

North East Scotland Investment Zone

Joint Committee

Draft Terms of Reference

The North East Scotland Investment Zone Joint Committee is a Joint Committee established by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) under sections 56 and 57 of the Local Government (Scotland) Act 1973

The creation of the Joint Committee represents the joint commitment of the Constituent Authorities, Opportunity North East, University of Aberdeen and The Robert Gordon University to support and oversee the implementation of the North East Scotland Investment Zone.

The Joint Committee membership will comply with the Local Government (Scotland) Act 1973. Two-thirds of the members will be elected officialsmembers, with one-third from Aberdeen City Council and one-third from Aberdeenshire Council. The remaining third will be appointed by Opportunity North East, the University of Aberdeen, and The Robert Gordon University.

In particular it shall have the power to following consideration by the Programme Board:

1. Approve Business Cases for North East Scotland Investment Zone projects and any other related documentation with the exception of those where approval is reserved to either or both of the Constituent Authorities.
2. Make recommendations to the Constituent Authorities in respect of projects within the North East Scotland Investment Zone Strategic and Policy plans.
3. Monitor the effectiveness of the implementation and the delivery of the North East Scotland Investment Zone and to report to the Constituent Authorities on progress.
4. Approve and review arrangements, including reporting, for the tax sites established under the North East Scotland Investment Zone.
- 3.5. Receive updates from the UK and Scottish Governments in connection with any aspect of the North East Scotland Investment Zone.
- 4.6. Approve the overall programme funding for the North East Scotland Investment Zone.
- 5.7. Provide feedback to the Scottish Government or the United Kingdom Government on the implementation of the North East Scotland Investment Zone and any strategic, economic or infrastructure activities associated with the Investment Zone.

8. ~~7,~~ To appoint one representative invite representatives and one named substitutesubstitutes
of any non Local Authority body agreed to advise the Joint Committee where appropriate.
For the avoidance of doubt, any representatives invited will not be considered as members
of the Joint Committee and will have no voting rights.

9. Review the membership of the Joint Committee on a Bi annual basis, and make
recommendations to the Constituent Authorities on any proposed changes.

10. To establish sub-committees and working groups as appropriate.

11. The Joint Committee, or any sub-committee may delegate to an Officer or employee of any
of the Constituent Authorities any of the functions which have been delegated to the Joint
Committee or sub committee.

These terms of reference will be kept under review by the constituent authorities, and the Joint committee throughout the implementation of the North East Scotland Investment Zone to ensure sufficient accountability of public funds provided through North East Scotland Investment Zone funding.

DRAFT

**North East Scotland Investment Zone
JOINT COMMITTEE**

Draft STANDING ORDERS

Introduction

1. The North East Scotland Investment Zone Joint Committee (the Joint Committee) is a joint committee created under sections 56 and 57 of the Local Government (Scotland) Act 1973.
2. These standing orders have been approved by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) and take effect from 1st February 2025.

Membership

3. The ~~Joint Committee will consist of the following voting~~ Voting members: will be:
 - three elected members of Aberdeen City Council;
 - three elected members of Aberdeenshire Council;
 - one member of ONE;
 - one member of University of Aberdeen; and
 - one member of the Robert Gordon University
4. Each ~~Constituent Authority and other members voting member~~ may ~~also have up to three~~ appoint named substitutes.

Non-Voting Representatives

5. Non-voting representatives may be appointed at the first meeting of the Joint Committee. The Joint Committee may review the non-voting representatives at such times as it sees fit.

Chairperson

- 5-6. The Joint Committee will appoint a member of the Constituent Authorities to be Chairperson.

- 6-7. The Chairperson shall be appointed for a period of one year.

- 7-8. The Chairperson will alternate between the Constituent Authorities.

- 8-9. The Joint Committee will appoint a Vice Chairperson from the Constituent Authority that does not have a member appointed as Chairperson.

Term of Office of Members

~~9-10.~~ Members shall be appointed to the Joint Committee for the period up to the next local government elections.

