (am)	30	31

2014

JUNE

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
1	2 Pensions Panel (10am)	3 Enterprise, Planning and Infrastructure (2pm)	4 Disability Advisory Group (10.30am)	5 Petitions Committee (2pm)	6 Local Review Body (10am)	7
8	9	10 Education, Culture and Sport (2pm)	11 Housing Cases Review Sub Committee (2pm)	12	13	14
15	16	17 Licensing Board (10.30am)	18 Culture and Sport Sub Committee (10am) Zero Waste Management Sub Committee (2pm)	19 Development Management Sub Committee (10am) Local Review Body (12pm) Finance and Resources (2pm)	20	21
22	23 <i>Elected Member Development Day</i>	24 Appeals Committee (10am)	25 Council (10.30am)	26 Development Management Sub Committee (Visits) (am) Audit and Risk (2pm)	27	28
29	30					

2014

JULY

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
		1	2	3	4 <u>SCHOOL TERM ENDS</u> Local Review Body (10am)	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24 Development Management Sub Committee (10am) Local Review Body (12pm)	25	26
27	28	29	30	31 Development Management Sub Committee (Visits)(am)		

2014

AUGUST

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
					1	2
3	4	5	6	7	8 Local Review Body (10am)	9
10	11	12	13	14	15	16
17	18	19 <u>SCHOOL TERM STARTS</u> Licensing Board (10.30am)	20 Council (10.30am)	21 Development Management Sub Committee (10am) Local Review Body (12pm)	22	23
24	25	26 Housing and Environment (2pm)	27 Appeals Committee (10am)	28 Development Management Sub Committee (Visits)(am) Social Care and Wellbeing (2pm)	29 Corporate Health & Safety Committee (10am)	30
31						

2014

SEPTEMBER

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
	1 Pensions Panel (10am)	2 Licensing Committee (10am)	3 Homelessness Strategy Working Group (10am)	4 Enterprise, Planning and Infrastructure (2pm)	5	6
7	8 <i>Elected Member Development Day</i>	9	10 Disability Advisory Group (10.30am)	11 Education, Culture and Sport (2pm)	12 Local Review Body (10am)	13
14	15	16 Licensing Board (10.30am)	17 Housing Cases Review Sub Committee (2pm)	18	19 <u>SEPTEMBER HOLIDAY</u>	20
21	22 <u>SEPTEMBER HOLIDAY</u>	23	24 Appeals Committee (10am)	25 Development Management Sub Committee (10am) Local Review Body (12pm) Petitions Committee (2pm)	26	27
28	29	30 Finance and Resources (2pm)				

2014

OCTOBER

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
			1 Culture and Sport Sub Committee (10am)	2 Development Management Sub Committee (Visits) (am) Audit and Risk (2pm)	3	4
5	6	7 Zero Waste Management Sub Committee (2pm)	8 Council (10.30am)	9	10 <u>SCHOOL TERM ENDS</u> Local Review Body (10am)	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27 <u>SCHOOL TERM STARTS</u>	28 Housing and Environment (2pm)	29 Appeals Committee (10am)	30 Social Care and Wellbeing (2pm)	31	

2014

NOVEMBER

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
						1
2	3 <i>Elected Member Development Day</i>	4 Enterprise, Planning and Infrastructure (2pm)	5 Disability Advisory Group (10.30am)	6 Development Management Sub Committee (10am) Local Review Body (12pm)	7	8
9	10	11 Licensing Board (10.30am)	12 Housing Cases Review Sub Committee (2pm)	13 Development Management Sub Committee (Visits)(am) Education, Culture and Sport (2pm)	14	15
16	17	18	19 Homelessness Strategy Working Group (10am)	20	21 Local Review Body (10am)	22
23	24	25 Licensing Committee (10am)	26 Appeals Committee (10am)	27 Petitions Committee (2pm)	28 Corporate Health & Safety Committee (10am)	29
30						

2014

DECEMBER

2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Sat/day
	1 Pensions Panel (10am)	2 Zero Waste Management Sub Committee (2pm)	3	4 Development Management Sub Committee (10am) Local Review Body (12pm) Finance and Resources (2pm)	5	6
7	8 <i>Elected Member Development Day</i>	9	10 Culture and Sport Sub Committee (10am) Disability Advisory Group (10.30am)	11 Development Management Sub Committee (Visits)(am) Audit and Risk (2pm)	12	13
14	15 Local Review Body (10am)	16 Appeals Committee (10am)	17 Council (10.30am)	18	19 <u>SCHOOL TERM ENDS</u>	20
21	22	23	24	25	26	27
28	29	30	31			

ABERDEEN CITY COUNCIL

STANDING ORDERS OF THE COUNCIL

In these Standing Orders, those marked + in the margin shall apply (with the necessary changes) to Committees and Sub Committees; those marked * shall apply (with the necessary changes) to Committees and Sub Committees only in relation to delegated functions.

PART I - MEETINGS OF THE COUNCIL

1. First Meeting of the Council

- (1) The statutory meeting of the Council shall take place on such date within 21 clear days of the date of the election, as the Council may have determined previously. For the purposes of these Standing Orders, clear days includes weekends and public holidays observed by the Council.
- (2) The first item of business to be transacted at such meeting shall be the election of the Convener of the Council who shall in terms of Section 4 of the Local Government Etc. (Scotland) Act 1994 have, during the term of his/her office, the title of Lord Provost. Until such election has been completed, the Returning Officer shall preside.
- (3) The Council shall next appoint:-
 - (i) a Depute Provost who shall be deemed to be the Depute Convener of the Council elected in terms of Section 4(2) of the 1994 Act;
 - (ii) a Leader and Depute Leader of the Council;
 - (iii) a Convener of each of the Committees of the Council; and
 - (iv) if the Council so resolves, a Vice-Convener of any or all of the Committees.
- (4) In the event of an equality of votes in the election of the Lord Provost or Depute Provost or the Convener or Vice Convener of any Committee, the appointment shall be determined by lot.
- (5) The only other business to be conducted at such meeting shall be:
 - (i) the review of (a) the order of reference of Committees and (b) Orders;
 - (ii) the appointment of the members of Standing Committees;
 - (iii) the appointment of members to represent the Council on Joint Boards, Joint Committees of the Council and other local authorities and outside bodies on which the Council is entitled to be represented and in respect

of which the Council has not delegated the power of appointment to any Committee;

- (iv) the adoption of a timetable of meetings of the Council; and
- (v) the approving of salaries to members.

2. Term of Office of Lord Provost, Depute Provost & Conveners

- (1) The terms of office of the Lord Provost, Depute Provost, Leader of the Council, Depute Leader of the Council and Convener and Vice-Convener of a Committee shall be the term of office of the Council, or, in the case of anyone elected to fill a casual vacancy, the remainder of that term, or, also in the case of a Convener or Vice-Convener, as long as they are a member of the Committee or Sub Committee in question.
- (2) The holders of the offices mentioned in (1) above shall cease to hold office immediately on ceasing to be a Councillor and shall be entitled to resign at any time during their term of office. At the conclusion of their term of office they shall be eligible for re-election provided they are re-elected as Councillors and are not disqualified by reason of membership of any other Committee.
- (3) If a casual vacancy arises in any of these offices, an election shall be held as soon as practicable at a meeting of the Council, the agenda for which specifies the filling of the vacancy as an item of business, in accordance with Standing Order 1(4).

3. Ordinary Meetings of the Council

- (1) All meetings of the Council shall, unless otherwise determined by the Lord Provost of the Council, take place in the Town House.
- (2) The ordinary meetings of the Council shall be held in accordance with the timetable approved by the Council, except that the Lord Provost shall have the power, where in his/her sole discretion special circumstances so require, to alter the date or time of any meeting.
- + (3) ~~Meetings of the Council shall start at a time to be determined by the Lord Provost and notified to elected members and may, Where a special meeting has been called to consider a report-referral from a Committee which is to meet earlier in the day, it shall be notified as commencing five minutes after the conclusion of the meeting of such Committee.~~
- + (4) (a) No meeting of the Council shall be held:
 - (i) during the local authority summer recess, ^[A1]which for the purposes of these Standing Orders is defined as the period of school summer holidays in force in the Council area period beginning on 1 July and ending on 15 August in any year, both dates inclusive;

- (ii) on a Saturday or Sunday or on public holidays observed by the staff employed in the Town House; and
 - (iii) on such other days as the Council may determine;
- (b) A special meeting of the Council called by requisition of members in terms of Standing Order 4(2) shall, if required, be held on any day, including any day referred to in Standing Order 3(4)(a). The Lord Provost shall also have the power, in his/her sole discretion and where special circumstances so require, to instruct that a meeting of the Council be held on any date whatsoever.
- (5) Where a meeting of a Committee or Sub Committee takes place under the terms of Standing Orders 3(4)(b), 31(4) and 37(7) during the ~~period 1 July to 15 August in any year~~summer recess, such Committee or Sub Committee shall, unless precluded by Statute, have delegated power to deal with any matter within its Order of Reference and such delegation shall not be subject to Standing Order 36(3). The provisions of paragraphs ~~(43)~~(iv) to (vii) of Standing Order 28 shall apply to any such meeting as they apply to the Urgent Business Committee.
- (6) The provisions of this Standing Order shall not prevent the Licensing Committee and Development Management Sub Committee meeting when necessary to deal with matters within their remits and such meetings shall be subject to the provisions of the Standing Orders, without exception.

4. Special Meetings of the Council

- (1) Special meetings of the Council for the consideration of the annual budget shall take place in accordance with the timetable fixed from time to time by the Council.
- (2) A special meeting of the Council may be called at any time by the Lord Provost or if required by at least a quarter of the members of the Council and in the latter case shall be held within fourteen clear days of receipt of the requisition by the Head of Legal and Democratic Services. For the avoidance of doubt the calculation of one quarter in these Standing Orders shall be rounded down if it results in a figure ending in less than point 5, and rounded up if the figure is point 5 or above. In the case of a meeting called in terms of this Standing Order the notice required to be published in terms of Standing Order 6 shall have attached the letter signed by the members requisitioning the meeting and shall specify the business proposed to be transacted at the meeting.

5. Precedence of Council Meetings

A meeting of the Council shall, unless the Lord Provost otherwise decides, take precedence over meetings of all Committees or Sub Committees, subject to the provisions of Standing Order 3(3) and except in the case of a special meeting of the Council ~~(a)~~ called to consider ~~a Report from a referral from~~ a Committee or Sub

Committee which is still meeting at the time appointed for the start of the meeting of the Council; ~~or (b) which forms part of the budget process determined by the Finance and Resources Committee.~~

+6. Calling of Meetings

Subject to the provisions of Standing Order 9(2) and in accordance with the Local Government (Scotland) Act 1973:-

- (1) Not less than five clear days before a meeting of the Council:
 - (i) Notice of the time and place of the meeting shall be published at the Town House; and
 - (ii) A summons to attend the meeting with an agenda specifying the business to be transacted and signed by the Head of Legal and Democratic Services shall be delivered or sent by post to the usual place of residence of every member of the Council or such other place as a member may have specified by notice in writing to the Head of Legal and Democratic Services.

~~(2)^[A2] Not less than five clear days before a meeting of the Council, the Pamphlet of Meetings of the Council and its Committees shall be delivered or sent by post to the usual place of residence of every member of the Council or such other place as a member may have specified including an email address.~~

~~+ (3) The validity of any meeting of the Council shall not be affected by the failure of any member to receive notice of a meeting.~~

+7. Convener

- (1) At any meeting of the Council, the chair shall be taken by the Lord Provost, whom failing, the Depute Provost. In the absence of both the Lord Provost and the Depute Provost, the members present shall choose one of their own number.
- (2) In these Standing Orders the term "Convener" shall include any other person presiding at a particular meeting and the terms "Lord Provost" or "Convener of the (Sub) Committee" shall mean the holder of the respective office or whom failing, the Depute Provost or Vice Convener as appropriate.
- (3) Nothing in this Standing Order shall prevent any Committee determining that in respect of its meetings of a particular type or in respect of meetings of a Sub Committee or other associated body, some other member shall preside.

8. Quorum

- (1) Subject to any statutory provision, a quarter of the membership of the Council shall constitute a quorum at all meetings of the Council.
- + (2) If, five minutes after the time specified for the start of a meeting of the Council, a quorum is not present, the division bell shall be rung and, if after a further two minutes, a quorum is still not present, no business shall be transacted and the

meeting shall be adjourned until such date and time as the Lord Provost shall determine.

- + (3) If, during any meeting of the Council, the Convener finds that a quorum is not present, he/she shall instruct that the division bell shall be rung and after a lapse of two minutes the roll shall be called and if a quorum is not present, the meeting shall be adjourned until such other date and time as the Lord Provost shall determine.

+9. Order of Business

- (1) At an ordinary meeting of the Council, the business shown on the agenda shall (unless otherwise agreed by the Council at the meeting) proceed in the following order:-

(i) Admission of Burgesses;

(ii) Determination of Exempt Business and Urgent Business

~~(iii) Requests for ception of deputations;~~

- ~~≠~~ (iv) Minutes of the previous meeting or meetings of the Council shall be circulated for approval.

