

Political Management Arrangements

The City of Edinburgh Council

23 August 2012

1 Purpose of report

1.1 The purpose of this report is to outline proposals for new political management arrangements for the City of Edinburgh Council in response to the following motion by the Leader at the Council meeting on 24 May 2012:

- “To recognise that having been returned by Edinburgh citizens as the two largest political parties represented on the City of Edinburgh Council, the Edinburgh Labour Party and the Scottish National Party had agreed to form a coalition to build a more co-operative and prosperous Edinburgh that benefited every individual and community.
- To agree that the Capital Coalition contract represented a fresh start for Edinburgh and reflected a Council that would listen to, and work with local people and which would co-operate in a co-operative, fair, accountable and responsible manner.
- To welcome the Capital Coalition Administration’s commitment to more democratic governance arrangements which facilitated greater consensus based decision making and which provided for strengthened scrutiny.

1.2 Therefore, to agree that a review of the political management arrangements should be reported to the August 2012 Council meeting for elected member consideration and determination. Further, to agree that the governance review should include specific recommendations for:

- Proportionate cross party representation on committees;
- Strengthened scrutiny arrangements for the committee system of governance;
- Establishing a petitions committee to allow Edinburgh citizens to call for specific action to be taken by the Council;
- Establishing a cross party budget committee open to representations;
- Establishment of a co-operative development unit to support implementation of the partnership’s coalition commitments;

- Establishing a city-wide Transport Forum of experts and citizens to consider our modern transport needs;
- Establishing a champion for Carer's issues at senior elected member level;
- Establishing a champion for Third Sector issues at senior elected member level.

1.3 With recommended timescales for implementing these initiatives."

2 Main report

Background

- 2.1 The current political management arrangements were approved and implemented in June 2007. Following the election on 3 May 2012 the Capital Coalition agreed a range of pledges for delivery during the 2012-2017 term of the Council and committed to move Edinburgh forward for the benefit of the city and its people, based on stability and confidence with greater consensus-based decision-making.
- 2.2 A wide examination of best practice and arrangements in other local authorities has been undertaken to influence the formulation of the following proposals for new political management arrangements with emphasis on accountability and transparency along with enhanced scrutiny and policy development functions.
- 2.3 The consultation paper on proposed new political management arrangements was circulated to members on 19 July 2012 and consultation has been ongoing during the summer recess. There has been constructive and helpful feedback in relation to the proposals which is being considered and developed to refine the model.

Proposals

- 2.4 The proposed model is designed to deliver streamlined and high-quality decisions with effective accountability and oversight. A key feature is elected member involvement in policy development that will involve engagement and consultation with key stakeholders from the outset.
- 2.5 The following principles have been embedded within the proposed new structure:
- close alignment to the Capital Coalition Pledges, council outcomes and priorities and single outcome agreement 2012-2015.
 - a strategic approach to decision making, focusing on key decisions, policy development, review and effective oversight.
 - engagement with and support of pro-active community, stakeholder and partner involvement in policy and service design to ensure decisions reflect public and community views.

- effective, visible oversight and scrutiny in key areas including financial and operational performance, risk and decision-making.
 - a corporate, cross council approach where all services are directed to deliver Capital Coalition Pledges, outcomes and priorities.
- 2.6 The Council will consider discontinuing the current executive committee model and replacing with a new system comprised of:
- a) Corporate Policy and Finance Committee;
 - b) Policy Overview Committees;
 - c) Governance, Risk and Best Value Committee;
 - d) Petitions Committee;
 - e) Neighbourhood Partnerships (Advisory Committees);
 - f) Current committee arrangements for Planning and Regulatory responsibilities, appeals and joint boards.
- 2.7 An outline of the Terms of Reference of each Committee and Scheme of Delegated Functions is set out in Appendix Two.

Corporate Policy and Finance Committee

- 2.8 The membership of the Corporate Policy and Finance Committee will be either 13 members with a political balance of 5 Labour, 4 SNP, 2 Conservative, 1 Green and 1 SLD, or 15 members with an additional two opposition members. The proposed remits of Lead Members is set out in Appendix Three.
- 2.9 Education, Children and Families business will be considered at the beginning of each meeting and the Lead Member for Education, Children and Families will be the Chair of the meeting for this section of the agenda. Additional members will attend the committee for consideration of Education, Children and Families business.
- 2.10 The proposed new committee model, together with the Capital Coalition Pledge to include a new parent representative, present an opportunity to consider the options for the non-statutory, parent and teacher, representatives to make their contribution to the Council's education business. There is no discretion in relation to the religious representatives, who must by law be included as voting members of a Committee that deals with education functions of the Council. Therefore, when considering the composition of the new Corporate Policy and Finance Committee, which will carry out decision making in relation to education matters, the options for additional voting members are:
- a) **Option One:** three religious representatives in accordance with the statutory provisions.
 - b) **Option Two:** five additional members – three religious representatives and two teacher representatives. This would be in line with current representation on the Education, Children and Families Committee.
 - c) **Option Three:** six additional members to include three religious representatives, 3 teacher representatives and one parent representative.

2.11 If option one, outlined in paragraph 2.9 (a) above, is chosen, there remains the opportunity to include the parent and teacher representatives on the Education, Children and Families Policy Overview Committee, with direct participation on policy formulation and review of policy outcomes.

2.12 Policy Overview Committees

2.13 The Policy Overview Committees will be responsible for creating policy, reviewing policy outcomes and investigating options for future direction in policy development within their areas of remit. The scope of the Policy Overview Committees will be reviewed annually to ensure they continue to reflect the Capital Coalition Pledges, Vision, Values and Strategic Plan and Five-year Business Plan.

Option One

2.14 The Policy Overview Committees could initially focus across the following key areas, refining and building on the current executive committee remits:

- Budget;
- Culture and Sport;
- Economy;
- Education, Children and Families;
- Health, Social Care and Housing;
- Transformation and Resources; and
- Transport and Environment

Option Two

2.15 As outlined in the ‘Capital Coalition Pledges – Delivery and Performance’ report, also on this agenda, there is an opportunity to align the Pledges within the new proposed political governance model. Each Policy Overview Committee could be themed to ensure dedicated focus on the key Pledges within each area as follows:

- Advancing Equalities;
- Children and Families;
- Health and Well Being;
- Successful Communities;
- Economy;
- Budget and
- Operational Excellence.

2.16 The membership of the Policy Overview Committees will be 13 members with a political balance of 5 Labour, 4 SNP, 2 Conservative, 1 Green and 1 SLD or, in the case of Education, Children and Families (Children and Families), Health Social Care and Housing (Health and Wellbeing) and Transport and Environment (Successful Communities) Policy Overview Committee’s the membership would be 15 members, with an additional Conservative and an additional Green party member. Additional members will attend the Education, Children and Families Policy Overview Committee for consideration of Education, Children and Families business.

- 2.17 Proposed regulations for the appointment of religious, teacher and parent representatives are set out in Appendix Five.