~~10-11.~~ A member of the Joint Committee may only be a member for as long as they hold office as a Councillor or as a member of ONE, University of Aberdeen, or the Robert Gordon University, as the case may be.

~~11-12.~~ A member may be reappointed following the end of their term of office.

~~12-13.~~ A member may resign their membership of the Joint Committee at any time by giving the Joint Committee, Aberdeen City Council, Aberdeenshire Council, ONE, University of Aberdeen and the Robert Gordon University written notice.

~~13-14.~~ The resignation will take effect with immediate effect.

Removal of Members

~~14-15.~~ If a member has not attended three consecutive meetings of the Joint Committee, and such absence is not due to illness or other reasonable cause as the Joint Committee may determine, the Joint Committee may agree to recommend to the Constituent Authorities ~~-,~~ ONE, University of Aberdeen and the Robert Gordon University, that the member be removed from the Joint Committee.

Standing Orders

~~15-16.~~ All meetings of the Joint Committee shall be regulated by these Standing Orders.

~~16-17.~~ Any amendments to these Standing Orders shall require the approval of the Constituent Authorities and must be carried out in consultation with ONE, University of Aberdeen and the Robert Gordon University.

~~17-18.~~ Any amendments to these Standing Orders shall be effective only after both Constituent Authorities have accepted the amendments after consultation with ONE, University of Aberdeen and the Robert Gordon University ~~-~~.

~~Except where prohibited by statute, it shall be competent for a member at any time during a meeting to move suspension~~

~~18.19.~~ Any one or more of the ~~whole or any specified part of these~~ Standing Orders ~~and such a~~ may be suspended in any case of urgency or upon motion, ~~if made on a notice~~ duly given at any Meeting provided that two-thirds of the Members present and voting shall so decide. Any motion to suspend Standing Orders shall be made with a short explanation and, on such motion being seconded, the Chair shall ~~be~~ put the same to the ~~vote~~ immediately ~~Meeting~~ without ~~speeches or~~ discussion.

Any vote on such motion shall be by a show of hands.

Calling Meetings

~~19.20.~~ The first meeting of the Joint Committee will be at a time and place determined by the Constituent Authorities.

~~20.21.~~ Thereafter, the Joint Committee shall agree a timetable of meetings for the following twelve months.

~~21.22.~~ Notwithstanding Standing Order ~~2021~~ the Chairperson and Vice Chairperson may agree to fix such additional special meetings as they think appropriate, including meetings in a case of urgency where a reduced period of notice may be given, and shall endeavour to take account of the availability of members in so doing.

~~22.23.~~ The Chairperson (or Vice Chairperson if the chairperson is unavailable) shall be permitted on giving notice to cancel, change the date, time or location of any agreed meeting.

Notice of Meetings

~~23.24.~~ At least five working days prior to each meeting of the Joint Committee or one of its sub committees, a summons to attend the meeting specifying the time, place and business to be transacted at it signed by the relevant officer at Aberdeen City Council or Aberdeenshire Council and shall be sent electronically to every member or sent to the usual place of residence of every member. A notice of the time and place of the intended meeting shall be published at the Head Office of each of the Constituent Authorities.

~~25.~~ A failure to serve notice of a meeting on a member in accordance with Standing Order ~~2324~~ shall not affect the validity of anything done at the meeting.

Business

~~24.26.~~ The summons will include an agenda of items of business which shall be considered in the order in which they are listed except where the Chairperson, at ~~his or her~~ their discretion, may determine otherwise.

~~25-27.~~ Except where required by statute, no item of business shall be considered at a meeting unless a copy of the agenda including the item of business 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, by reason of special circumstances which shall be recorded in the minute, the Chairperson is of the opinion that the item should be considered as a matter of urgency and at such stage of the meeting as the Chairperson shall determine.

Quorum

~~26-28.~~ No business is to be transacted at a meeting of the Joint Committee unless at least six of the members are present including at least two members from each Constituent Authority.

Conduct of Meetings

~~27-29.~~ At each meeting of the Joint Committee, the Chairperson, if present, shall preside.