~~(b) The pamphlet of Minutes of Committees shall be circulated for the information of Members of the Council irrespective of whether the appropriate Committee has approved the accuracy thereof. The Council shall however only consider those parts of the Minutes relating to matters which have not been delegated or which have been specifically referred to the Council.~~

~~(v) Referrals from Committees in terms of Standing Order 36(3);~~

(vi) General Business;

(vii) Questions of which due notice has been given in terms of Standing Order 20(2) in the order in which they have been received by the Head of Legal and Democratic Services;

~~(vii) Orders and Resolutions;~~

(viii) Motions of which due notice has been given in terms of Standing Order 21(1)s in the order in which they have been received by the Head of Legal and Democratic Services;

~~Business determined by the Convener to be a matter of urgency by reason of special circumstances;~~

(ix) Items of business which are confidential or exempt information in terms of Schedule 7(A) of the Local Government (Scotland) Act 1973.

+ (2) Except as otherwise prescribed by statute, no item of business shall be considered at a meeting of the Council unless either:

- (i) a copy of the agenda including the item and any associated report has been open in advance to inspection by members of the public in terms of the Local Government (Scotland) Act 1973; or
- (ii) by reason of special circumstances which shall be recorded in the minutes of the meeting, the Convener is of the opinion that the item should be considered at the meeting as a matter of urgency and that such items of business be considered by the Council at an appropriate stage in the meeting as determined by the Convener.

*10. Reception of Deputations

- (1) Every application for the reception of a deputation must be in writing, duly signed and delivered, faxed or e-mailed to the Head of Legal and Democratic Services as early as necessary to ensure that at least one working clear day (Monday to Friday) ~~(excluding Saturdays and Sundays or public holidays observed by staff employed at the Town House)~~ is available between receipt of the application and its submission to Council or Committee. The application must state the subject on which the deputation wish to be heard and the action (if any) which it is proposed that the Council should take. The application must relate to a substantive report on the agenda and no application shall be accepted which relates to the annual budget, ~~or to a planning application or a process where formal representations may be made to an independent arbiter,~~ except where required by statute.
- (2) ~~If the subject matter of the application falls within the remit of a Committee of the Council, The~~ application shall be submitted to the e appropriate Committee and the Committee may, if it so resolves, hear the deputation. If, having heard the deputation, the Committee defers consideration of the report to which the application related, no further application to be heard shall be accepted from the same body or individuals unless a report containing substantial new information is submitted to the meeting at which the matter is next considered.
- (3) ~~If,~~^[A3] as a result of a referral by any means from a Committee, the matter is one upon which a final decision requires to be taken by the Council, the Council may determine whether it shall be competent for any body or individuals heard by the Committee to be heard by the Council.
- (4) If the application relates to a substantive report submitted to Council directly, the Council may, if it so resolves, hear the deputation. If Council defers a decision the procedure in (2) above shall apply.
- (5) No deputation shall consist of more than three persons.
- (6) The members of a deputation, or a deputation comprising a single person shall be permitted to address the Council, and they may speak in total for no more than ten minutes.
- (7) Any member of the Council may put any relevant question to the deputation, ~~and with the invitation of the Convener, any officer of the Council shall be entitled to respond to any matter raised by the deputation. Neither of these interventions shall be permitted until the deputation has concluded its presentation.~~ The time available for such questions shall not exceed ten minutes (over and above the maximum period of ten minutes allowed to receive the deputation). No questions shall be put to officers by members, and no debate or discussion on the subject matter shall take place, until the relevant ~~report minute or other item falls to be~~ is considered in terms of the order of business, or, alternatively until the deputation retires and consideration of the matter resumes in line with Standing Orders.

+11. Order of Debate

- (1) Any member of the Council wishing to speak at any meeting of the Council shall rise in his/her place and when called upon shall address the Convener and restrict his/her remarks:-
 - (i) to the matter before the meeting by moving, seconding or supporting a motion or any relative amendment;
 - (ii) to moving or seconding a procedural motion;
 - (iii) to asking a question or supplementary question; or
 - (iv) to a point of order (ie the correct application of procedure).
- (2) No member shall speak in support of a motion or amendment until it has been seconded;
- (3) No member shall speak more than once (except on a point of order, by asking a question or a supplementary question or by making a procedural motion) in a debate on any one motion and amendment except that the movers of a substantive motion (or an amendment which has become the substantive motion) and amendments in any debate shall have a right of reply but, in so replying, shall not introduce any new matter.
- (4) After the mover of the substantive motion has commenced his/her reply no member shall speak in the debate except on a point of order or procedural motion.

+12. Motions and Amendments

- (1) When called to move any motion or amendment, a member shall state the exact terms of the motion or amendment before speaking in support of it and, except in the case of (a) motions or amendments to approve or disapprove without further qualification; (b) motions or amendments to remit for further consideration; and (c) motions or amendments the terms of which have been fully set out in a minute of a Committee, the mover shall deliver written notice of these terms to the Head of Legal and Democratic Services before any vote is taken.
- (2) All amendments must be relevant to the motion and must differ from it and from each other substantially.
- (3) The Convener may rule a motion or amendment incompetent if it would require the incurring of expenditure and the source of such funding is not identified.
- (4) Where a motion has been duly seconded and any amendment moved and seconded, neither the motion nor the amendment may be altered in any substance or withdrawn except with the consent of the majority of the members present. If a motion or amendment is withdrawn, the mover and

seconded or it can move or second and speak in support of a further motion or amendment.

- (5) A motion for the approval of a minute (or any part of one) or a report of a Committee or to approve the recommendations in any report without amendment before the Council shall be considered as an original motion and any proposal involving alteration or rejection of such minute shall be dealt with as an amendment.
- (6) The Convener of a Committee shall have the prior right to move the approval of the minute (or any part of it) of any meeting of that Committee or the recommendation in any report before the Council. The Leader of the Council shall have the prior right to propose a Council budget.
- (7) A motion or amendment moved but not seconded or which has been ruled by the Convener to be incompetent shall be recorded in the Minute. A motion or amendment which may appear incompetent can be made competent or clarified when spoken to. The Lord Provost may rule on competency after the motion has been moved but before it is seconded.
- (8) When there is only one amendment to the motion, the vote shall be taken between the motion and the amendment. Whichever is carried shall become the resolution of the meeting and, accordingly, of the Council.
- (9) Where there are more than one amendments to the motion, the last amendment shall be put against that immediately preceding and then the amendment which is carried shall be put against the next preceding, and so on until only one amendment remains. A vote shall then be taken between it and the motion and whichever is carried shall become the resolution of the meeting and, accordingly, of the Council.
- (10) If, however, one of a number of amendments proposes or implies ~~mere negation of a decision that no decision be taken~~ on any matter before the Council the first division shall be taken between it and the motion. If the amendment is carried, the Council shall proceed to the next business. If the amendment is not carried, it shall be eliminated from the amendments, which, with the motion, shall be voted on in the usual way.

(11) This Standing Order shall not apply to an Appointment Panel established under Standing Order 47 unless the Panel so resolves.

+13. Time allowed for speaking

- (1) In moving any motion or amendment (other than a motion for the adoption of annual reports, accounts or budget) a member shall not speak for more than ten minutes; each other member and the mover in exercising a right of reply shall not speak for more than five minutes (other than a member seconding a Council budget in which case ten minutes will be allowed/speeches will not be timed).

- (2) These time limits may be exceeded with the consent of the majority of the members present and the Convener shall be entitled to gauge such consent in relation to any speech without taking a vote.

+14. Closure of Debate

- (1) At any meeting of the Council it shall be competent after eight or more members (including the movers and seconders of motion and amendment) have spoken in a debate on any one motion and amendment, for any member who has not spoken in such debate to move "that the question be now put".
- (2) Such motion, if seconded, shall, without any discussion or amendment, be put to the vote and if a majority of the members present vote for it, the debate on the substantive motion shall cease except for the right of reply for the movers of the motion and amendment and the substantive motion and amendments shall immediately be put to the vote. If the motion for closure is not carried, the debate shall be resumed. Subsequent motions for closure may be made after a further three members have spoken.
- (3) No motion for closure may be made during the course of a speech.

+15. Method of Voting

- (1) (a) Every vote shall be taken by roll call, except:-
- (i) where prior to the vote on any particular matter, the members present agree unanimously that it be taken by show of hands; or
 - (ii) where prior to the vote on any particular matter, a majority of members present resolve (in the event of a division, by roll call vote) that it be taken by ballot;
 - ~~(iii) in the case of any matter relating to the appointment of a particular member of staff or relating to disciplinary or grievance proceedings affecting a particular member of staff, when the vote shall be taken by show of hands, or, if so resolved, by ballot.~~
- (b) A vote taken by means of the electronic vote counting system shall be deemed to be a vote by roll call and such equipment shall, if available and operational be used in preference to any other form of roll call.
- (2) ~~Except in the case of any matter falling within sub-paragraph (1)(iii) above, where only the decision shall be recorded, the~~ The names of the proposer and seconder of every motion and amendment shall be recorded in the minutes and, in the case of a roll call vote, the names of those voting and the manner in which they voted together with the names of those abstaining from voting, shall be recorded in the minutes, except in the case of any matter relating to the appointment of a particular member of staff or relating to disciplinary or grievance proceedings affecting a particular member of staff where only the decision shall be recorded.[A4]

- (3) Immediately prior to any vote being taken, the division bell shall be rung and the Head of Legal and Democratic Services shall read out the question on which the vote is to be taken. Thereafter, no one shall interrupt the proceedings (except to draw attention to an omission in the calling of a member's name) until the result of the vote has been announced.
- (4) Except in cases where the Council is required to act in a quasi-judicial manner, a member who is absent when his/her name is called in a roll call vote shall be entitled to record a vote if he/she enters the meeting before the result of the vote is announced.
- (5) The Convener shall in the case of an equality of votes, have a second or casting vote except in any vote relating to the appointment of a member of the Council to any office or Committee, or to represent the Council on any other body, where, in the case of equality of votes the matter shall be determined by lot.
- (6) Notwithstanding the provisions of this Standing Order, it shall be competent for any member to record his/her dissent from any decision reached after a division by rising in his/her place immediately after the result of the decision has been announced and requesting that such dissent be recorded in the minutes.
- (7) Except as otherwise required by statute a majority shall be determined upon by those Members present and voting.

+16. Voting in the case of vacancies and appointments

- (1) ~~When filling vacancies in the membership of any Committee, Sub-Committee or Working Group and making appointments of members to any body, candidates shall be formally proposed and seconded and, except where a single candidate has been nominated, no amendment shall be competent. Where a single candidate has been proposed and seconded, it shall be competent to move as an amendment that no appointment be made or that it be deferred.~~

- ~~(2)~~ Where only one vacancy requires to be filled and two candidates are proposed and seconded for appointment, a vote shall be taken as between these candidates and the candidate who receives the majority of votes shall be declared appointed. Where more than two candidates are proposed and seconded for appointment, a vote shall first be taken among all candidates with each member being entitled to vote for one candidate only. If any candidate receives an absolute majority of the votes of the members of the Council present and voting, he/she shall be declared appointed. If no candidate received a majority, the name of the candidate receiving the smallest number of votes shall be deleted, provided that, if two or more candidates tie in receiving the smallest number of votes, a vote or votes shall be taken between or among these candidates and the candidate who receives the smaller or smallest number of votes shall be dropped. This process shall continue until

one of the candidates receives an absolute majority of votes, when he/she shall be declared appointed.

- (2) Where more than one vacancy requires to be filled, a vote shall first be taken among all the candidates proposed and seconded for appointment where these exceed the number of vacancies, each member being entitled to vote for candidates up to the number of vacancies to be filled. The result shall be decided by the first vote except in the case where two or more candidates tie as having received an equal number of votes for the vacancy or vacancies. In such cases an additional vote or votes shall be taken between or amongst these candidates with the candidate having least votes being eliminated until the number of candidates equals the number of vacancies.
- (3) Where, in any vote between two candidates or, after such additional vote as maybe required by (2) and (3) above, there is an equality of votes, the Convener of the meeting shall have a casting vote, unless the matter which is the subject of the vote relates to the appointment of a member of the Council to any particular office or Committee in which case the decision shall be by lot.

+17. Adjournment

- (1) During any meeting of the Council, it shall be competent for a member, at any time, except during a speech by another member, to move that the meeting be adjourned, but no motion for adjournment may be made within thirty minutes of a motion for adjournment having previously been rejected if the Council is still considering the same item of business.
- (2) A motion for adjournment shall have precedence over all other motions and, if moved and seconded, shall be put to the meeting without discussion.
- (3) If the motion is carried, the meeting shall be adjourned until the time specified in the motion, or such other time as the Council may then fix, being on the same day or any other day within a period of four weeks.
- (4) Where a meeting has been adjourned without a time for its resumption having been fixed, it shall be resumed at such time as may be fixed by the Lord Provost.
- (5) When an adjourned meeting is resumed, the proceedings shall commence at the point at which they were interrupted by the adjournment.
- (6) Meetings of the Council and of Committees shall only continue five hours from commencement (or after 2100 hours, whichever is the later) if a decision to that effect is taken by the Council or Committee. If necessary, this will be dealt with as a procedural motion. In calculating five hours, only the time taken for meal breaks will be deducted.
- (78) If the meeting has continued, or in the judgement of the Lord Provost is likely to continue, for more than **three** hours, the Lord Provost may call a break in the proceedings for such a period as he/she may decide.
- (89) The Convener may adjourn any meeting of the Council if he/she is of the opinion that the business of the meeting cannot properly be conducted because of disorder. Such adjournment shall be signified by the Convener rising and quitting the Chair and shall be for one hour or such shorter period as may be specified by the Convener at that time.