Governance, Risk and Best Value Committee

- 2.18 The Governance, Risk and Best Value committee will replace the current Audit Committee with a strengthened and wider remit in relation to both financial and operational scrutiny.
- 2.19 The membership of the Governance, Risk and Best Value Committee will be 13 members with a political balance of 5 Labour, 4 SNP, 2 Conservative, 1 Green and 1 SLD.
- 2.20 It is proposed, in accordance with Audit Scotland guidance, that the Chair of the Governance, Risk and Best Value committee is a member of the opposition.

Petitions Committee

- 2.21 The committee will consider petitions submitted online as an epetition or in writing, in accordance with the proposed petitions procedures detailed in appendix four, and determine the appropriate action to take.
- 2.22 The membership of the Petitions Committee will be 10 members with a political balance of 3 Labour, 3 SNP, 2 Conservative, 1 Green and 1 SLD.
- 2.23 It is proposed that the Chair of the petitions committee will be a member of the opposition.

Pensions Committee and Audit Sub Committee (Pensions)

- 2.24 Proposals for a new Pensions Committee and Audit Sub Committee are detailed in the report 'Review of Lothian Pension Funds Governance Framework' also on this agenda. The findings of the review were reported to the Pensions and Trusts Committee on 27 June 2012.
- 2.25 Proposals include the creation of a separate Pensions Committee and Audit Sub Committee for the Lothian Pension Fund. The Pensions Committee will consist of 5 City of Edinburgh elected members and 2 external members with the political balance of 2 Labour, 2 SNP and 1 Conservative. The two places for external members will be offered to the pension fund stakeholders, one employer representative and one member representative, taken from the Consultative Panel.
- 2.26 The Audit Sub Committee will be appointed by the Pensions Committee and membership will be 3 members of the Pensions Committee, at least two would be elected members from the City of Edinburgh Council. It is anticipated this will improve pension fund governance and support the distinction between the council and the pension fund.
- 2.27 The Governance of charitable trusts will transfer to the Corporate Policy and Finance committee.

Programme of Meetings

- 2.28 Council meetings will continue to meet on a four weekly basis. Other Committees will generally meet every eight weeks with the exception of the Corporate Policy and Finance Committee and the Governance, Risk and Best Value Committee where the pace of key decision-making and effective scrutiny will necessitate a four weekly pattern of operation. A proposed programme of meetings set out in Appendix Seven.
- 2.29 No changes are proposed in this report to the arrangements for planning, regulatory, statutory or appeals committees or to the existing arrangements for the 12 Neighbourhood Partnerships.
- 2.30 If agreed at the Council meeting in September, the new arrangements could be effective from 29 October 2012.

Designation of Senior Councillors

- 2.31 On 24 May 2012, the Council agreed to allocate 'senior councillor' status to members of the executive committees. If the proposals in this report are agreed and are implemented from 29 October 2012, the executive committees will cease from that date.
- 2.32 It is proposed that Councillors appointed to the following positions will be designated senior councillors with the level of remuneration based on the percentage of the Leader's salary as follows:
- Administration Lead Members on the Corporate Policy and Finance Committee - 65%;
 - Chairs of the Budget, Culture and Sport, Education, Children and Families, Health, Social Care and Housing and Transformation and Resources Policy Overview Committees - 45%;
 - Chair of the Governance, Risk and Best Value Committee - 50%; and
 - Chair of the Petitions Committee - 45%.
- 2.33 The total cost of Councillors' remuneration, as adjusted, can be contained within the sum prescribed in the appropriate regulations.

Committee Business Processes

- 2.34 The proposed political management arrangements also include a range of revised committee business processes set out in Appendix One. The following is a summary of the main proposals:
- Business bulletins will be introduced to include information on developments, improvements and news within the remit of a committee where a decision was not required. It is anticipated this will replace reports for noting or information but will be a formal report on the committee agenda to support debate, comment on issues or allow requests for a detailed report on any item referred to, via a competent motion.

- The format of committee reports will be refreshed and include a briefing note with a covering summary and recommendations. To enhance content, the briefing will be outcome and pledge focused in a SMART format with critical areas such as equalities, environmental impact and financial information embedded in the content.
 - The Corporate Policy and Finance Committee will agree and publish a key decisions forward plan for each 12-week period.
 - Each Policy Overview Committee will have a work programme linked to the key priorities and outcomes, the Capital Coalition pledges, strategic plan and once approved, five year business plan.
 - The Governance, Risk and Best Value Committee will formulate its own work programme and this will be reviewed and adjusted every four months;
- 2.35 The Governance Unit, working closely with Business Intelligence and Members' Services will provide and develop the full range of research, information and support services in line with the focus on policy and scrutiny within the proposed new arrangements. All revised committee business arrangements will be kept under review in close consultation with members.

Champions

- 2.36 Two Champion roles have been established for Festivals and Events and Veterans, currently undertaken by the Depute Leader and Lord Provost respectively.
- 2.37 The Capital Coalition has committed to establish two further Champion roles to focus on and provide additional support to both the third sector and carers. Discussions are currently being undertaken with lead organisations in both key areas in line with actions to deliver the Capital Coalition pledges and members will be advised of final proposals for nominations at the next council meeting.

Standing Orders

- 2.38 In line with the proposals for revised political management arrangements, procedural Standing Orders for Council and Committee Meetings have been revised and updated and are set out in Appendix Seven.

Scheme of Delegation to Officers, Financial Regulations and Contracts Standing Orders

- 2.39 The existing Scheme of Delegation is being fully updated to reflect new statutory provisions, the current organisational structure and areas of responsibility assigned to chief officers. The current Financial Regulations and Contracts Standing Orders are also currently being refreshed and updated. Consultation on the proposals within the revised Scheme of Delegation to officers, Financial Regulations and Contracts Standing Orders will commence on 27 August 2012.

3 Financial implications

3.1 There are no financial implications as a result of this report. The implementation of the review of political management arrangements will be contained within existing resources.

4 Equalities impact

4.1 There are no equalities implications as a result of this report.

5 Environmental impact

5.1 There are no environmental implications as a result of this report.

6 Recommendations

6.1 To recommend that the Council:

- a) Notes that no final decision on any element of the review is being taken at this Council meeting;
- b) Notes the proposed revised political management arrangements and suite of supporting documentation;
- c) Notes consultation on the Scheme of Delegation to Officers, Financial Regulations and Contracts Standing Orders will commence on 27 August 2012; and
- d) Notes further reports will be submitted to Council for determination and decision on 20 September 2012.