~~28-30.~~ If the Chairperson is absent from a meeting of the Joint Committee, the Vice-Chairperson shall preside.

~~29-31.~~ If the Chairperson and Vice-Chairperson are absent from a meeting of the Joint Committee, those members present shall appoint a member of the Constituent Authorities present to the Chair.

~~30-32.~~ The Joint Committee may agree to adjourn a meeting to another date, time or place if it is necessary or expedient to do so.

~~31-33.~~ ~~Subject to the Member notifying the Clerk at least 4 hours (or, if this is not possible, a member may be regarded as soon as practicable) in advance being present at a meeting of the meeting and availability of suitable facilities, the Joint Committee if they are able to~~
~~Chairperson~~ (whom failing, the Vice Chairperson) may direct that any Member who is unable to attend, or cannot reasonably be expected to attend, a meeting in person may participate from a remote location by a secure video link or other communication link. ~~For the avoidance of any doubt, such participation includes voting, approved by the Joint Committee.~~ A Member remotely participating in this way is referred to in ~~this~~ these Standing Order ~~Orders~~ as a "Remote Member". ~~A member participating in a meeting in this way will be counted for the purposes of deciding if a quorum is present.~~
~~32.1 In exceptional circumstances, the~~

~~34.~~ The Chairperson (whom failing, the Vice Chairperson) may direct that a meeting shall be conducted solely by means of the participation of Remote Members. Such a direction may be made during a meeting or otherwise and may specify which mechanism of remote

participation (including specifying which software) may be used.

~~32.2 Remote Members will be counted for the purposes of determining whether there is a quorum and will also be able to participate in any vote.~~

~~32.3 Where the Chairperson is participating remotely, the Vice Chairperson will take the Chair, except where the Vice Chairperson is also participating remotely or a direction has been made under Standing Order 32.1 in respect of that meeting.~~

~~32.4 Except where a direction has been made under Standing Order 32.1 in respect of that meeting, the Member chairing the meeting must be physically present at the meeting venue, therefore where both the Chairperson and Vice Chairperson are participating remotely or have sent apologies, Members present at the meeting venue will appoint a Chairperson to chair the meeting from amongst their number.~~

~~32.5 In the event that no agreement is reached between those Members present, the decision will be taken by means of a procedural motion.~~

~~Standing Order 32~~35. Standing Order 33 will apply in respect of items on the agenda which contain confidential or exempt information. Any Remote Member must confirm that they are in a secure private location, and that no-one else is able to hear or view the proceedings from the device being used by that Remote Member, before they can participate in the Joint Committee's consideration of any confidential and/or exempt items of business.

36. Any Remote Member who has declared an interest in an item and withdrawn must pause/exit the video/communication link whilst the item is being considered. The Clerk will inform/re-invite the Remote Member (whether by email or otherwise) when to re-start the link and resume their participation.

37. It shall be the duty of the Chairperson to:

_____ - preserve order and ensure that any member wishing to speak is given due opportunity
_____ to do so and to a fair hearing;

_____ - allow officers and advisers to be heard freely; and
_____ - decide on all matters of order, competency and relevancy.

38. The ruling of the Chairperson on all matters in these ~~standing orders~~Standing Orders shall be final.

39. Deference shall at all times be paid to the authority of the Chairperson.

40. The Chairperson shall be heard without interruption and all members shall address the
___ Chairperson when speaking.

41. If, in the opinion of the Chairperson, any member acts in an obstructive or offensive manner, the Chairperson may with immediate effect move that the member be suspended for the remainder of the meeting. After seconding, the motion shall be put without debate and if carried, the member shall be required to leave the meeting room (including any public area or gallery) and may be removed if they fail to comply.

42. The Chairperson may require the removal of any member of the public whose presence or conduct impedes or may be likely to impede the proceedings at any meeting. The Chairperson may determine that a warning shall be given before ordering the removal of any member of the public.

43. The Chairperson will ensure that the decisions of the meeting are clear with regard to all matters which form the business of the meeting.