+18. Powers and Duties of Convener

- (1) It shall be the duty of the Convener:-
 - (i) to preserve order and ensure that any member wishing to speak is given due opportunity to do so and a fair hearing;
 - (ii) to call members to speak according to the order in which they caught his/her eye;
 - (iii) to decide all matters of order, competency and relevancy;

- (iv) to ensure that the sense of the meeting is duly determined.
- (2) Any member wishing to raise a point of order may do so (but only immediately after it has arisen) by rising and stating that he/she is raising a point of order.
- (3) Any member then speaking shall resume his/her seat and the Convener shall call upon the member raising the point of order to state its substance. No other member shall be entitled to speak to the point of order except with the consent of the Convener.
- (4) The Convener shall give a ruling on the point of order, either immediately or after such adjournment as he/she considers necessary. Thereafter the member who was previously speaking shall (if permitted by the ruling) resume his/her speech giving effect to the Convener's ruling.
- (5) The decision of the Convener on all matters referred to in this Standing Order shall be final and shall not be open to question or discussion in any meeting of the Council.
- (6) Deference shall at all times be paid to the authority of the Convener. When the Convener rises to speak, any member then standing shall resume his/her seat, no further member shall rise and the Convener shall be heard without interruption.

+19. Suspension of Members

- (1) If any member of the Council disregards the authority of the Convener, obstructs the meeting or, in the opinion of the Convener otherwise acts in an offensive or disruptive manner at a meeting, the Convener may move that such member be suspended for the remainder of the meeting. If seconded such a motion shall be put to the vote immediately without discussion.
- (2) If such a motion is carried, the suspended member shall leave the meeting room immediately and shall not re-enter except with the consent of the Convener. If the member fails to comply the Convener may order the suspended member to be removed from the precincts of the meeting room by the Town Sergeant or by any other specified person or persons.
- (3) In the event of a motion for suspension of a member being defeated, the Convener may if he/she thinks it appropriate to do so adjourn the meeting as if a state of disorder had arisen.

+20. Questions

- (1) At any meeting of the Council, a member may put any question to the Convener relating to the matter then under discussion. The Convener may call upon any appropriate officer to provide factual information.
- (2) At any meeting of the Council, a member may put a question to the Lord Provost or to any Senior Councillor relating to the functions for which they have a responsibility, or to the Chief Executive irrespective of whether the subject matter of the question relates to business which would otherwise fall to be discussed at that meeting. This is provided:-
 - (i) that questions are submitted to the Head of Legal and Democratic Services not later than 12 noon on the ~~twenty-first~~^{fifteenth} clear day before the meeting to allow that officer, in consultation with the Chief Executive and the lead member of whom the question would be asked, to identify an officer to whom the question should be submitted for the preparation of a draft answer and that, if the question can be answered satisfactorily by that officer, it would thereby fall unless the member asking the question was unhappy with the response and explained why when requesting that the question continued to be placed on the agenda by no later than 12 noon on the ~~eighth~~^{tenth} clear day before the meeting;
 - (ii) that, where there has been insufficient time to undertake the research required to answer the question, the written answer can be submitted to the questioner within one week of the Council Meeting, unless ~~Council~~^{the Lord Provost} agrees either (a) to set a longer period, or (b) determines that no answer be provided as the work required would be too time consuming; ~~and~~
- (3) Where no response to the question has been received in terms of the timescale set out at (2) above, the question shall be placed on the agenda. Deadlines for the submission of questions shall be issued to members by the Head of Legal and Democratic Services.
- (43) All questions accepted by the Head of Legal and Democratic Services shall be set out on the agenda for the meeting, including, where appropriate, the reasons why any member who has submitted a question is unhappy with an officer's response. All questions to the same individual shall be grouped together and, where there is a similarity between questions, one answer may be provided answering them all. Subject to (2) above, answers will be issued in advance of the meeting.
- (54) Questions will only be allowed so far as the Lord Provost deems them relevant and competent; the Lord Provost shall also rule on whether the answer provided by an officer is satisfactory.

- (65) One supplementary question, limited to clarifying any answer given, may be asked by the original questioner and one further supplementary question may be asked by one other member.
- (76) No discussion shall be permitted on any question or answer which does not relate to an item of business otherwise falling to be considered at that meeting.
- (87) Only questions of which notice has been given in terms of Paragraph 2 above, and the answers to them~~thereto~~, shall be recorded in the minutes of the meeting.
- ~~(8) Written answers from Councillors shall be read out unless Council agrees otherwise.~~
- (98) In the event of the member submitting the question being absent from a Council Meeting, the question shall fall to the following agenda and, should the member again be absent, the question shall fall and require to be resubmitted.
- (109) No question submitted outwith the deadline specified in ~~this~~ Standing Order 20(2), that is, one identified as an urgent question, shall be accepted.

+21. Notices of Motion

- (1) No member shall propose any motion which does not directly relate to the item of business then under consideration unless prior notice in writing of such motion has been given, to the Head of Legal and Democratic Services, not later than 12 noon on the ~~tenth~~fourteenth clear day prior to an ordinary meeting of the Council. Prior to this, the member shall have contacted the appropriate Director ~~five~~seven clear days before this deadline to allow the Director to respond to the terms of the proposed motion. Correspondence between the member and the Director shall be appended to the motion form, whether submitted in writing or by email. Deadlines for the submission of motions shall be issued to members by the Head of Legal and Democratic Services.
- (2) The terms of motions of which notice has been given shall appear as items of business for consideration at the next ordinary meeting of the Council, except that the Lord Provost (or, subsequent to referral a Convener of a Committee or Sub Committee) may rule a motion incompetent if the Director consulted is of the opinion that the matter is being pursued at the time of submission. If no action is taken on the subject matter of the motion within six months, the motion may be re-submitted. In instances where the Lord Provost has ruled a motion incompetent, it shall not be printed on the agenda. The Lord Provost may also rule a motion incompetent if it would require the incurring of expenditure and the source of such funding is not identified.

- (3) A motion submitted in terms of this Standing Order shall not be deemed competent to be debated until the Convener so rules and calls upon the member who has given notice to move it.
- (4) If a member who has given notice of a motion is absent from the meeting when the motion falls to be considered, the motion shall ~~fall for not be considered at~~ that meeting but will be put on the agenda at the next meeting. If the member is absent on the second occasion, the motion shall fall.
- (5) All motions shall normally be directed to the appropriate Committee at the discretion of the Council.
- (6) Where a motion is remitted to a Committee (or Sub Committee) by the Council (or Committee) the mover of the motion shall in respect of that item only, where they are not a member of the Committee or Sub Committee, become a member of the Committee (or Sub Committee) considering the subject matter of the motion until it is discharged, and shall be entitled to move or second any motion or amendment relating to it and vote thereon. A member shall be permitted to make minor alterations to their motion prior to moving it, with the consent of the Convener. The provisions of Standing Order 45(8) shall apply to any motion so remitted.
- (7) Members are permitted to submit joint notices of motion on a joint and several basis, and in so doing the time allowed for speaking at Council meeting shall be limited to a total of ten minutes between all members who submitted the motion, although nothing shall prevent the Members moving the motion from deciding that one of them only should speak to the motion and in so doing enable the remaining Members to speak for five minutes during the debate as permitted by Standing Order 13(1).
- (8) In the event that a joint motion is submitted to Committee (or Sub Committee) the time allowed for speaking shall be that permitted by the Convener in terms of their powers under Standing Order 18(1) but ~~for the purposes of Standing Order 21(7b)~~ the first-named person on the joint motion shall be the Member entitled to move or second any motion or amendment and vote thereon.
- (9) A motion submitted outwith the deadline specified in this Standing Order, that is, one identified as an urgent motion, shall be accepted onto the agenda at the discretion of the Lord Provost.
- (10) Any motion proposing a nomination for Freedom of the City must be signed by at least two thirds of the members of the Council. For the avoidance of doubt the calculation of two thirds in this Standing Order shall be rounded down if it results in a figure ending in less than point 5, and rounded up if the figure is point 5 or above.

***22. Alteration or Revocation of Previous Decision**

- (1) A decision of the Council shall only be altered or revoked within six months of it having been taken by:
 - (i) a motion to that effect of which prior notice has been given in terms of Standing Order 21; or
 - (ii) a recommendation to that effect approved ~~at a meeting of any relevant~~ by the relevant Committee or Sub Committee.
- (2) A decision of the Council may only be altered or revoked within six months by the Council, decisions of Committees can be altered or revoked within six months by the Committee or the Council and decisions of a Sub Committee by the Sub Committee, or its parent Committee or the Council, provided the terms of Standing Order 22(1) are complied with.
- (3) The alteration or revocation of any decision shall have no retrospective effect.
- (4) This Standing Order shall apply with the necessary alterations only in relation to decisions which have been taken by a Committee or Sub Committee under delegated powers.
- (5) This Standing Order shall not apply to the ongoing negotiations between the Council and any other party in respect of the disposal, purchase, development or management of the Council's property portfolio.

+23. Suspension of Standing Orders

Unless prohibited by Statute, it shall be competent for a member at any time during a meeting to move suspension of the whole or any specified part of the Standing Orders and such a motion, if duly seconded, shall be put to the vote immediately without discussion.

+24. Admission of Public and Press

- (1) Except where otherwise required by statute, every meeting of the Council shall be open to the public and press.
- (2) The Council may, however, by resolution exclude the public and press while considering any matter which falls within the categories of "exempt information" ~~specified in Part III(A) of the 1973 Act as set out in Appendix III to these Standing Orders specified in Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973, enacted by the Local Government (Access to Information) Act 1985.~~
- (3) The terms of any such resolution specifying the part of the proceedings to which it relates and the categories of exempt information involved shall be specified in the minutes.

+25. Exclusion from Meeting of Persons interested in Contracts etc

- (1) A member or officer shall not be present at a meeting of the Council while any contract or other matter in which he/she has a pecuniary interest, direct or indirect, is under consideration unless, in the case of members, the statutory disability from participating in the discussion of such matter has been removed by the Standards Commission for Scotland.
- (2) A member who has made a declaration in terms of Section 112 of the Local Government Finance Act 1992 (by reason of being in arrears with Community Charge or Council Tax) shall be entitled to be present during the discussion of and to speak in relation to any matter to which that section applies but not to propose or second any motion relative thereto or to vote on the matter.
- (3) This standing order shall apply to persons other than members of the Council who are members of any Committee or Sub Committee in the same way as if they were members of the Council.

~~26. Application of Standing Orders to Committees or Sub Committees~~

~~In these Standing Orders, those marked + in the margin shall apply (with the necessary changes) to Committees and Sub Committees; those marked * shall apply (with the necessary changes) to Committees and Sub Committees only in relation to delegated functions.~~

PART II - COMMITTEES AND SUB COMMITTEES

27. Committees of the Council

- (1) Subject to any statutory provision, the Council may at any time appoint Committees for any purpose and shall appoint the Committees referred to in the following Standing Order.
- (2) The Council shall delegate or refer to such Committees such matters as it may from time to time think fit and these matters so delegated or referred to Committees shall be set out in the order of reference of those Committees.

28. Committees of the Council

- (1) The Committees of the Council shall be:-

Core Committees

Corporate Policy and Performance
 Finance and Resources
 Housing and Environment
 Education, Culture and Sport
 Enterprise, Planning and Infrastructure
 Social Care and Wellbeing
 Audit and Risk

Regulatory Committees

Development Management Sub Committee
 Licensing
 Appeals
 Pensions Panel

- (2) Each Committee shall consist of the number of members approved by the Council having regard to the political balance of the Council except that insofar as permitted by statute:
 - (i) The Education, Culture and Sport Committee shall, in addition, include seven persons with voting rights who are not members of the Council, who shall be appointed by the Council at its statutory meeting and in terms of 29(4) below, as follows:
 - (a) three persons representing religious bodies in accordance with the requirements of Section 124 (4) of the Local Government (Scotland) Act 1973, being:-
 - (i) one representative of the Church of Scotland nominated in such manner as may be determined by the General Assembly of that church;

- (ii) one representative of the Roman Catholic Church nominated in such manner as may be determined by the Scottish Hierarchy of that church;
- (iii) one other person appointed by the Council having regard (a) to the comparative strength within the City of Aberdeen of all the churches and denominational bodies having duly constituted charges or regularly appointed places of worship there and (b) the representation provided for in (i) and (ii) above;

(b) in accordance with the discretion conferred by Section 124 (3) of the Local Government (Scotland) Act 1973:-

(i) two teachers employed in educational establishments managed by the Council nominated in such manner as may be determined by the Education, Culture and Sport Committee; and

(ii) two parent representatives, selected ~~from~~ by Aberdeen City ~~Council~~ Parent Council Forum from within its own membership, comprising one representative from primary and special needs, including nursery, and one representative from secondary.