Alastair D Maclean
Director of Corporate Governance

Appendices	Appendix One: Edinburgh Governance: Political Management Arrangements Appendix Two: Committee Terms of Reference and Delegated Functions Appendix Three: Corporate Policy and Finance Committee Lead Members Appendix Four: Petitions Committee Draft Procedures Appendix Five: Regulations for the appointment of Religious, Teacher and Parent Representatives Appendix Six: Programme of Meetings Appendix Seven: Procedural Standing Orders
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Wards affected	All
Single Outcome Agreement	National Outcome 15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.
Background Papers	None

Appendix One
Edinburgh Governance
Political Management Arrangements

Consultation

July 2012

Engagement
Transparency
Accountability
Consensus

Index

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2. Consultation
3. Proposed Committee Model
4. Overview of the new arrangements
5. Committee Model: Details and Options – Corporate Policy and Finance Committee
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7. Governance, Risk and Best Value Committee
8. Petitions Committee
9. Equalities

1. Introduction

- 1.1 The current political management arrangements were implemented following approval in June 2007 and are as follows:
 - 1.1.1 Policy and Strategy Committee.
 - 1.1.2 Six Executive Committees: Culture & Leisure, Economic Development, Education, Children & Families, Finance and Resources, Health, Social Care and Housing, and Transport, Infrastructure and Environment.
 - 1.1.3 Audit Committee.
- 1.2 Following the election on 3 May 2012 the Capital Coalition agreed a range of commitments for delivery during the 2012-2017 term of the Council as follows:
 - a) Every child in Edinburgh gets the best start in life;
 - b) Reducing poverty, inequality and deprivation;
 - c) Providing for Edinburgh's prosperity;
 - d) Strengthening and supporting our communities and keeping them safe;
 - e) Ensuring Edinburgh and its residents are well cared for; and
 - f) Maintaining and improving the quality of life.
- 1.3 The coalition also committed to move Edinburgh forward for the benefit of the city and its people, based on stability and confidence with greater consensus-based decision-making. Arrangements for decision-making were considered to find a model to better reflect public opinion along with strengthening the existing scrutiny arrangements.
- 1.4 On 24 May 2012, the Council agreed that a review of political governance arrangements should be reported to the August Council meeting for elected members consideration and determination.
- 1.5 A wide examination of best practice and arrangements in other local authorities has been undertaken to influence the formulation of the following specific proposals on the recommended system for Edinburgh in 2012.

2. Consultation

- 2.1 The following proposals present an outline of a proposed new committee model and political management arrangements for consideration and feedback.
- 2.2 There is a range of options to tailor the approach specified within the body of the report.
- 2.3 The consultation period will run from **19 July 2012 to 13 August 2012**. This paper and appendices will be made available electronically and in paper format.
- 2.4 During the consultation period, any views on this proposal can be sent by e-mail to governancereview@edinburgh.gov.uk or to Governance Review, City of Edinburgh Council, Business Centre 2.6, Waverley Court, Edinburgh EH8 6EN.
- 2.5 **All responses should be received by 13 August 2012.**
- 2.6 For further information please contact Carol Campbell, Acting Head of Legal, Risk and Compliance or Kirsty-Louise Campbell, Governance Review Programme Manager. Telephone 0131 529 3654 or email governancereview@edinburgh.gov.uk