Minutes

44. A record must be kept of the names of the members attending every meeting of the Joint Committee.

45. Minutes of the proceedings of each meeting of the Joint Committee including any decision made at that meeting, are to be drawn up and submitted to the subsequent meeting of the Joint Committee for agreement after which they must be signed by the person presiding at that meeting.

Voting

45-46. ___ Each motion put to a meeting of the Joint Committee shall be decided by a majority of the votes of those members present and entitled to vote.

46-47. ___ Motions and amendments shall be moved and seconded.

47-48. ___ Votes shall be taken by roll call except where an electronic voting system is available, in which case it shall be used in preference to any other method.

~~48-49.~~ If the members of the Joint Committee agree unanimously prior to a vote on any particular matter, a vote may be taken by a show of hands.

~~49-50.~~ Where there is an equality of votes, the Chairperson shall exercise a second or casting vote except where the division relates to the appointment of a member of the Joint Committee to any office or sub-committee or outside body, in which case the matter shall be determined by lot using a method decided upon by the Clerk.

~~50-51.~~ Any member may request the recording in the minutes of ~~his or her~~their dissent from any decision after the result of the division has been announced.

Alteration or Revocation of Previous Decision

~~52.~~ No decision of the Joint Committee shall be altered or revoked within six months of it having been taken unless a recommendation to that effect is approved by the Joint Committee, and any such alteration or revocation shall have no retrospective effect.

53. A decision of the Joint Committee cannot be altered or revoked within six months unless:

-The Committee agrees that there has been a material change of circumstance and explains the reasons for that, or

-The Committee agrees the decision was based on incorrect or incomplete information, or

-It is detailed in the terms of a report submitted to the Committee by an officer that the previous decision can no longer be implemented, or its effect has been substantially altered by subsequent circumstances and this is agreed by the Committee.

Register of Interests and Code of Conduct

~~51-54.~~ The Constituent Authorities shall keep a register of interests made by Members, including co-opted Members. The register of interests shall be open to inspection by members of the Public.

~~52-55.~~ A member should not accept any gift or consideration of any kind as an inducement or reward for doing or for refraining from doing or for having done or refrained from doing any action in relation to the North East Scotland Investment Zone as to do so could result in that member having committed an offence under the Bribery Act 2010.

~~53-56.~~ All members of the Joint Committee must comply with the terms of the Councillors' Code of Conduct provided for under the Ethical Standards in Public Life etc. (Scotland) Act 2000.

~~54.57.~~ It is the responsibility of each member to determine if they require to declare an interest and withdraw from the meeting, having taken advice from officers beforehand should they wish.

~~58.~~ A Member must withdraw from the Meeting Room, including the Public gallery, where ~~he or she has~~they have declared an interest that prevents ~~him or her~~them from participating in the discussion of, and voting on, the item.

Admission of Press and Public

~~55.59.~~ The Public must be excluded from a Meeting when an item of business is being considered and it is likely that, if the Public were present, Confidential Information would be disclosed to them in breach of an obligation of confidence in terms of section 50A(2) of the Local Government (Scotland) Act 1973 as enacted by the Local Government (Access to Information) Act 1985. A report falling into this category will:

- be marked as containing confidential information; and
- carry a restricted watermark; ~~and~~
~~be printed on green paper.~~

~~56.60.~~ The Public may be excluded from a Meeting by resolution of the Joint Committee when an item of business is being considered, if it is likely that Exempt Information would be disclosed to them which would fall within the categories specified in Part 1 of Schedule 7a of the Local government (Scotland) Act 1973, as enacted by the Local Government (Access to Information) Act 1985. Any such resolution shall specify the part of the proceedings to which it relates and the categories of exempt information involved shall be specified in the minutes. A report containing exempt information shall:

- specify the category involved; and
- carry a restricted watermark; ~~and~~
~~be printed on green paper.~~

~~57.61.~~ The provisions of the Data Protection Act 1998 shall apply to meetings of the Joint Committee and any relevant reports shall:

- be marked as containing data protected information; and
- carry a restricted watermark; ~~and~~
~~be printed on green paper~~