~~(ii) The Shareholder Scrutiny Group shall, in addition, include two representatives, with/without voting VC6 rights, approved by trade unions.~~

~~(iii) All external members shall be provided with training on conduct by the Director of Corporate Governance.~~

- (3)
- (i) The Appeals Committee shall consist of a membership conforming to the appropriate National Agreements.
 - (ii) ~~Leaders of the political groups represented- Members~~ Members on the Appeals Committee shall be entitled to nominate substitutes, with full voting rights, to attend meetings of the Committee in their absence, ~~of a member of their respective groups, provided that the m~~ Members of, appointed to the Appeals Committee, and any substitutes, shall be drawn from the membership of the ~~Finance and Resources~~ Committee with the Human Resources function and such members shall have completed the necessary training.
 - (iii) The Convener of any Committee which is responsible for the decision or failure to come to a decision which is the subject of an appeal shall not be entitled to attend any hearing of the Appeals Committee which considers that Appeal.

- (iv) Any Councillor sitting in a particular hearing of the Appeals Committee shall not be substituted for after the commencement of that hearing, nor shall any Councillor join a hearing of the Appeals Committee after it has commenced.
 - (v) No Councillor shall be entitled to attend a meeting of the Appeals Committee except as a member of that Committee or as a substitute attending in that capacity.
- (4)
- (i) The Council shall appoint an Urgent Business Committee consisting of the number of Members appointed by the Council having regard to the political balance of the Council as set out in terms of Standing Order 29(1) to deal with items of business of an urgent nature.
 - (ii) The Urgent Business Committee shall have full powers, subject to the provision of any relevant enactment, to exercise all functions of the Council, Committee or Sub Committee which would otherwise have dealt with the matter.
 - (iii) In appointing the Urgent Business Committee, the Council shall appoint a Convener of the Committee. The Convener of the Committee which would otherwise deal with any item to be considered by the Urgent Business Committee shall be entitled to attend but without voting powers.
 - (iv) A Chief Officer in submitting any item of business to be considered by the Urgent Business Committee shall approach the Chief Executive firstly, must state the reason for the matter requiring urgent consideration and the consequences of delay. If satisfied that the matter is urgent, the Chief Executive or his/her representative shall contact the Convener of the Committee.
 - (v) The Convener of the Committee, if satisfied that the matter requires to be considered prior to the next scheduled meeting appropriate for its consideration, shall instruct the calling of a meeting of the Committee.
 - (vi) The Committee shall, before considering any item of business, determine (on a division if necessary) whether (a) it is appropriate that the Committee consider the matter, and (b) the urgency is such that the Committee should take a final decision on the matter.
 - (vii) If the Committee resolves not to consider the matter, the item of business should be placed on the agenda for the next scheduled meeting of the Council, Committee or Sub Committee as appropriate. In the event that the Committee resolves to consider the matter but not take a final decision thereon, the recommendation of the Committee shall be placed on the agenda of the next scheduled meeting of the Council, Committee or Sub Committee.

29. Membership of Committees and Sub Committees

- (1) In appointing Committees and Sub Committees, the Council shall, so far as possible, give effect to the principles regarding political balance set out in the Local Government and Housing Act 1989 and which would be mandatory in the event of those provisions of the 1989 Act being brought into force.
- (2) The membership of Committees and Sub Committees shall be reviewed in accordance with those principles at the first meeting of the Council after each election or by-election and any necessary alteration made thereafter.
- (3) Members shall be appointed to Committees at the first meeting of the Council after the ordinary election of Councillors and to Sub Committees at the first meeting thereafter of the appropriate Committees. It shall, however, be competent for the Council (in the case of Committees) and each Committee (in the case of Sub Committees) to vary the membership at any time provided that the political balance as set out above is maintained and that each member of the Council is afforded proper opportunity to serve on the Committees and Sub Committees.
- (4) Subject to any statutory provision, where the Council has appointed anyone other than a member of the Council to any Committee or Sub Committee that person shall, subject to his/her right to resign or to any disqualification, remain a member of that Committee from the date of his/her appointment until the next ordinary election of Councillors.
- (5) Members of the Committee shall be entitled to nominate substitutes to attend meetings of any Committee of the Council in the absence of a member of their group. The Lord Provost shall be entitled to appoint a substitute to attend meetings of Committees in the event that he/she is unable to attend. Substitute Members shall have full voting powers, shall intimate at the commencement of the meeting the member in whose place, he or she is attending and shall at all times defer to the right of that member to attend the meeting.

30. Appointment of Sub Committees

- (1) Subject to the provisions of paragraph (2) each Committee shall be entitled to appoint Sub Committees consisting of members of the Council, subject to any legal or constitutional restriction. Any Sub Committee of the Education, Culture and Sport Committee established to consider educational matters shall, however, consist of members of the Council as specified above together with one of the church representatives, ~~and~~ one of the teacher representatives and one of the parent representatives. A Member of a Sub Committee shall be entitled to nominate substitute members to attend meetings of the Sub Committee in the event that he/she is unable to attend. A substitute member shall have full voting powers and at the commencement of the meeting shall indicate the member in whose place he/she is attending and shall at all times defer to the right of that member to attend the meeting.
- (2) Subject to the provisions of these Standing Orders, each Committee shall have power to appoint special Sub Committees or Working Parties for such of their

functions as they deem necessary. Each Committee shall have power to appoint such advisory/consultative groups without delegated powers consisting of such of its own members and such other persons as it thinks fit.

- (3) Subject to any statutory requirement, any two or more Committees may appoint a joint Sub Committee to discharge such functions of mutual interest as the Committees concerned may determine and each Committee may delegate to such joint Sub Committees any of its own delegated functions.
- (4) Any two or more Committees may establish such joint working, advisory and/or consultative groups without delegated powers consisting wholly of members of these Committees or otherwise as they think fit.
- (5) (i) In appointing any Sub Committee, a Committee shall appoint a Convener who shall hold office for such period as the Committee shall specify at the time of appointment (or if no period is fixed, for the life of the Council) subject, however, to the right of the individual to resign at any time and to vacation of office in the event that the individual ceases to be a Councillor or as long as they are a member of the Committee or Sub Committee in question.
- (ii) Where by statute or otherwise (or by resolution of the Committee concerned) the right to appoint the Convener of a Sub Committee is reserved to the Sub Committee itself, this paragraph shall apply with the necessary modifications.

31. Days and Times of Meetings

- (1) The ordinary meetings of the Committees and Sub Committees shall be held in accordance with a timetable drawn up and approved by the Council.
- (2) Other meetings of Committees and Sub Committees shall be held on such dates and times (not precluded by Standing Orders) as the Committee or Sub Committee itself or the respective Conveners of those Committees or Sub Committees and the Convener of the Finance and Resources Committee shall determine.
- (3) It shall be within the discretion of the Convener of a Committee or Sub Committee to cancel, advance or postpone an ordinary meeting if in his/her opinion there is a good reason for doing so.
- (4) One quarter or more members of a Committee or Sub Committee, may, by notice in writing, require a special meeting of that Committee or Sub Committee to be called to consider the business specified in the notice. Such a meeting shall be held within fourteen clear days of receipt of the notice by the Head of Legal and Democratic Services, but no such meeting shall take place on any date precluded by Standing Orders except that such a meeting may be held within the summer recess period 1 July to 15 August if it would not otherwise be possible to hold the meeting within fourteen clear days of the date of the notice.

- (5) One quarter of Members of the Urgent Business Committee appointed in terms of Standing Order 40, may by notice in writing, request a special meeting of that Committee to be called to consider the business specified in the notice. Such a meeting shall be held within fourteen clear days of receipt of the notice by the Head of Legal and Democratic Services but only if (i) the business proposed is of such a nature that delay, until the next scheduled meeting of the Council, Committee or Sub Committee within whose remit the business would normally fall, would prejudice its proper discharge and (ii) the Convener of the Committee has declined to call a meeting in terms of Standing Order 40. Where a meeting is requisitioned but not held in terms of this Standing Order, the business shall be included on the Agenda of the next meeting of the Council, Committee or Sub Committee as appropriate.

32. Right of Members to attend meetings^[A7]

- (1) Any member of the Council shall be entitled to attend any meeting of any Committee or Sub Committee without being called to the meeting and shall, with the consent of the Committee or Sub Committee concerned be entitled to ask questions or address the meeting but not propose or second any motion or vote. The local members for any particular item will be entitled to attend any meeting of any Committee or Sub Committee and will be entitled to ask questions or address the meeting but not to propose or second any motion, or vote.
- (2) The right conferred by paragraph (1) shall include the right to be present even when press and public have been excluded but shall not apply where the Committee or Sub Committee concerned having heard the advice of the Head of Legal and Democratic Services determine that it would be prejudicial to the interests of the Council as a whole to allow non members of the Committee or Sub Committee to be present.

33. Notices and Order of Business of Meetings

- (1) Except in cases of urgency, every notice calling a meeting of a Committee or Sub Committee shall be given in writing at least 5 clear days before the date of the meeting detailing the business as then known.
- (2) The agenda issued for each meeting of a Committee or Sub Committee shall specify the business to be transacted and the order in which it will be brought before the meeting. The business shall proceed in that order unless otherwise resolved by the Committee or Sub Committee at the meeting.
- (3) Except as mentioned below every member of the Council shall be entitled to receive a copy of every notice calling a meeting of any Committee or Sub Committee and of the agenda thereof and shall on request receive a copy of any report issued in connection ~~therewith~~with the agenda.
- (4) The preceding paragraph shall not apply to any report where the Committee or Sub Committee concerned having heard the advice of the Head of Legal and

Democratic Services, determines that it would be prejudicial to the interests of the Council as a whole to make the report available.

34. Quorum

The quorum of Committees and Sub Committees shall be one quarter of the total number of members of the Committee or Sub Committee, or two members thereof whichever shall be the greater unless some other figure has been fixed at the time of the appointment of the Committee or Sub Committee.

35. Minutes of Meetings of Committees and Sub Committees

- (1) The Minute of each meeting of a Committee or Sub Committee shall be submitted as soon as is practicable to the next-a meeting of that Committee or parent-Sub Committee for approval. ~~Minutes of meetings of Committees and Sub Committees appointed for a specific task or remit shall (unless the Council or parent Committee has directed otherwise) be submitted after the Committee or Sub Committee has exhausted its remit or within three months from the date of such remit or of the submission of the last such minute.~~
- (2) A report on the deliberations of any Working Group ~~together with its recommendations for action or its minutes~~ shall be submitted to the Council or Committee which appointed it as frequently as appropriate.

36. Delegation to Committee and Sub Committee

- (1) The Committees and Sub Committees of the Council shall have the terms of reference and delegated authority specified in the respective Orders of Reference appended to these Standing Orders.
- (2) Subject to any specific restrictions contained in Standing Orders or its Order of Reference, each Committee or Sub Committee shall have delegated authority to determine any matter within its Order of Reference as set by the Council in the case of Committees and by the parent Committee in the case of Sub Committees.
- (3) Subject to the provisions of Standing Orders 37 and 38 the delegation conferred by the previous paragraph shall not apply where following a division in Committee, one third of the membership of the Committee immediately indicate that they wish the matter to be referred to the Council for decision. If one third of the membership resulted in a division of less than point 5 the number of members required to refer a decision is rounded down, whereas if one third resulted in a division of point 5 or over the number of members required would be rounded up, subject to a minimum of two members being required.
- (4) Any matter referred in terms of the preceding paragraphs, together with those excluded from delegation under the provisions of any other Standing Order

shall be specially identified in the minutes submitted to each meeting of the Council.

- (5) Paragraphs (3) and (4) above shall, with the necessary changes, apply where following a division in a Sub Committee, one third of the membership of the Sub Committee indicate that they wish the matter referred to the parent Committee for decision.
- (6) The provisions of paragraphs (3) and (5) shall not apply where, in the view of the Convener of the Committee or Sub Committee acting upon advice from the Head of Legal and Democratic Services and the Head of Service responsible for the area of service under consideration, such a reference would have the effect of depriving the Council of the opportunity to make any meaningful or effective determination on the subject matter of the Committee's decision.
- (7) The provisions of paragraphs (3) and (5) shall not apply to any proceedings relating to:
 - (a) the appointment of or retirement of staff
 - (b) grievance or disciplinary appeals by staff
 - (c) school attendance
 - (d) bursaries
 - (e) admission of any particular child to school
 - (f) provision of school transport for any particular child
 - (g) the granting of any licence, registration or certificate
 - (h) assumption of parental rights or adoption in the case of any individual
 - (i) any statutory review procedure
 - (j) aids and adaptations to premises for the benefit of social work clients
 - (k) a meeting of a Committee or Sub Committee during the summer recess in terms of Standing Order 3(5)
- (8) The Committees and Sub Committees shall conduct their business within their terms of reference and shall in exercising the authority delegated to them do so always in accordance with the following provisions. It shall, however, be competent, in relation to any matter not specifically referred to in the Order of Reference or in Standing Order 37 for the Committee, whose remit the matter most closely resembles, to consider such matters and to make any appropriate recommendation to the Council.
- (9) Committees and Sub Committees shall exercise the authority delegated to them having regard to and in accordance with the policy of the Council. ~~Committees and Sub Committees shall ensure the appropriate involvement of members of the community and representative bodies in the work of the Committee and of the Services under their control.~~ In particular Committees and Sub Committees shall ensure that the work of the Services under their control contributes to the corporate policy of the Council.
- (10) The Committees and Sub Committees shall conduct their business always in accordance with the Standing Orders relating to contracts and procurement, financial regulations and administrative procedures adopted by the Council.