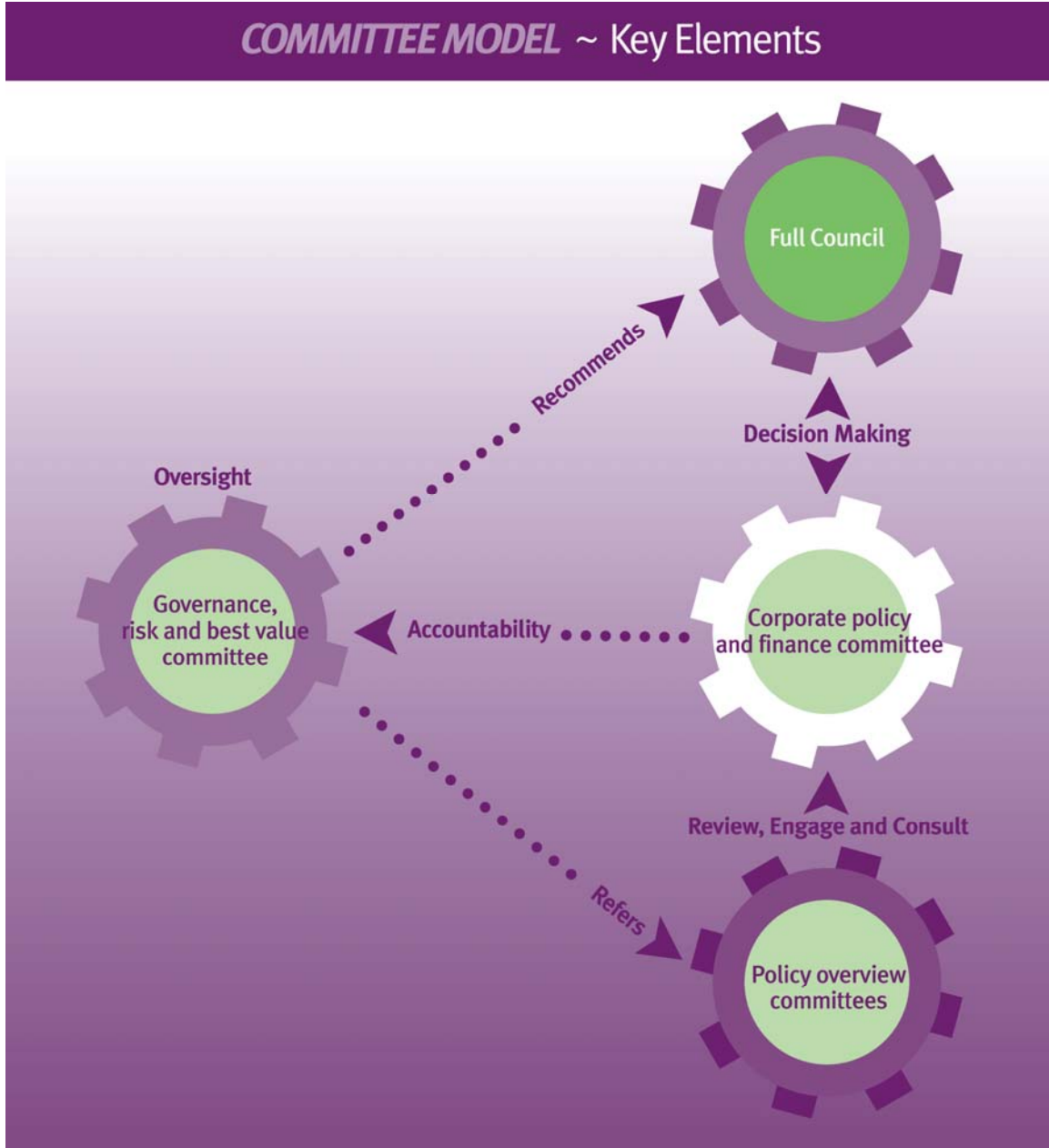
3 Proposed Committee Model

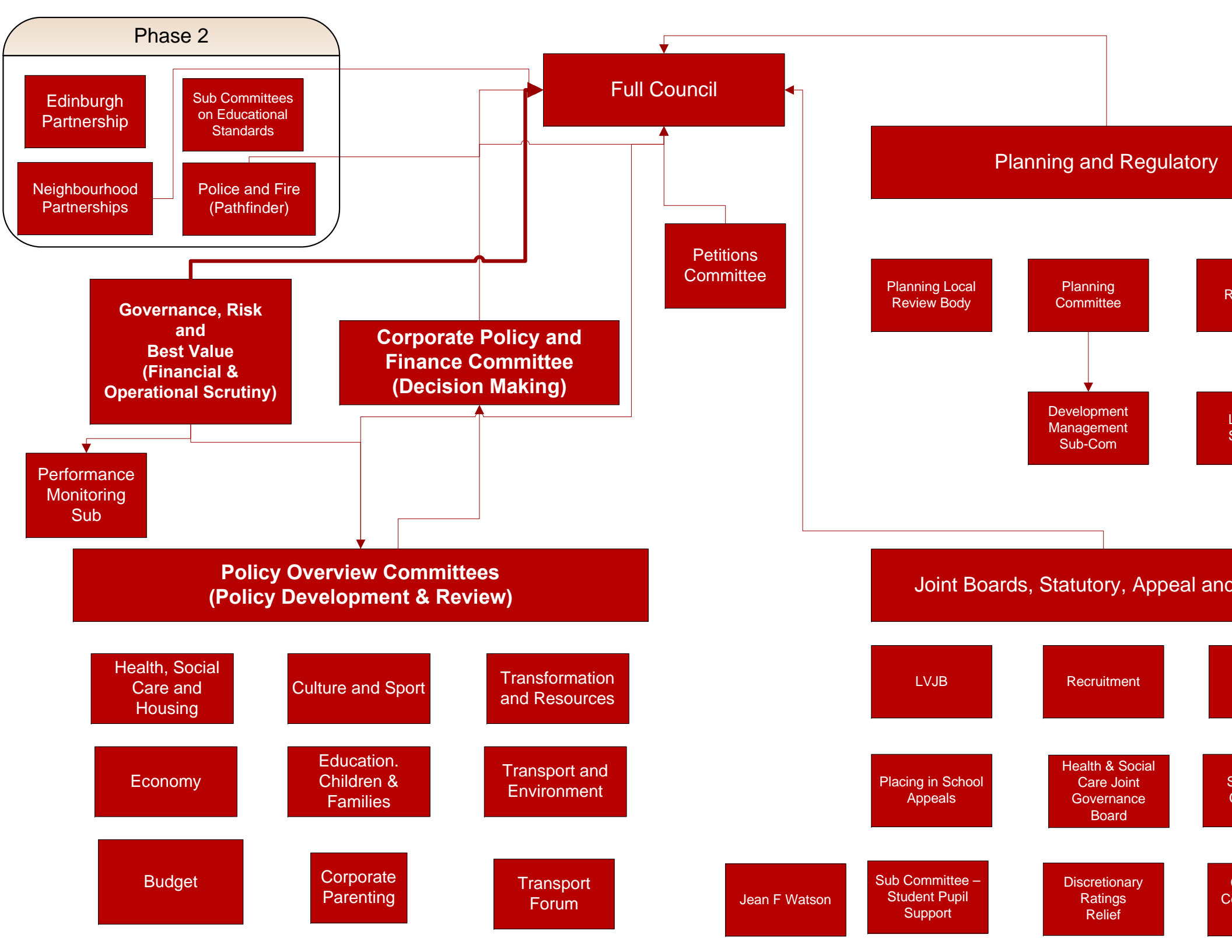
- 3.1 The model is designed to deliver streamlined and high-quality decisions with effective accountability and oversight. A key feature is elected members involvement in policy development that will involve engagement and consultation with key stakeholders from the outset.
- 3.2 The following principles have been embedded within the proposed new structure:
 - 3.2.1 close alignment to the Capital Coalition Pledges, key council priorities and single outcome agreement.
 - 3.2.2 a strategic approach to decision making, focusing on key decisions, policy development, review and effective oversight.
 - 3.2.3 engagement with and support of pro-active community, stakeholder and partner involvement in policy and service design to ensure decisions reflect public and community views.
 - 3.2.4 effective, visible oversight and scrutiny in key areas including financial and operational performance, risk and decision-making.
 - 3.2.5 a corporate, cross council approach where all services are directed to deliver pledges, outcomes and priorities.
- 3.3 The proposed committee model is as follows:
 - a) Full Council
 - b) Corporate Policy and Finance Committee;
 - c) Policy Overview Committees;
 - d) Governance, Risk and Best Value Committee;
 - e) Petitions Committee;
 - f) Neighbourhood Partnerships; and
 - g) Current committee arrangements for regulatory responsibilities, appeals and Joint Boards.
- 3.4 The model has a range of benefits and improves upon some key areas that have caused concerns within our current committee approach.
 - 3.4.1 The model aims to be both accessible and straightforward. There are currently around 40 separate committees in operation and a significant number of working groups covering a wide variety of remits. The model will bring the most important areas for the Council to one decision making body, both supporting and promoting a strategic and

corporate approach from all council services and to council business overall.

- 3.4.2 Current oversight arrangements have been assessed by Audit Scotland as 'passable' but not always effective. This is largely due to the narrow remit of the current Audit Committee which is not currently focused on service and quality improvement. The proposed Governance, Risk and Best Value Committee has a wider, more detailed remit covering performance and risk in a much wider sense. It is anticipated that this will significantly strengthen oversight and scrutiny throughout the organisation.
- 3.4.3 Engagement with citizens, key stakeholders, the third sector and communities is not undertaken formally at the outset of policy development. In addition, opposition and back bench members are at times unaware of the development of key policy areas in the early stages, often until a report is presented for approval on an executive committee agenda. The new Policy Overview Committees will ensure that consultation and engagement is significantly enhanced, ensuring a range of input can be considered in the early stages of policy development from both elected members and citizens. It is anticipated this will support and build successful working relationships across the city.
- 3.5 A further phase of the Governance Review will consider in more detail community planning structures, existing neighbourhood partnership arrangements and local arrangements for consideration of Educational Standards. Further consultation will take place on these areas from October 2012.

3.6 Committee Model – Key Elements





4. Overview of New Arrangements

COMMITTEE	FUNCTION	MEMBERSHIP	FREQUENCY																										
Corporate Policy and Finance Committee	All Council's functions except those reserved to Full Council and those matters specifically delegated to other committees.	<ul style="list-style-type: none"> • 13 to 15 members appointed annually at the Full Council meeting in May. • Substitution: <ul style="list-style-type: none"> • Option One: no substitutes are permitted. • Option Two: substitutes are permitted. • Lord Provost and Depute Convener will not serve on the Committee. • Leader and Depute Leader of the Council will act as the convener and vice convener of the Committee. • Committee Members based on current political balance as follows: <table style="margin-left: 40px; border: none;"> <tr> <td>Option One:</td> <td>13 members</td> </tr> <tr> <td>Labour</td> <td>5</td> </tr> <tr> <td>SNP</td> <td>4</td> </tr> <tr> <td>Conservative</td> <td>2</td> </tr> <tr> <td>Green</td> <td>1</td> </tr> <tr> <td>SLD</td> <td>1</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Option Two:</td> <td>15 members</td> </tr> <tr> <td>Labour</td> <td>5</td> </tr> <tr> <td>SNP</td> <td>4</td> </tr> <tr> <td>Conservative</td> <td>3</td> </tr> <tr> <td>Green</td> <td>2</td> </tr> <tr> <td>SLD</td> <td>1</td> </tr> </table> 	Option One:	13 members	Labour	5	SNP	4	Conservative	2	Green	1	SLD	1			Option Two:	15 members	Labour	5	SNP	4	Conservative	3	Green	2	SLD	1	4 weeks
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SLD	1																												

COMMITTEE	FUNCTION	MEMBERSHIP	FREQUENCY
		<ul style="list-style-type: none"> • Additional Members Education function: 3 persons representing churches and other religions appointed under section 124 of the Local Government (Scotland) Act 1973. • Education, Children and Families business will be considered at the beginning of each meeting and the Lead Member for Education, Children and Families will be the convener of the meeting for this section of the agenda. 	