- (11) The Committees and Sub Committees shall conduct their business having regard where appropriate to the constituency interests of local members in the matters under consideration. Each Committee and Sub Committee shall consider how best this may be done in relation to matters within their remit.
- (12) The Council may if it so resolves, deal with any matter falling within the Order of Reference of any Committee or Sub Committee without the requirement of receiving a report or minute of that Committee or Sub Committee referring to that matter.
- (13) Subject to any statutory requirement the Council may at any time vary, add to, restrict or recall any reference or delegation to any Committee or Sub Committee and any specific direction by the Council in relation to the remit of a Committee or Sub Committee shall take precedence over the terms of any provision in the Order of Reference.
- (14) A Committee may at any time deal with any matter falling within the Order of Reference of any of its Sub Committees without the requirement of the submission of a report or minute of that Sub Committee referring to that matter.
- (15) Subject to any statutory requirement, a Committee may at any time vary, add to, restrict or recall any reference or delegation to any of its Sub Committees or any specific direction by a Committee shall take precedence over the terms of any provision in the Order of Reference.
- (16) A Committee may at any time refer any item of business to a Sub Committee for consideration and report and may, if the Committee considers it appropriate to do so, delegate to the Sub Committee such additional powers to dispose of the business as the Committee thinks fit.
- (17) If the matter is of common interest to the Committee to which the matter is referred or delegated and to any other Committee or Committees, any of the Committees concerned shall be entitled (in the case of a matter referred but not delegated, without the necessity of the prior approval of the Council) to submit a proposal or recommendation relative to the matter to the other Committee or Committees and any such proposal or recommendation shall appear as an item of business on the agenda of the next convenient meeting of such Committee or Committees. However, no action shall follow on the submission of any such proposal or recommendation without the approval of the Committee within whose remit the matter falls.
- (18) In the event of disagreement between the Committees in respect of any such proposal or recommendations which falls within the delegated authority of one Committee, the decision of that Committee shall prevail. If the matter is not delegated to any Committee, a report summarising the views of the various Committees shall be prepared by the Head of Legal and Democratic Services and shall appear as an item of business on the agenda of the next meeting of the Finance and Resources Committee.

37. General Delegations to Committees

Except where Standing Orders or the Order of Reference of a particular Committee or Sub Committee expressly provides to the contrary, all Committees shall have the following delegated powers:-

- (1) Each Committee responsible for overseeing the provision of the services specified in its Orders of Reference shall be responsible for the supervision and management of staff within the staffing establishment set by the Council.
- (2) Each Committee responsible for overseeing the provision of the services specified in its Orders of Reference shall, insofar as permitted by the Standing Orders on contracts and procurement, have the power:
 - (i) to accept offers for the purchase of goods, materials or services (including the employment of outside consultants or practitioners providing professional or specialised services) required for the purposes of that service and to approve, reject, or vary lists of tenderers. This provision shall not, however, entitle any Committee in relation to goods, materials or services in respect of which the Council maintains a central contract, to accept a tender for the supply of those goods, materials or services outwith that contract except with the express approval of the Council;
 - (ii) to accept offers for the disposal of goods or materials surplus to the requirements of Services. This provision shall not however entitle any Committee to accept an offer in relation to any goods or materials, in respect of which the Council maintains a central contract, outwith that contract except with the express approval of the Council.
 - (iii) The power referred to in (i) above to award contracts shall include power to deal with any incidental matters relating to that contract and to vary or determine the contract.
- (3) Each Committee responsible for overseeing the provision of the services specified in its Orders of Reference shall be responsible for:
 - (i) the operational management of all land and the buildings occupied for the purpose of those services;
 - (ii) the approval of proposals for the development thereof of these where such development can be contained within the approved budget of the service and does not require the acquisition of any additional land or interest therein; and
 - (iii) the consideration of proposals for the development of land and buildings required for the function of the Committee where such proposals would require the acquisition of land or buildings, to the stage of recommending to the Finance and Resources Committee the development of a particular site.

- (4) Each Committee shall have power to settle claims against the Council arising out of the functions supervised by the Committee irrespective of value so long as such amount can be contained within the approved budget in respect of that function.
- (5) Each Committee and Sub Committee shall have power to determine all applications for loans, grants, donations and subscriptions (other than those relating to the day to day operational requirements of the service which are delegated to the Chief Officer) in respect of services which are linked to or associated with the functions of that Committee or Sub Committee, so long as such amount can be contained within the approved budget for that function.
- (6) Each Committee and Sub Committee shall be entitled to appoint on behalf of the Council representatives to outside bodies which provide services linked to or associated with the function of that Committee or Sub Committee and attendance at any ordinary meeting of such a body and the annual conference thereof shall be deemed to be an approved duty by the member or members concerned.
- (7) Without prejudice to the powers conferred on Conveners by Standing Order 3(iv) and 31(3) each Committee and Sub Committee shall have power to fix dates and times of its own meetings (including the power to vary the date of any meeting included in the annual time-table of meetings approved by the Council but not to any date precluded by Standing Orders (except where in the opinion of the Convener of the Committee or Sub Committee, the urgency of the business requires it) or to a time precluded by Standing Orders).
- (8) Each Committee and Sub Committee shall have power to delegate any of its delegated functions to an officer but shall have power at any time to itself deal with any matter so delegated.
- (9) Each Committee, subject to any statutory provision, shall have power to appoint a deputation not exceeding five members and consistent with the principles of political balance, to attend any meeting or conference relevant to the interests of the Committee provided that:
 - (i) no deputation exceeding two members shall be appointed to attend a conference outwith the European Union without the approval of the Finance and Resources Committee; and
 - (ii) in the case of a meeting or conference of interest to more than one Committee, the total deputation from the council shall not exceed a total of six members and officers except with the approval of the Finance and Resources Committee and, in the event of a disagreement among Committees as to the composition of any such deputation, the matter shall be determined by the Finance and Resources Committee.
- (10) (i) The Leader of the Council may attend meetings within the UK convened by or with other local authorities, government departments, other

statutory bodies or organisations of the European Union at which matters relevant to the interests of the Council are to be considered. The Leader of the Council may be accompanied by any appropriate officer and may authorise such officer and/or any other member of the Council to attend any such meeting in his/her absence.

- (ii) The Convener of any Committee may attend meetings within the UK convened by or with other local authorities, government departments, other statutory bodies or organisations of the European Union at which matters relevant to the interests of that Committee are to be considered.

Any such Convener may be accompanied by any appropriate officer and may authorise such officer and/or any other member of the Committee to attend any such meeting in his/her absence.

- (iii) The Chief Executive may authorise any Chief Officer to attend any meeting, conference or seminar within the UK organised by any appropriate professional or public body.

- (11) (i) Subject to the constitution of the Convention of Scottish Local Authorities, the members appointed by the Council to the Convention shall be entitled to attend all meetings of the Convention or its Committees, including the Annual General Meeting and Annual Conference.

- (ii) The Convener of any Committee of the Council may attend any meeting of the Convention or one of its Committees where he/she reasonably considers such attendance to be in the interest of the Council.

- (iii) Where a member of the Council has been appointed to any office by the Convention and such appointment has been notified to and approved by the Council, he/she shall be entitled, without further approval by the Council to attend all meetings, conferences, etc. necessarily arising out of such appointment.

- (12) The Convener of the Finance and Resources Committee or any other member of that Committee nominated by him/her shall be entitled to attend, with the appropriate officers, all meetings of the joint negotiating bodies responsible for the negotiation of conditions of service for the Council's employees.

- (13) (i) The Lord Provost shall be entitled to represent the City on all such occasions (within the United Kingdom) as it is appropriate and customary to be so represented.

- (ii) Where the Lord Provost represents the City whether within the U.K. or elsewhere and it is appropriate that the Lord Provost be accompanied, the attendance of a Town Sergeant, may be authorised by the Chief Executive ~~or the Lord Provosts Sub Committee.~~

- (iii) Where it is necessary because of an infirmity or disability that the Lord Provost be accompanied, the travel and subsistence cost of such companion shall be met by the Council on the same basis as those of the Lord Provost.
- (14) The expenses and allowances payable to any member of the Council in attending any meeting or Conference in terms of these Standing Orders or as otherwise authorised by the Council shall, subject to any enactment, be in accordance with the scheme laid down by the Council from time to time. Where it is necessary because of an infirmity, or disability that any member be accompanied, the travel and subsistence costs of such companion will be met by the Council on the same basis as those of the member.

38. Exclusion from Delegations

There shall be excluded from any delegation:-

- (i) ~~Incurring of capital expenditure in the absence of any consent to incur capital expenditure or other relevant statutory consents;~~
- (ii) Incurring of revenue expenditure for which no provision or insufficient provision has been made in the revenue budget except with the express consent of the Finance and Resources Committee;
- (iii) The acquisition or disposal other than by the Finance and Resources Committee, of any land or buildings or other interests therein required for the purposes of any service controlled by that Committee;
- (iv) The dismissal of Chief Officers;
- (v) The making of Bye Laws;
- (vi) The making of representations to, or the appointment of any deputation or meet with, any Government Minister or Government Department in relation to the financing of the Council or any of its services except with the approval of the Finance and Resources Committee.
- (vii) Any proposal which might if adopted give rise to an allegation of illegality or maladministration.

39. Expenditure^[A8] on Hospitality Etc

- (1) The Finance and Resources Committee may incur expenditure, within the provision made for that purpose within the appropriate Budget, on hospitality consisting of the reception and entertainment by way of official courtesy, of distinguished persons and persons representative of or connected with local government or other public services whether within or outside the United Kingdom where the occasion giving rise to such hospitality is not the concern mainly of any other Committee.
- (2) Any Committee may, within the sum provided for that purpose in the approved Revenue Budget for the service or function in question incur expenditure:-
 - (i) on the provision of hospitality of the type referred to in the subparagraph (1) above where the occasion relates mainly to the function of that Committee;

- (ii) on the provision of hospitality in connection with any inspection or ceremony affecting any service controlled by that Committee;
 - (iii) on the provision of hospitality to persons who may be interested in the promotion of industrial or commercial development or other activities which may create employment opportunities in the City; or to persons who are assisting or co-operating with the Council or its officers in relation to the functions of the Committee.
- (3) The Convener of any Committee may authorise the provision of hospitality in the circumstances specified in sub-paragraph (2) above and related to the functions of a service under the control of the Committee (or in the case of the Finance and Resources Committee to the functions of the Council) provided that the expenditure on any one occasion does not exceed £400 and that the expenditure can be met out of the sum provided in the appropriate budget for that purpose.
- (4) The Chief Executive or any Chief Officer may incur expenditure not exceeding £500 on any one occasion on the provision of appropriate hospitality to members and officers of HM Government, Local Authorities or Public Authorities visiting the City or to consultants or others who are assisting or co-operating with officers of the Council in carrying out any of the Council's functions. Chief Officers should advise the City Chamberlain/Head of Finance in advance if they intend to incur expenditure in excess of £100.

40. Council Recess - Delegation to Committees

- (1)
 - (i) During the ~~period 1st July to 15th August~~ summer recess in each year the Convener of the Urgent Business Committee, on the advice of the Chief Executive or his/her representative, shall be entitled to call meetings of the Committee to consider matters of an urgent nature.
 - (ii) The Urgent Business Committee shall have full power subject to the provisions of any relevant enactment to exercise all the functions of the Council during the recess period.
- (2) Nothing in this Standing Order shall prevent the Licensing Committee or the Development Management Sub Committee meeting when necessary to deal with matters within their respective remits.

PART III - OFFICERS OF THE COUNCIL

41. Returning Officer for Elections

- (1) The Chief Executive shall be the Returning Officer for each election of councillors in accordance with Section 41 of the Representation of the People Act 1983 and the Head of ~~Legal and Democratic Service, Office of Chief Executives~~ shall be Depute Returning Officer.
- (2) The Head of ~~Legal and Democratic Service, Office of Chief Executives~~ shall be Returning Officer for (i) all elections of Community Councillors in terms of the Council's Scheme for the establishment of Community Councils; and (ii) any election so required by a Parent Council in terms of the Scottish Schools (Parental Involvement) Act 2006.

42. Statutory Officers of the Council

- (1) The Council shall, as necessary, in accordance with the relevant statutes, appoint individuals to hold the offices of:-

Electoral Registration Officer
Public Analyst and Agricultural Analyst
Data Protection Officer

and the officers so appointed (who need not be employed exclusively by the Council) shall in addition to any other powers and duties delegated to them by the Council have all the powers and duties conferred upon them by the respective statutes.