COMMITTEE	FUNCTION	MEMBERSHIP	FREQUENCY
Policy Overview Committees	<p>Responsible for policy development, policy review; and equalities issues across the following key areas:</p> <p>Option One:</p> <ul style="list-style-type: none"> • Health, Social Care and Housing; • Economy; • Culture and sport; • Education, Children and Families; • Transport & Environment; • Transformation and Resources; and • Budget. <p>Option Two:</p> <ul style="list-style-type: none"> • Advancing Equalities; • Children and Families; • Health and Well Being; • Successful Communities; • Economy; • Budget; and • Operational Excellence. 	<ul style="list-style-type: none"> • Option One -13 members for all Policy Overview Committees as follows: <ul style="list-style-type: none"> Labour 5 SNP 4 Conservative 2 Green 1 SLD 1 • Option Two – 15 members on the following Policy Overview Committees: <ul style="list-style-type: none"> • Health, Social Care and Housing; (Health & Wellbeing) • Education, Children and Families (Children and Families); and • Transport and Environment (Successful Communities). <p>Political Balance:</p> <ul style="list-style-type: none"> Labour 5 SNP 4 Conservative 3 Green 2 SLD 1 <ul style="list-style-type: none"> • 13 members on the Economy, Culture and Sport, Transformation and Resources (operational excellence) and Budget Policy Overview Committees. <ol style="list-style-type: none"> 1. The ChairChairs will be senior administration members who are not on the Corporate Policy and Finance Committee. 2. Lead Member(s) attend. 11 3. Co-opt up to 3 people as either voting or non-voting members to bring external expertise, knowledge or experience as necessary. 	8 weeks

COMMITTEE	FUNCTION	MEMBERSHIP	FREQUENCY										
Governance, Risk and Best Value Committee	Operational and financial oversight and scrutiny.	<ul style="list-style-type: none"> • 13 members as follows: <table style="margin-left: 20px; border: none;"> <tr> <td>Labour</td> <td style="text-align: right;">5</td> </tr> <tr> <td>SNP</td> <td style="text-align: right;">4</td> </tr> <tr> <td>Conservative</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Green</td> <td style="text-align: right;">1</td> </tr> <tr> <td>SLD</td> <td style="text-align: right;">1</td> </tr> </table> • The Chair of the Committee will be a senior opposition member. 	Labour	5	SNP	4	Conservative	2	Green	1	SLD	1	4 weeks
Labour	5												
SNP	4												
Conservative	2												
Green	1												
SLD	1												
Petitions Committee	<p>Consider petitions referred to CEC, agree validity and action.</p> <p>Makes recommendations to the appropriate committee.</p>	<ul style="list-style-type: none"> • 10 elected members: <table style="margin-left: 20px; border: none;"> <tr> <td>3 Labour</td> </tr> <tr> <td>3 SNP</td> </tr> <tr> <td>2 Conservative</td> </tr> <tr> <td>1 Green</td> </tr> <tr> <td>1 SLD</td> </tr> </table> • The Petitions Committee Chair will be a senior opposition member. 	3 Labour	3 SNP	2 Conservative	1 Green	1 SLD	8 weeks					
3 Labour													
3 SNP													
2 Conservative													
1 Green													
1 SLD													

5. Committee Model: Details and Options

5.1 Corporate Policy and Finance Committee

5.2 The Corporate Policy and Finance Committee will discharge all of the Council's functions except those reserved to the Full Council or matters specifically delegated to other committees. In effect, the Committee will replace the existing Policy and Resources, Finance and Resources, and all current executive committees, particularly in relation to their decision-taking role.

5.3 This will include decisions across the following areas:

5.3.1 Policy and objectives;

5.3.2 Resources and services;

5.3.3 Financial management;

5.3.4 Property, accommodation and staffing;

5.3.5 Corporate matters;

5.3.6 Information and Communication Technology (ICT); and

5.3.7 Transformation.

5.4 Decisions on Routine Matters

5.5 The emphasis of the Corporate Policy and Finance Committee is to deal with decisions on key strategic areas of business and profile policy matters. There are currently some routine areas for example, small lease agreements and some roads matters, that would be dealt with by either:

5.5.1 an enhanced Scheme of Delegation to Officers with appropriate ongoing oversight via the Governance, Risk and Best Value Committee; or

5.5.2 a sub-committee of the Corporate Policy and Finance Committee called the Corporate Resources or General Purposes Committee that would deal with specified 'routine' items of business.

5.6 Membership

5.7 All political groups will be represented on the Corporate Policy and Finance Committee in accordance with the political balance of the Council.

5.8 Option One: There will be 9 members from the administration and 4 opposition members.

5.9 Option Two: There will be 9 members from the administration and 6 opposition members.

5.10 **Substitutes**

5.11 Option one: Substitutes will not be permitted, except in relation to Education, Children and Families business.

5.12 Option two: Substitutes will be permitted.

5.13 **Lead Members**

5.14 The Capital Coalition confirmed the profile of elected member leadership within the Council. In accordance with this commitment, the Full Council will appoint the following 9 Lead Members, from the administration, to the Corporate Policy and Finance Committee annually at the May Council Meeting:

5.14.1 Leader

5.14.2 Depute Leader

5.14.3 Culture and Sport

5.14.4 Health, Social Care and Housing

5.14.5 Transport, Environment and Infrastructure

5.14.6 Finance and Resources

5.14.7 Education, Children and Families

5.14.8 Economic Development

5.14.9 Transformation and Neighbourhood Development

5.15 Opposition or shadow Lead Members may also be appointed by each of the opposition groups.

5.16 **Champions**

5.17 Two champion roles have been established for Festivals and Events and Veterans, currently undertaken by the Depute Leader and Lord Provost respectively.

5.18 The Capital Coalition has committed to establish 2 further champion roles to focus on and provide additional support to both the third sector and carers. Discussions will be undertaken with lead organisations in both key areas to consider and establish the most appropriate representatives.

5.19 **Education, Children and Families Business**

5.20 It is proposed that the Lead Member for Education, Children and Families will be the convener of the Education, Children and Families business section at the beginning of each meeting.

- 5.21 Where the Corporate Policy and Finance Committee considers any business that relates to the discharge of the Council's functions as education authority, it is required by statute to include three additional committee members who are interested in the promotion of religious education ("religious representatives") in accordance with section 124 of the Local Government (Scotland) Act 1973, as amended by section 31 of the Local Government etc (Scotland) Act 1994.
- 5.22 In addition to the religious representatives required by law, the current council practice has been to include two representatives of the teaching staff ("teacher representatives") as full voting members of the Education, Children and Families Executive Committee.
- 5.23 A commitment was made by the Capital Coalition to include a Parent representative for consideration of Education, Children and Families matters. It is proposed that this representative be a current, duly elected, member of the Consultative Committee with Parents (CCWP). The CCWP would take nominations, vote and make a recommendation to the Full council to nominate one of their members to fulfil this role.
- 5.24 The proposed new committee model, together with the inclusion of a new parent representative, present an opportunity to consider the options for the non-statutory (parent and teacher) representatives to make their contribution to the Council's education business. There is no discretion as regards the religious representatives, who must by law be included as voting members of a committee that deals with education functions of the Council. Therefore, when considering the composition of the new Corporate Policy and Finance Committee, which will carry out decision-making in relation to education matters, the options for additional voting members are:
- 5.24.1 **Option one:** 3 religious representatives in accordance with statutory provisions.
 - 5.24.2 **Option two:** 5 additional members, 3 religious representatives and 2 teacher representatives. This would be in line with current representation on the Education, Children and Families Committee.
 - 5.24.3 **Option three:** 6 additional members to include the 3 religious representatives, 2 teacher representatives and a Parent representative.
- 5.25 If option one is chosen, there remains the opportunity to include the parent and teacher representatives as members of the Education, Children and Families Policy Overview Committee, with direct participation in policy

formulation and review of policy outcomes. This is discussed below at paragraph 6.13.

5.26 Focus on key, strategic decisions

- 5.27 A Leaders Bulletin will be published for each committee meeting. It is envisaged that this would include information on developments, improvements and news within the remit of the committee where a decision was not required.
- 5.28 This will replace reports for information or noting only and could be presented in an article style similar to the current Leaders report to the Full Council. The bulletin will be a formal report on the committee agenda to ensure that committee debate, comment on the issues or a request can be made for a more detailed report for the next or a future committee, via a competent motion.

5.29 Business Processes – Agenda

- 5.30 The agenda for the Corporate Policy and Finance Committee will comprise:
- 5.30.1 Matters remitted by the Council;
 - 5.30.2 Reports from officers with comments from Lead Members (refer to paragraph 5.32);
 - 5.30.3 Reports from officers on corporate matters;
 - 5.30.4 Reports from the Policy Overview Committees; and
 - 5.30.5 Key Decisions Forward Plan (refer to paragraph 5.34).
- 5.31 The agenda will be issued to all members of the council via CPOL/Email. The issue of committee papers is being phased out following the introduction of iPads.
- 5.32 Members of the Corporate Policy and Finance Committee may also meet in private for informal agenda planning discussions.

5.33 Reports

- 5.34 Officers will prepare reports, with professional advice and recommendations on matters requiring decisions by the Committee.
- 5.35 The report format will be a briefing note with a covering executive summary and recommendations. Members will be able to link to a full range of background documents using their iPads. To enhance content, the briefing note will be commitment and priority focused in a SMART format with critical areas such as equalities, environmental impact and

financial implications embedded in the content. Agreed outcomes and performance measures will be identified in the initial report to ensure effective future oversight and scrutiny.

- 5.36 A report seeking decisions on matters of corporate strategy, corporate policy and projects will be submitted directly to Council or Committee by officers.
- 5.37 Lead Members will be consulted in the first instance on reports relating directly to responsibilities of that member. There is an option to introduce a covering sheet or section of the report for the Lead Member to make comments on each item of business.
- 5.38 The Corporate Policy and Finance Committee will report to the Council annually with a work programme and an annual review of capital coalition pledges – delivery and performance.

5.39 Key Decisions Forward Plan

- 5.40 To ensure the business of the committee is accessible and transparent a rolling forward plan of key decisions will be published for each 12-week period and this will be an agenda item for each committee meeting.

5.41 Referral to Full Council

- 5.42 If, following a decision taken by Corporate Policy and Finance Committee, [one quarter] of the committee members present, immediately indicate that they wish a decision to be referred to Full Council for consideration, the Clerk to the Committee will report on the matter to the next Full Council meeting.

6. Policy Overview Committees

- 6.1 Policy Overview Committees will be responsible for creating policy, reviewing policy outcomes and investigating options for future direction in policy development within their areas of remit. They will operate on a crosscutting basis.
- 6.2 Policy will be developed by these Committees or considered by them, prior to being referred for decision to the Corporate Policy and Finance Committee, unless urgent action is required.
- 6.3 Initially, the Council will appoint 7 Policy Overview Committees:
- 6.4 Option one:
 - 6.4.1 Health, Social Care and Housing
 - 6.4.2 Economy
 - 6.4.3 Culture and Sport
 - 6.4.4 Education, Children and Families
 - 6.4.5 Transport and Environment
 - 6.4.6 Transformation and Resources
 - 6.4.7 Budget
- 6.5 Option two:
 - 6.5.1 Advancing Equalities;
 - 6.5.2 Children and Families;
 - 6.5.3 Health and Well Being;
 - 6.5.4 Successful Communities;
 - 6.5.5 Economy;
 - 6.5.6 Budget; and
 - 6.5.7 Operational Excellence.
- 6.6 The scope of Policy Overview Committees will be reviewed annually to ensure they continue to reflect the Capital Coalition Pledges, Council Vision, Values and Strategic Plan and Five-year Business Plan.
- 6.7 **Outline**
- 6.8 Any Policy Overview Committee may review the effect or impact of decisions made or actions taken in connection with the discharge of any council function that falls within its detailed remit where it relates to policy. It may require any member of the Corporate Policy and Finance Committee, the Chief Executive or their representative and/or any senior officer to attend meetings to explain, in relation to matters within their remit:

6.8.1 The extent to which actions taken effectively implement Council policy; and

6.8.2 The effect or impact of any decision taken by the Council, a Committee or officer under delegated powers in relation to approved council policy.

6.9 **Membership**

6.10 Option one -13 members for all Policy Overview Committees as follows:

Labour	5
SNP	4
Conservative	2
Green	1
SLD	1

6.11 Option Two - 15 members on the following Policy Overview Committees:

- Health, Social Care and Housing (Health and Wellbeing);
- Education, Children and Families; (Children and Families) and
- Transport and Environment (Successful Communities).

Political Balance:

Labour	5
SNP	4
Conservative	3
Green	2
SLD	1

- 13 members on the Economy, Culture and Sport, Transformation and Resources (Operational Excellence) and Budget Policy Overview Committees.

6.12 The Chair of the committee will be an elected member who does not sit on the Corporate Policy and Finance Committee.

6.13 Lead Members are required to attend Policy Overview Committees on request and work closely with the Committee Chair and members.