- (2) For the avoidance of doubt the persons occupying for the time being the posts of Principal Trading Standards Officer, Chief Social Work Officer and ~~Chief Senior~~ Registrar of Births, Deaths and Marriages shall respectively be deemed to be and shall have all the statutory powers of the Chief Inspector of Weights and Measures, Chief Social Work Officer and Registrar of Births, Deaths and Marriages.
- (3) The Chief Executive, Head of Legal and Democratic Service and Head of Finance shall be respectively the Head of the Council's Paid Service, Monitoring Officer and Proper Officer for the administration of the Council's financial affairs in terms respectively of S4 and S5 of the Local Government and Housing Act 1989 and S95 of the Local Government (Scotland) Act 1973 and entitled to discharge all the powers and duties conferred upon such officers by the 1989 Act or other statutory provisions.
- (4) The Head of Planning and Sustainable Development shall be the Proper Officer in terms of the Planning Etc. (Scotland) Act 2006.
- (5) Nothing in these Standing Orders shall be deemed to refer to any of these officers so acting.

43. Proper Officers of the Council

Where the Council is required in terms of any statute to appoint a Proper Officer for any purpose such appointment shall be made by the Committee responsible for overseeing the service concerned and when made shall be recorded in a register kept for that purpose by the Head of Legal and Democratic Services. The register shall be open to public inspection at all reasonable times.

44. Signing of Deeds

All deeds or other document to which the Council is a party shall be signed by the Chief Executive, the Head of Legal and Democratic Services or ~~the either~~ Legal Manager ~~(Policy & Advice Team), Legal Manager (Conveyancing Team) or the Legal Manager (Court Team)~~ before a witness in terms of the Requirements of Writing (Scotland) Act 1995.

45. Reports by Chief Officers

- (1) Reports to the Council, Committees and Sub Committee shall be submitted by the appropriate Chief Officer when requested by the Council, Committee or Sub Committee or when in the professional opinion of such Chief Officer such report is required to enable the Council to comply with any enactment or other rule of law or when the exigencies of the service under his/her control so require.
- (2) Any report to be submitted in terms of this Standing Order shall be provided in draft to the following officers, in accordance with the published timetable:-
 - (i) the Head of Finance who shall either within a period of four clear days from the date of receipt of the report submit to the Chief Officer concerned his/her comments on the financial implications for incorporation in the report or (having so advised the Chief Officer concerned) prepare his/her own observations in writing on the financial implications which shall be submitted to the meeting at which the report is to be considered;
 - (ii) the Head of Legal and Democratic Services who shall within four clear days from the date of receipt of the report and after such consultation as he/she may deem appropriate advise such Chief Officer as to what action should be taken in respect of the report;
 - (iii) the Head of Human Resources and Organisational Development and Head of Asset Management and Operations in cases where the report concerns matters within their professional remit and to the Chief Officer whose service or budget may be affected by the proposals contained in the report and those Chief Officers shall be entitled within four clear days from the date of receipt of the report to submit to the Chief Officer concerned his/her comments on those matters for incorporation in the report or (having so advised the Chief Officer concerned) to prepare

his/her own observations on such matters which shall be submitted to the meeting at which the report is to be considered; and

- (iv) the provision of these Standing Orders shall not prevent Chief Officers agreeing to a lesser period of consultation on a particular report in urgent circumstances or to meet the exigencies of the service.
- (v) reports and items to be included on an agenda for a meeting of the Council, Committee or Sub Committee must be delivered to the Head of Legal and Democratic Services by 10am on the day specified in the published timetable. If the deadline for submission of reports to Committee Services is missed the report author is responsible for the completion and arranging for the signatures for the late docket which should include the reason why the report has been submitted as a late item and why it should be considered as a matter of urgency.
- (vi) where any Chief Officer, who has been consulted in accordance with the terms of these Standing Orders, is not in agreement with the proposals set out in any report, or any part thereof, the views of the Chief Officer should be clearly stated together with the reasons why the writer of the report is taking a different view.

(vii) where an Equality and Human Rights Impact Assessment requires to be undertaken, report consultation must include this and the Assessment shall be included in the papers submitted to the Committee.

- (3) Any report requested by the Council, Committee or Sub Committee shall be submitted within such period as may be specified in the request (or, if not specified, within two cycles) or such longer time as the Council, Committee or Sub Committee may subsequently approve.
- (4) Where in the opinion of the Head of Legal and Democratic Services consideration of a report submitted in accordance with this Standing Order is required to comply with any enactment or other rule of law or to avoid the Council being guilty of maladministration he/she shall place it on the agenda for a meeting of the Council, or the appropriate Committee or Sub Committee within two cycles of the completion of the procedures referred to in sub-paragraph (2) above.
- (5) Chief Officers shall keep under review the progress of all contracts, works, service provision and other projects concerning the Services under their control and in the event that any Chief Officer considers that the circumstances so warrant shall report any significant variation in such progress to the appropriate Committee.
- (6) Without prejudice [A9] to the foregoing sub-paragraph, in the case of all contracts exceeding £100,000 in value and all projects where the aggregate of the separate contracts contained therein exceeds £100,000 where it appears

to the Chief Officer responsible for monitoring the progress of the contract or project that

- (i) a delay of three months or more in the estimated completion of the contract or project is probable; or
- (ii) the cost of the contract or project will exceed by more than 10% the estimated cost of the contract (inclusive of any allowance for additional works and remedial costs) stated in the tender report or any subsequent report approved by that Committee;

the Chief Officer shall submit a report detailing such circumstances and the reasons therefor to the first convenient meeting of the appropriate Committee.

- (7)
 - (i) where a report contains proposals which will have a particular bearing on a ward, the officer compiling the report must consult with the local Members whose ward will be so affected.
 - (ii) where any Member, who has been consulted in accordance with the terms of this Standing Order, is not in agreement with the proposals set out in any report, or any part thereof, the views of the Member should be clearly stated together with the reasons why the writer of the report is taking a different view.
- (8)
 - (i) where a Member has raised a Notice of Motion before the council which has subsequently been referred by the Council to a future meeting of the Council or to a particular Committee or Sub Committee, officers shall where timescales permit prepare a background report setting the context for the motion, containing no recommendations. The Member who raised the Notice of Motion ~~shall~~ be consulted on any the background report or any subsequent report to the said Council, Committee or Sub Committee.
 - (ii) the basis of the consultation is (1) whether in the Member's view the terms of the Motion have been addressed and (2) the Member's view of the content and recommendations contained in the report.

46. Consolidated Loans Fund - Borrowing and Lending

The Head of Finance shall report as frequently as he/she considers appropriate and not less than twice yearly to the Finance and Resources Committee on the borrowing and lending operations of the Council's Consolidated Loans Fund.

47. Appointment of Officers

- (1) The appointment of all employees of the Council shall be based on merit.
- (2) The Chief Executive, all Directors and all other JNC posts shall be appointed by an Appointment Panel, of such composition as the Council may determine, which shall reflect the political balance of the Council. The Panel shall be

chaired by the Convener of the ~~Finance and Resources~~-Committee with the Human Resources function or such member as may be determined.

- (3) Only those Members who participated in the drawing up of the person specification for the post and the shortlisting of candidates shall participate in the interview and selection process.
- (4) Unless the Committee responsible for supervising the function concerned shall otherwise decide because of the particular nature of the duties to be performed by the postholder, the appointment of all other staff (excluding teaching staff) shall be delegated to the appropriate Chief Officer. The Head of Human Resources and Organisational Development and any officer nominated by the Chief Executive shall be entitled to be represented at any interview or meeting relating to the appointment of such staff.
- (5) Unless the Committee shall otherwise direct, all appointments shall where appropriate be made after press advertisement and not less than two weeks shall be allowed between the date on which the advertisement first appears and the closing date for the receipt of applications.
- (6) Except in the event that the number of applications makes such a procedure impractical the Panel or officer responsible for making an appointment shall draw up a short list of suitably qualified applicants who shall be called for interview and after such interviews and such other inquiries as may be considered appropriate the most suitable candidate shall be appointed.
- (7) The list of applications for any appointment shall be treated as confidential and only the name and particulars of successful candidates shall be recorded in the minutes of the Council or otherwise published.
- (8) The appointment of teaching staff shall comply with the arrangements approved by the former Education and Leisure Committee on 24th April, 2007.
- (9) Each meeting of the Panel shall determine the process by which each appointment shall be made, which determinations will not be recorded in the minute. For the avoidance of doubt the Convener shall in the case of equality of votes in any procedure under this Standing Order have a second or casting vote.

48. Employment - Relatives of Members and Certain Officers

- (1) Subject to the provisions of any enactment any person who is a relative of a member of the Council (or of a Chief Officer or Head of Service or equivalent) seeking employment in any Department of the Council shall disclose the fact of such relationship on the application form.
- (2) The preceding paragraph shall apply equally to a person who is a relative of a member of a Committee or a Sub Committee who is not a member of the Council but only if the post applied for is under the control of that Committee or Sub Committee.

- (3) For the purposes of this Standing Order "relative" means a first cousin or nearer degree of relationship whether by blood or marriage or civil partnership and shall include a person in the same household.
- (4) The Chief Executive shall after consultation with the Head of Human Resources and Organisational Development be advised immediately when an application falling within the terms of this Standing Order is received and shall submit to the Committee, Sub Committee or persons making the appointment such observations as he/she considers appropriate as to the procedure to be followed in making the appointment including the arrangements for selecting leets and interviewing candidates.
- (5) The procedure adopted shall in any event ensure that the related member or officer
 - (a) has not been and will not be in any way involved in the appointment procedures, and
 - (b) will not be involved in any direct working relationship with the appointee which might give rise to allegations of favouritism or other form of embarrassment with the Council or Service(s) concerned.
- (6) This procedure must be followed in other personnel procedures such as grievance or disciplinary procedures or job evaluation.

49. Disposal of Property to Relatives of Members and Officers

- (1) This Standing Order applies where a property transaction (whether purchase, sale, lease, servitude, excambion or of any other description) is proposed between the Council and a member of the Council (including for this purpose a non-elected member of any Committee or Sub Committee) or a Chief Officer, or any other remunerated officer ~~remunerated on JNC scales~~ or where to the knowledge of such member or officer such a transaction is proposed between the Council and any relative of his/her or person in the same household as him/her.
- (2) The member or officer shall when he/she intimates his/her interest in the proposed transaction or as soon as he/she receives a proposal from the Council or becomes aware of a proposal involving a relative or person in the same household, give notice of the possible transaction to the Chief Executive.
- (3) The Chief Executive shall thereupon submit a report to the Committee or Sub Committee by whom the transaction is to be considered containing such observations as he/she considers to be appropriate or necessary regarding the transaction or the procedure to be applied in formulating or approving its terms including the exclusion of persons from the process.
- (4) When considering a transaction falling within this Standing Order the Committee or Sub Committee concerned shall satisfy themselves after due

consultation with the Chief Executive that the person giving the notice required by paragraph (2) has not in any way been involved in the negotiations and has not exercised influence or pressure in relation to the negotiations and that there is no way in which the transaction can give rise to allegations of favouritism.

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50. Restriction on employees engaging in other remunerative employment

- (1) A person who is in the employment of the Council shall not engage in any activity falling within the scope of the Working Time Regulations 1998 without the sanction of the Head of Human Resources and Organisational Development.
- (2) No person in the employment of the Council shall engage in any work in competition with any Service of the Council.
- (3) Employees are not permitted to use the equipment or resources of the Council in any outside employment, or for the benefit of any voluntary or charitable organisation without the prior approval of their Director, or in the case of chief officers with the approval of the Chief Executive.

51. Employees not to retain fees or commission

No person employed by the Council shall be entitled to retain any fee, commission or other payment collected or received under colour of his/her office or employment except with the consent of the Council.

52. Employees accepting gratuity etc.

- (1) Except where retention of any fee or commission has been duly authorised under Standing Orders or otherwise, any employee of the Council who in the course of his/her employment accepts any gift (other than minor tokens of an advertising nature) gratuity, bonus or reward shall be subject to the Council's Disciplinary procedure.
- (2) This Standing Order shall not apply to any gift (except from a party who is, or may expect to be under contract to the Council for the provision of any works, goods or services) in money or money's worth not exceeding £50 which is recorded within 21 clear days of receipt in the register kept for that purpose by the Head of Legal and Democratic Services and which shall be available for inspection by any member of the Council or Chief Officer nor shall it apply to reasonable hospitality received directly in connection with any meeting, function or conference at which the officer is representing the Council or any meeting, function or conference organised by a professional body.

53. Public Notices, Invitations to tender etc.

Subject to the provisions of any enactment, all public notices, advertisements and invitations to tender whether by press advertisement or otherwise required to be given by or on behalf of the Council or any Committee or Service thereof shall be made by and in the name of the Chief Officer of the Service concerned or the Head of Legal and Democratic Services, as may be agreed between those Directors.