6.14 Policy Overview Committees can co-opt up to 3 additional voting or non-voting members.

6.15 **Additional Arrangements**

6.16 **Education, Children and Families Policy Overview Committee**

6.17 As with the Corporate Policy and Finance Committee, consideration needs to be given to the role of the statutory religious representatives as well as the non-statutory parent and teacher representatives. As outlined above, the religious representatives must by law be included in any Council committee that deals with the discharge of its functions as education authority. Arguably, this could include the policy overview committee and therefore it is envisaged that the three religious representatives would be voting members of the Education Policy Overview Committee. If the teacher and parent representatives are to be included as members of this committee, they could either be full voting members or non-voting members.

6.18 The preferred composition of the Education Policy Overview Committee may depend on the option chosen for the Corporate Policy and Finance Committee (Education Business) and vice versa. The proposed separation of decision-making from creation and development of policy/review of policy outcomes allows for more flexibility in determining the appropriate forum and level of participation of the non-statutory parent and teacher representatives in the Council's education business.

6.19 Two representatives from the Edinburgh City-Wide Youth Issues Forum could be co-opted members without voting rights to engage children and young people in policy development. It is proposed that consultation would be undertaken with appropriate groups to establish the most appropriate representation and approach.

6.20 A sub-committee for Corporate Parenting could be set up to focus and prioritise the needs of looked after children across all council services. This would replace the existing Member/Officer working group.

6.21 **Economy**

6.22 To support engagement across profile policy areas, business leaders, for example, from the Chamber of Commerce, local business representatives and key stakeholders could be co-opted with voting rights.

6.23 **Transport and Environment**

6.24 A sub-committee called the Transport Forum could be established, led by the Lead Member, in accordance with the Capital Coalition pledge to

- create a city-wide forum of experts and citizens to consider modern transport requirements in Edinburgh.
- 6.25 Focus on Policy Development and Review - Reviews and Investigations**
- 6.26 Policy Overview Committees can develop policies through investigations, commissioned reviews and select Committee style hearings.
- 6.27 Committee members may go on site visits, hold public meetings and undertake other activities that they reasonably consider necessary to inform their deliberations. They may invite witnesses to attend meetings.
- 6.28 Any investigations will be conducted according to the following principles:
- 6.28.1 the investigation is conducted fairly and all members of the Committee be given the opportunity to ask questions of attendees and contribute and speak;
 - 6.28.2 those assisting the Committee by giving evidence be treated with respect and courtesy; and
 - 6.28.3 the investigation is conducted to maximise the efficiency of the investigation or analysis.
- 6.29 Business Processes: Agenda**
- 6.30 Policy Overview Committees will mainly focus on policy development, and as required, policy review.
- 6.31 The agenda for each meeting will be between 1 to 5 items to ensure there is an opportunity for the Committee to effectively develop policy by considering written and oral evidence from a number of sources.
- 6.32 A summary and update report on the work programme will be submitted for consideration each meeting in the style of a bulletin from the Policy Overview Committee Chair.
- 6.33 Reports**
- 6.34 Once the Policy Overview Committee has drafted and agreed recommendations on proposals for policy development, the clerk will prepare a formal report and submit it to the Corporate Policy and Finance Committee for consideration.

6.35 The Corporate Policy and Finance Committee will consider the report at the next available meeting. If the recommendation(s) from the Policy Overview Committee are not agreed, the Clerk will report the decision of the Corporate Policy and Finance Committee to the next available meeting of the appropriate Policy Overview Committee.

6.36 Work Programme

- 6.37 Each Policy Overview Committee will have a work programme linked to the Capital Coalition Pledges, Vision, Values and Strategic plan and Five-year business plan.
- 6.38 The final Work Programme will be considered and approved by the Corporate Policy and Finance Committee annually and will identify the key policies that the Policy Overview Committee will be considering over the forthcoming year.
- 6.39 This will support effective consultation and engagement to ensure key stakeholders, communities and partners can be invited in good time to give oral or written evidence for meetings.
- 6.40 Preparation of the annual work programme would be supported by the Governance Unit with service area leads, the Policy Overview Committee Chair and appropriate Lead Member(s).
- 6.41 To support the work programme, policy development and review work it is proposed to set up a business unit of researchers and policy advisers, within the Governance Unit working closely with Business Intelligence, based on the Scottish Parliament SPICE model. This will focus on monitoring delivery of the capital coalition pledges, development of the co-operative council approach and be a supporting resource for all Policy Overview Committee business.
- 6.42 A report on work programme progress will be submitted to the Corporate Policy and Finance Committee every three months with a review report provided at the end of each year.

6.43 Consultation and Engagement

- 6.44 Planning for Policy Overview Committee business will involve service areas engaging with key stakeholders, communities and partners. Resources within the Governance Unit and Policy & Public Affairs will actively support, invite, arrange attendance of and brief key stakeholders and partners on the procedural aspects of attendance at Policy Overview Committees.
- 6.45 Policy Overview Committees will engage and consult at the outset of policy development, working closely with the service areas. Each group or appropriate representatives will be involved in the most important early development stages to assist elected members to determine the most

appropriate recommendations on policy to the Corporate Policy and Finance Committee.

- 6.46 Overall there is an opportunity for all parties to work together at the outset to formulate policy rather than issues or concerns being raised at the point of decision making where there is less scope to influence the overall shape of the policy.
- 6.47 **Issues within the remit of more than one Policy Overview Committee**
- 6.48 Where a Policy Overview Committee conducts a review which also falls, in whole or in part, within the remit of another Policy Overview Committee, then the Committee conducting the review will invite the Chair of the other Committee, or nominee, to attend when the matter is being reviewed.
- 6.49 **Referral to Full Council**
- 6.50 Option One: If recommendation(s) from a Policy Overview Committee are not agreed by the Corporate Policy and Finance Committee, at the request of [one quarter] of the members present at the meeting of the Policy Overview Committee to consider the decision, the matter can be referred to Full Council for consideration.
- 6.51 Option Two: At the request of at least [one quarter] of the voting members present at a meeting of a Policy Overview Committee, a recommendation of the Policy Overview Committee may be referred to Council rather than the Corporate Policy and Finance Committee for determination.
- 6.52 Recommendations following consideration of the impact on policy by a service issue referred by the Governance, Risk and Best Value Committee may be referred by the Policy Overview Committee to Full Council for consideration.

7. Governance, Risk and Best Value Committee

7.1 The Governance, Risk and Best Value Committee will:

7.1.1 monitor the financial performance of the Council and its subsidiary undertakings and the effectiveness of the Council's audit and inspection, risk management and governance arrangements and the control environment of the Council and associated anti-fraud and anti-corruption arrangements;

7.1.2 scrutinise and monitor the operational performance of all council services in relation to the Council's agreed commitments, policy objectives and statutory performance targets; and

7.1.3 make recommendations to Full Council on the outcome of the scrutiny and oversight process.

7.2 Subject to workload the Committee may consider establishing a Performance Monitoring Sub Committee to consider routine performance information.