54. Annual Return of Attendance by Members

The Head of Finance shall prepare and issue an annual return showing for the previous financial year the expenses (including travelling expenses) and allowances paid to each member of the Council. ~~(other than allowances payable to the Lord Provost and Depute Provost of the Council towards meeting the expenses of their offices).~~

55. Access of Members to Documents etc.

Any document in the possession or under the control of the Council which contains material relating to any business to be transacted at or to any proceedings at a meeting of the Council or of any Committee or Sub Committee shall be open to inspection by any member of the Council and in the case of a meeting of a Committee or Sub Committee by any other member of the Committee or Sub Committee provided (a) that if the Head of Legal and Democratic Services after consultation with the Chief Officer responsible to the Council for the custody or control of the document certifies that it discloses exempt information of a description falling within any one or more of paras 1-5, 7, 9, 11, 12 and 14 of Appendix III hereto, the document shall not be made available except with the prior consent of the Committee controlling the Service concerned and (b) that no document shall be made available for inspection if to do so would be contrary to law.

56. Custody of Title Deeds

The Head of Legal and Democratic Services shall be responsible for the safe custody of the title deeds of all land and property in the ownership of the Council, the Minutes and other records of the proceedings of the Council, its Committees and Sub Committees and all other records belonging to or relating to the Council which are not more appropriately retained by the Chief Officer of a particular Service. The requirements of this paragraph may be exercised in terms of an agency arrangement with any other local authority or authorities.

Senior Councillors

Post	Appointee	Remuneration	Senior Councillor
Lord Provost	Councillor Adam	£28,410	
Depute Provost	Councillor Reynolds	£21,308	1
Council Leader	Councillor Crockett	£37,880	
Depute Council Leader	Councillor Boulton	£28,410	1
Convener, Audit & Risk	Councillor McCaig	£28,410	1
Vice Convener, Audit & Risk	Councillor Yuill	£21,308	1
Convener, Corporate Policy and Performance	Councillor Graham	£28,410	1
Vice Convener, Corporate Policy and Performance	Councillor Taylor	£21,308	1
Convener, Education, Culture and Sport	Councillor Laing	£28,410	1
Vice Convener, Education, Culture and Sport	Councillor Thomson	£21,308	1
Convener, Enterprise, Planning and Infrastructure	Councillor Crockett		
Vice Convener, Enterprise, Planning and Infrastructure and Convener, Development Management Sub-Committee	Councillor Milne	£21,308	1
Convener, Finance and Resources	Councillor Young	£28,410	1
Vice Convener, Finance and Resources	Councillor Allan	£21,308	1
Convener, Housing and Environment	Councillor Cooney	£28,410	1
Vice Convener, Housing and Environment	Councillor Jean Morrison	£21,308	1
Convener, Social Care and Wellbeing	Councillor Ironside	£28,410	1

Post	Appointee	Remuneration	Senior Councillor
Vice Convener, Social Care and Wellbeing	Councillor Lesley Dunbar	£21,308	1
Convener, Licensing Committee	Councillor Forsyth	£21,308	1
Convener, Appeals Committee	Councillor Grant	£21,308	1
Convener, Licensing Board	Councillor Boulton		
Convener, Pensions Panel	Councillor Crockett		
Senior Councillor Totals		£411,950	17
Maximum allowed		£424,118	19

20.3.13

Appendix F

DEMOCRATIC PROCESSES WORKING GROUP

ABERDEEN, 4 June 2013. Minute of Meeting of the DEMOCRATIC PROCESSES WORKING GROUP. Present:- Councillor Young, Chairperson; and Councillors Boulton, Forsyth, Ironside CBE, Laing, McCaig and Yuill.

Officers in attendance:- Ciaran Monaghan, Roderick MacBeath, Vikki Cuthbert and Stephanie Dunsmuir.

In the absence of Councillor Crockett, Councillor Young was appointed as chair.

MINUTE OF PREVIOUS MEETING

1. The Working Group had before it the minute of its previous meeting of 29 April 2013.

The Working Group resolved:-

to approve the minute as a correct record.

MEMBERS' FEEDBACK - OFFICER RESPONSES

2. With reference to article 1 of the minute of its previous meeting, the Working Group had before it the feedback from the questionnaire to Elected Members around Committee structures. Officers had provided responses to the points raised where it was appropriate to do so.

In relation to the comment that Conveners should only be able to vary the date or time of Committee meetings with the agreement of the relevant Director, and that the variation should be for a genuine business reason, Mr MacBeath advised that Conveners had always had unfettered discretion in this area. He also suggested that Directors were usually consulted on any proposal to alter a meeting. Councillor Yuill acknowledged this, but asked if in future, Members could be advised of the reasons on the notice why a meeting had been changed.

In relation to the comment that Members were not permitted to speak again during debate, the Working Group agreed that they were content to leave Standing Order 11(3) unchanged. Councillor Boulton raised the point which had been discussed at the last meeting in relation to budget seconders having more than five minutes to speak. Mrs Cuthbert noted that this point was covered under the suggested amendments to the Standing Orders (at item 4 of the agenda).

Finally, in relation to the comment about relevant members being kept informed where an operational matter had the potential to generate public interest, Mr MacBeath advised that officers had been reminded to consult with Ward members on matters which affected their Wards. It was noted however that it was not always appropriate for operational matters to be shared more widely.

DEMOCRATIC PROCESSES WORKING GROUP

4 June 2013

The Working Group resolved:-

- (i) to recommend that Members be advised of the reason for a change to the date or time of a meeting;
- (ii) to recommend that Standing Order 11(3) should remain unchanged; and
- (iii) to note the officers' responses to the comments from Elected Members.

COMMITTEE STRUCTURE AND ORDERS OF REFERENCE

3. The Working Group had before it the current Committee structure and Orders of Reference for discussion.

The Chairperson set out the Administration proposals for the structure as follows:-

- to disestablish the Corporate Policy and Performance Committee
- to establish a Petitions Committee
- to change the Development Management Sub Committee to the Planning Committee
- to create a Sub Committee of the Finance and Resources Committee solely to consider property matters
- to increase the remit of the Social Care and Wellbeing Committee to consider the Police and Fire and Rescue matters which were currently the responsibility of the Corporate Policy and Performance Committee
- to request that officers prepare Orders of Reference for the proposed changes to the Committee structure for the Council meeting in June

Councillor McCaig queried the reason for a Property Sub Committee, and the Chairperson clarified that it was to ensure that matters relating to property and asset management were given separate and detailed scrutiny, rather than forming part of the larger Finance and Resources Committee agenda. Councillor McCaig then requested that the membership of the Sub Committee be not simply restricted to one member per Group. The Chairperson advised that this would not be the case.

Councillor Yuill asked to where the other functions of the Corporate Policy and Performance Committee would report if it were to be disestablished. The Chairperson explained that the Human Resources function would be reported to the Finance and Resources Committee, and that the Community Planning function would be reported to Social Care and Wellbeing. Councillor McCaig noted that this might cause difficulty with more than one Director reporting to the same meeting, and the Chairperson suggested that he would ask the Director of Corporate Governance to put forward proposals to Group Leaders in this regard. Mr MacBeath advised that officers in Democratic Services were in the process of preparing the report to Council on the Committee structure, and therefore this could form part of that report. The Chairperson agreed, noting that he would discuss the matter with the Director of Corporate

DEMOCRATIC PROCESSES WORKING GROUP

4 June 2013

Governance and the Chief Executive prior to Mr MacBeath circulating the proposals to Group Leaders.

Councillor Yuill then asked if the Planning Committee membership would be the same size as other Committees, and the Chairperson advised that this would be the case.

The Working Group resolved:-

- (i) to note the proposals from the Administration in relation to the Committee structure; and
- (ii) to note that officers would prepare amended Committee Orders of Reference in relation to the proposed structure for the Council meeting on 26 June 2013.

REVISED STANDING ORDERS

4. With reference to article 2 of the minute of its previous meeting, the Working Group had before it a revised set of Standing Orders which took account of the changes requested at the last meeting of the Group.

Mrs Cuthbert took the Working Group through the changes, and particularly referred to the following amendments:-

- (1) Standing Order 3(4) – amended to
 “No meeting of the Council shall be held:
 (i) during the ***local authority summer recess, which for the purposes of these Standing Orders is defined as the period of school summer holidays in force in the Council area.***”

The Working Group resolved:-

to recommend the amended wording for Standing Order 3(4).

- (2) Standing Order 6(2) – officers recommended ceasing publication of the pamphlet of minutes, noting that all minutes were published on the Council website.

Following the request made at the previous meeting of the Group that officers investigate the practice in other local authorities in relation to the pamphlet of minutes, Mrs Cuthbert advised that most authorities did put the minutes to Council, however they were generally going on the agenda for approval, rather than for information, but that some were also considering dispensing with their own pamphlets.

The Working Group resolved:-

to recommend that officers cease production of the pamphlet of minutes.

DEMOCRATIC PROCESSES WORKING GROUP

4 June 2013

- (3) Standing Order 10(3) – amended to
 “If, as a result of a referral **by any means** from a Committee, the matter is one upon which a final decision requires to be taken by the Council, **the Council may determine whether** it shall be competent for any body or individuals heard by the Committee to be heard by the Council.”

The Working Group resolved:-

to recommend the amended wording for Standing Order 10(3).

- (4) Standing Order 12(6) – amended to
 “The Convener of a Committee shall have the prior right to move the approval of the minute (or any part of it) of any meeting of that Committee or the recommendation in any report before the Council. **The Leader of the Council shall have the prior right to propose a Council budget.**”

The Working Group resolved:-

to recommend the amended wording for Standing Order 12(6).

- (5) Standing Order 13(1) – amended with various options for the Working Group to discuss:

“In moving any motion or amendment (other than a motion for the adoption of annual reports, accounts or budget) a member shall not speak for more than ten minutes; each other member and the mover in exercising a right of reply shall not speak for more than five minutes (**other than a member seconding a Council budget in which case 7.5/8/10 minutes will be allowed / speeches will not be timed**).”

The Working Group resolved:-

to recommend that the Standing Orders be amended to allow a member seconding a Council budget to speak for ten minutes.

- (6) Standing Order 17(6) and 17(7) – officers had prepared a variety of options for the Working Group to consider, namely:-

- (a) Meetings of the Council and of Committees shall only continue after five hours from commencement if a decision to that effect is taken by the Council or the Committee. If necessary, this will be dealt with as a procedural motion. In calculating five hours, only the time taken for refreshment breaks will be deducted;
- (b) No provision for cutting short meetings, i.e. the status quo;
- (c) Provisions as set out above;
- (d) No business, except business which requires to be dealt with by law or by these Standing Orders, shall be introduced after five hours from commencement of the meeting. If items of business have not been

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- introduced within this timeframe but remain on the agenda for consideration, the Council / Committee will reconvene at the following day at a time to be determined by the Lord Provost / Committee, to conclude the meeting; or
- (e) No meetings shall continue after 6.00pm.

Councillor Yuill referred to article 2(9) of the previous minute and suggested that the wording could be:-

“Every meeting of the Council shall end not later than five hours after the time at which it commenced or 2100 hours, whichever is the **later**.”

The Chairperson stated that his preference would be that meetings did not adjourn to the next day. He suggested that members could discuss this wording with their Groups and then determine the position. Councillor Laing noted that there was nothing in the Standing Orders at present which precluded a Convener from drawing a meeting to a close if they felt it had gone on longer than necessary.

The Working Group resolved:-

to discuss the options for Standing Order 17(6) and (7) within their Groups.

- (7) Standing Order 21(6) – amended to
 “Where a motion is remitted to a Committee (or Sub Committee) by the Council (or Committee) the mover of the motion shall in respect of that item only, where they are not a member of the Committee or Sub Committee, become a member of the Committee (or Sub Committee) considering the subject matter of the motion until it is discharged, and shall be entitled to move or second any motion or amendment relating to it and vote thereon. ***A member shall be permitted to make minor alterations to their motion prior to moving it, with the consent of the Convener. The provisions of Standing Order 45(8) shall apply to any motion so remitted.***”

The Working Group resolved:-

to recommend the amended wording for Standing Order 21(6).

- (8) Standing Order 22(6) – Mrs Cuthbert advised that officers had recommended that the following wording be added to the Standing Orders to reflect current practice.
“A proposal to amend a budget line within six months does not require a suspension in terms of paragraph (1) above.”

The Working Group resolved:-

to recommend the additional wording at Standing Order 22(6).

- (9) Standing Order 28(2)(b)(ii) – further to the discussion at the previous meeting of the Working Group, to amend the wording to:

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“In accordance with the discretion conferred by Section 124(3) of the Local Government (Scotland) Act 1973:-

- (ii) two parent representatives, selected **by** Aberdeen City Parent **Council** Forum **from within its own membership**, comprising one representative from primary and special needs, including nursery, and one representative from secondary.”

The Working Group resolved:-

to recommend the amended wording for Standing Order 28(2)(b)(ii).

(10) Standing Order 28(3)(ii) – further to the discussion at the previous meeting of the Working Group, to amend the wording to:

“Leaders of the political groups represented on the Appeals Committee shall be entitled to nominate substitutes, with full voting rights, to attend meetings of the Committee in the absence of a member of their respective groups, provided that the members of, and any substitutes, shall be drawn from the membership of the Committee **with the Human Resources function.**”

The Working Group resolved:-

to recommend the amended wording for Standing Order 28(3)(ii).

(11) Mr MacBeath then referred to joint motions and advised that there was some confusion over the fact that only the Member named first on the motion would be added to the Committee for that item until consideration of the matter was concluded. He advised that there was a difference of opinion over whether a Member named as a joint mover of a motion would be allowed to second that motion and suggested that this be clarified.

The Working Group resolved:-

to agree that a Member named as a joint mover of a motion be allowed to second that motion.

(12) Finally, Mr MacBeath advised that officers in Legal Services would be revising the Standing Orders relating to Contracts and Procurement, and these would be reported to the Council meeting in August. Following these amendments, some alterations would probably be required to the main Standing Orders. Councillor Yuill requested that Members at the June Council meeting be provided with a colour copy of the amended Standing Orders so that the proposed changes could be clearly identified.

The Working Group resolved:-

- (i) to note that the Standing Orders relating to Contracts and Procurement would be revised and presented to Council at its meeting in August; and

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- (ii) to request that the report to Council on 25 June contain colour copies of the proposed changes to the Standing Orders and Orders of Reference.

PETITIONS COMMITTEE

5. With reference to article 4 of the minute of its previous meeting, the Working Group had before it a paper which set out the provisions for Petitions Committees in some local authorities. The Chairperson advised that the Administration would prefer a similar model to the City of Edinburgh Petitions Committee, however Councillor Forsyth added that further work was needed to ensure that flexibility was built in for areas of the city where it could prove difficult to reach the minimum number of required signatures. He noted that there were certain areas of the city with small numbers of businesses which would mean that they would find it difficult to obtain the required numbers if a high threshold of business signatories were to be required.

Councillor Yuill noted that the City of Edinburgh Petitions Committee would consider a petition which was supported by at least 500 people, and suggested that in Aberdeen, this could be set at a level of 220 people. Members of the Working Group concurred that the minimum should be set at less than 500. Councillor Forsyth suggested that there could be scope for variable thresholds, for example, 100 people for the first stage with higher numbers required for later stages.

Members suggested that the minimum number of signatures could be set at 250, with Convener discretion for anything below that number. The process could then be reviewed after a year to assess whether the thresholds were adequate.

The Working Group discussed whether online petitions could be supported, and Mr MacBeath advised that officers could investigate whether this would be possible.

Councillor McCaig asked what provisions would apply if the Petitions Committee was asked to consider a live issue, and the Working Group noted that the Petitions Committee was a means for the public to raise issues not currently being dealt with by the Council.

The Working Group also discussed if there would be a mechanism in place to ensure that the same issues were not always brought before the Petitions Committee, and Mr MacBeath advised that other Petitions Committees had rules in place to stop this occurring.

The Working Group resolved:-

to request that the report to Council be submitted to Group Leaders for consultation, and that it reflect the preferred options from the City of Edinburgh and Stirling Council

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models, and the earlier discussion around thresholds and flexibility over the number of signatures required.

SCHEME OF DELEGATED POWERS

6. The Working Group had before it the current Scheme of Delegated Powers for information. Mrs Cuthbert advised that an amended Scheme would be reported to Council in August taking account of any amendments to the structure and Standing Orders which the Council decided to make at its meeting on 25 June 2013. Officers would contact Heads of Service to ask them if they had any amendments they wished to make to the Scheme.

The Working Group resolved:-

- (i) to note the current Scheme of Delegated Powers;
- (ii) to note that officers would contact Heads of Service to ask them to consider any amendments they might wish to make to the Scheme; and
- (iii) to note that an amended Scheme of Delegated Powers would be reported to Council at its meeting on 21 August 2013.

- COUNCILLOR WILLIE YOUNG, Chairperson

Appendix G

DEMOCRATIC PROCESSES WORKING GROUP

ABERDEEN, 29 April 2013. Minute of Meeting of the DEMOCRATIC PROCESSES WORKING GROUP. Present:- Councillor Crockett, Chairperson; and Councillors Boulton, Forsyth, Ironside CBE, Laing, McCaig, Young and Yuill.

Officers in attendance:- Stewart Carruth, Ciaran Monaghan, Roderick MacBeath, Vikki Cuthbert and Stephanie Dunsmuir.

FEEDBACK RECEIVED FROM ELECTED MEMBERS

1. With reference to article 13 of the minute of the Council meeting of 6 March 2013, the Chairperson advised that a questionnaire had been issued to all Elected Members seeking their views on the current democratic processes of the Council. The responses submitted were now before the Working Group for consideration.

Mr MacBeath noted that the responses had indicated a general level of satisfaction with the current Committee structure, with no real appetite for a radical overhaul.

The Working Group commented that the responses were helpful, and agreed that they should be borne in mind during any consideration of changes to the structure. Mr MacBeath queried whether the Group wished to discuss the structure in more detail at this stage, and Councillor Young advised that this would be considered outwith the meeting.

The Working Group resolved:-

to note the responses provided by Elected Members.

PROPOSED CHANGES TO STANDING ORDERS

2. The Working Group had before it a revised set of Standing Orders incorporating suggested amendments and additions from officers in Democratic Services. Mr MacBeath took the Working Group through the revised Orders and explained the rationale behind each suggestion. These would be submitted as officer recommendations to Council on 26 June.

The Working Group made the following requests (amendments in bold and italics):-

(1) In relation to Standing Order 3(4)(a)(i) (Ordinary Meetings of the Council), to request that this be amended to read:-

“No meeting of the Council shall be held:

- (i) during the summer recess, which for the purposes of these Standing Orders is defined as the period of **local authority** school summer holidays in force in the Council area.”

The Working Group resolved:-

to recommend the amended wording to Standing Order 3(4)(a)(i) set out above.

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(2) In relation to Standing Order 6(2) (Calling of Meetings), Mr MacBeath advised that officers were proposing to cease production of the paper copies of the pamphlet of minutes. Councillor Ironside asked that a paper copy still be provided for those Elected Members who had difficulty reading such a large document electronically. Councillor McCaig noted that if the pamphlet was no longer printed, then the Committee minutes would still be available in hard copy in the Members' Library as part of the Committee agendas.

The Working Group resolved:-

to request that officers investigate what the practice was at other local authorities for dealing with pamphlets of minutes.

(3) In relation to Standing Order 9 (Order of Business), and the reference to referrals from Committees to Council in terms of Standing Order 36(3), Councillor Yuill asked where referrals to Committee would sit on the agenda where there had been unanimous Committee agreement, and Mr MacBeath advised that these would sit under 'General Business'.

(4) In relation to Standing Order 10(3) (Reception of Deputations), Mr MacBeath highlighted the revised wording, namely:-

“If as a result of a referral, **by any means** from a Committee, the matter is one upon which a final decision requires to be taken by the Council, it shall be competent for any body or individuals heard by the Committee to **submit a further request to** be heard by the Council.”

He advised that it would be for Elected Members to decide if this was limited in any way; for example, hearing the same organisations again when reports on the same matter were put before Committee on more than one occasion. Councillor McCaig asked if the wording could be changed to “**the Council may determine whether or not** it shall be competent for any body or individuals....”.

The Working Group resolved:-

to request that officers prepare additional options for the wording relating to Standing Order 10(3).

(5) In relation to Standing Order 12(6) (Motions and Amendments), and the amended wording, namely:-

“The Convener of a Committee shall have the prior right to move the approval of the minute (or any part of it) of any meeting of that Committee or the recommendation in any report before the Council. **The Leader of the Council shall have the prior right to move approval of the Council budget.**”

Councillors Yuill and McCaig requested that this be amended to “The Leader of the Council shall have the prior right to **propose a** Council budget.”

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The Working Group resolved:-

to recommend the amended wording proposed by Councillors Yuill and McCaig as set out above.

(6) In relation to Standing Order 12(7) (Motions and Amendments), and the amended wording:-

“A motion or amendment moved but not seconded or which has been ruled by the Convener to be incompetent shall be recorded in the Minute. ***A motion or amendment which may appear incompetent can be made competent or clarified when spoken to. The Lord Provost may rule on competency after the motion has been moved but before it is seconded.***”

Councillor McCaig queried whether this referred to written motions only. Mr MacBeath advised that the additional wording was simply to clarify practice, in that if an Elected Member was moving something incompetent, it afforded them the chance to make it competent.

(7) In relation to Standing Order 13 (Time allowed for speaking), Councillor Boulton proposed that seconders of budgets be allowed longer than five minutes of speaking time.

The Working Group resolved:-

to request that officers prepare one or two further options in relation to Standing Order 13, to reflect the suggestion from Councillor Boulton that seconders of budget speeches be allowed more than five minutes for their speech.

(8) In relation to Standing Order 15(6) (Method of Voting), and the proposed wording:-

“Notwithstanding the provisions of this Standing Order, it shall be competent for any member to record his/her dissent from any decision reached after a division by rising in his/her place immediately after the result of the decision has been announced and requesting that such dissent be recorded in the minutes. ***It shall not be competent for any other comments by a member to be minuted, unless it relates to matters of a valedictory or congratulatory nature or tribute.***”

Councillor McCaig noted that there had been previous occasions where apologies or clarifying remarks had been minuted. Councillor Young suggested this could be looked at separately.

(9) In relation to Standing Order 17(6) and (7), namely:-

“Every meeting of the Council shall end not later than five hours after the time at which it commenced or 2100 hours whichever is the earlier. In the

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event of all the business not having been conducted, the meeting shall thereupon stand adjourned.

“It shall, however, be competent, before the expiry of the time limit, for any member to move that the meeting be continued for a further period, not exceeding one hour. A motion to extend the time limit shall be competent, even during a speech; shall have precedence over all other motions and, if moved and seconded, shall be put to the meeting forthwith without discussion.”

Mr MacBeath explained that this Standing Order had been reinstated as a result of a discussion at the Union Management Committee, to comply with the Working Time Directive. The Working Group asked that a different form of words be produced which would not limit the meeting time to, for example, 10am to 3pm (as was the case if the meeting should not end later than five hours after the time it commenced), but would still comply with the Working Time Directive. It was suggested that officers could consult with HR in producing the new wording.

The Working Group resolved:-

to request that officers look at alternative options for the wording for Standing Orders 17(6) and 17(7) in conjunction with officers in HR, to ensure that it complied with the Working Time Directive.

(10) In relation to Standing Order 21(2) (Notices of Motion), Councillor Yuill requested that this be amended to read as follows:-

“The terms of motions of which notice has been given shall appear as items of business for consideration at the next ordinary meeting of the Council, except that the Lord Provost (or subsequent to referral, a Convener of a Committee or Sub Committee) may rule a motion incompetent if the Director consulted is of the opinion that the matter is being pursued ***at the time of submission.***”

The Working Group resolved:-

to recommend the inclusion of the wording proposed by Councillor Yuill above.

(11) The Working Group then considered Standing Order 28(2)(b)(ii) (Committees of the Council), and the suggested wording:-

“In accordance with the discretion conferred by Section 124(3) of the Local Government (Scotland) Act 1973:-

- (i) two teachers employed in educational establishments managed by the Council nominated in such manner as may be determined by the Education, Culture and Sport Committee; and
- (ii) two parent representatives, selected from Aberdeen City Council Parent Forum, comprising one representative from primary and special needs, including nursery, and one representative from secondary.”

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The Working Group resolved:-

to request officers to clarify whether part (ii) should be amended to read “two parent representatives selected **by** Aberdeen City Parent Council Forum”.

- (12) Finally, the Working Group considered Standing Order 28(3)(ii), namely:-
 “Leaders of the political groups represented on the Appeals Committee shall be entitled to nominate substitutes, with full voting rights, to attend meetings of the Committee in the absence of a member of their respective groups, provided that the members of, and any substitutes, shall be drawn from the membership of the **Corporate Policy and Performance Committee.**”

The Working Group resolved:-

to request that officers amend the wording to “...provided that the members of, and any substitutes, shall be drawn from the membership of the **Committee with the Human Resources function.**”

CURRENT ORDERS OF REFERENCE

3. Mr MacBeath advised the Working Group that the current Committee and Sub Committee Orders of Reference were presented for information, but that these would clearly need to be amended if a new Committee structure was approved.

The Working Group resolved:-

to note the current Orders of Reference.

PETITIONS COMMITTEE

4. Mr MacBeath referred to the decision of Council of 6 March 2013, and the request that the Working Group consider the introduction of a Petitions Committee. Officers circulated papers which provided further information on how Petitions Committees operated in other local authorities.

The Working Group resolved:-

to consider the information circulated and discuss the introduction of a Petitions Committee at the next meeting of the Group.

FUTURE MEETING

5. Councillor Yuill queried the process for any revisions to the structure and asked if it was planned to present any member proposals to the Working Group prior to their

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submission to Council in June. The Chairperson stated that this suggestion would be taken into consideration. Councillor Yuill also asked that officers submit a response to the questionnaire feedback (article 1 of this minute refers) to the next meeting of the Working Group, advising whether the revisions requested could be taken forward.

The Working Group was also asked for its views on whether training on the new Standing Orders would be welcomed by Elected Members, and those present responded that this would be helpful.

The Chairperson thanked everyone for their contributions and drew the discussion to a close by suggesting that a further meeting of the Working Group be held towards the end of May.

- **BARNEY CROCKETT, Chairperson**