7.3 Membership

7.4 The Chair of the committee will be a senior opposition member who does not sit on the Corporate Policy and Finance Committee. It is recommended that a new Chair is appointed on a regular basis, for example annually or for a fixed term, to support and ensure a fresh view and effective scrutiny at all times.

7.5 Members will be provided with specific training to fulfil this specialist role.

7.6 There will be no provision for substitutes or co-opted members.

7.7 The appropriate Lead Member(s) are expected to attend each meeting.

7.8 Business Processes – Agenda

7.9 The Committee will consider regular monitoring and any other reports on areas that fall within its remit – both in relation to operational and financial matters.

7.10 The Committee will commission in-depth reviews into policy, financial, operational and performance issues and will consider reports on these areas.

7.11 In fulfilling its scrutiny and oversight functions the Committee may require any Lead Member, the Council's Chief Executive and/or representative and/or any senior council officer and any Chief Officer or senior officer of a council subsidiary to attend its meetings to explain, in relation to matters within their remit:

7.11.1 Any particular decision or series of decisions.

7.11.2 The extent to which the actions taken implement Council policy and/or support Service Performance.

7.11.3 If the Lead Member(s) or invited officer(s) are unable to attend on the required date, an alternative suitable committee date will be arranged by Committee Services.

7.12 **Reports**

7.13 Once the Governance, Risk and Best Value Committee has agreed recommendations on any area within its remit, the Governance Unit will prepare a formal report and submit it to the Council for consideration.

7.14 The Council will consider the report at the next available meeting.

7.15 **Work Programme**

7.16 The Governance, Risk and Best Value Committee is responsible for setting its own work programme. This will be reviewed every 4 months.

7.17 Oversight and scrutiny topics will be chosen and investigated in an objective manner by those not directly involved in taking decisions. This will ensure a greater emphasis on fairness, accountability and responsibility.

8. **Petitions Committee**

8.1 The committee will consider petitions submitted online as an epetition or addressed to the City of Edinburgh Council in accordance with the Council's approved petitions procedure set out in Appendix Four and determine the appropriate action to be taken in terms of that procedure.

8.2 **Membership**

8.3 The Chair of the Committee will be a senior opposition councillor who does not sit on the Corporate Policy and Finance Committee.

8.4 There will be provision for substitutes to attend meetings.

8.5 Lead Members may be invited to attend in relation to particular items within their portfolio.

8.6 **Overview**

8.7 The Council aims to be as inclusive and accessible as possible and deliver quality and best value by providing good quality services, which meet the needs of the public, key stakeholders, customers and communities.

8.8 The public petitions process plays a role to deliver these objectives by encouraging the public, key stakeholders, customers, businesses and communities to fully participate in the decision making process, both in groups and as individuals.

8.9 **Validity**

8.10 It is recommended that a petition is supported by:

8.10.1 **Petition from Citizens** – at least 250 signatures from people living in the City of Edinburgh Council Area and on the Register of Electors.

8.10.2 **Petition from Local Business(es)** –at least 20 other businesses on the Valuation Roll.

8.11 **Options**

8.12 **Option One:** 250 signatures is the threshold for all petitions, as outlined in paragraph 8.10 above;

8.13 **Option Two:** 500 signatures is the threshold for all petitions but the Chair has a discretion between 250 and 500 signatures on any matter; and

8.14 **Option three:** 500 signatures is the threshold but the Chair has discretion between 250 and 500 signatures for localised issues only. This would apply where the principal petitioner can demonstrate that in relation to a particularly localised issue of concern, that it was not possible to obtain 500 relevant signatures.

8.15 **Process**

8.16 Once the petition has been verified as having been correctly completed and submitted, it will be considered at the next available meeting of the Petitions Committee.

8.17 The Chair of the committee may invite petitioners to appear before the committee to speak in support of their petition if it is considered this would be useful in assisting the committee reach a decision. Due to pressure of business, no guarantee can be given that petitioners will automatically be invited to address the committee.

8.18 The Petitions Committee will take a decision on action to be taken including:

8.18.1 agreeing that the issues raised merit further action and formally agreeing to refer the petition to the relevant decision making body;

8.18.2 agreeing that the issues raised do not merit further action; and

8.18.3 agreeing to take any other action as appropriate.

9. Equality and Rights

- 9.1 The Council believes that work to advance equality and rights through all committee and governance arrangements is necessary. The Council's approach to this area of work is described within the '**Framework to Advance Equality and Rights 2012/17.**'
- 9.2 In respect of the activities of council committees and other governance arrangements, officers and elected members must, throughout all their business, pay due regard to the **Equality Act 2010 public sector equality duty.**
- 9.3 The Council's policy position is to look to every opportunity to advance equality, as well as to look to mitigate any negative impacts on equality, as a result of its decision making processes and governance along with looking to every opportunity to enhance rights, as well as to mitigate any infringements of rights.
- 9.4 The Council's 'Corporate Equality and Rights Impact Assessment Programme 2012/17' will provide detailed assessments of equality and rights impacts of all council activities, which can then inform member's decision making. It is critical that as part of all relevant committee business and governance arrangements, that officers provide equality and rights impact assessment information and analysis, and that elected members seek out this information and analysis if it is not provided.

Appendix Two

CITY OF EDINBURGH COUNCIL

**COMMITTEE
TERMS OF REFERENCE AND
DELEGATED FUNCTIONS**

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Policy Overview Committees:

1. Budget
2. Culture and Sport
3. Economy
4. Education, Children & Families
5. Health, Social Care and Housing
6. Transformation and Resources
7. Transport and Environment

Governance, Risk and Best Value Committee

Other Committees:

Committee On Discretionary Rating Relief Appeals
Committee On Pupil And Student Support
Development Management Sub-Committee
Leadership Advisory Panel
Planning Committee
Pensions Committee
Pensions Audit Sub-Committee
Personnel Appeals Committee
Petitions Committee
Placing In Schools Appeals Committee
Recruitment Committee
Regulatory Committee
Social Work Complaints Review Committee
The City Of Edinburgh Planning Local Review Body

GENERAL

1 Introduction

- 1.1. The following terms of reference and delegated functions (“Committee Terms of Reference”) set out the powers delegated by the City of Edinburgh Council (“Council”) to its committees and sub-committees (“Committees”) pursuant to the Local Government (Scotland) Act 1973 (the “Act”).

2 Delegation to Committees

- 2.1. Subject to law, to the provisions of these Committee Terms of Reference, and to any restriction, direction or instruction of Council, there shall be delegated to the respective Committees all the functions and matters contained in:
 - 2.1.1. these Committee Terms of Reference;
 - 2.1.2. any scheme made under the Act or other statute;
 - 2.1.3. any minute of the Council making specific delegation to the Committee;
and
 - 2.1.4. the standing orders of the council relating to contracts.

3 Reserved matters

- 3.1. The following matters are reserved to the Council:
 - 3.1.1. all functions reserved by law to the Council.
 - 3.1.2. determining the strategic objectives of the Council.
 - 3.1.3. election of the Lord Provost, Depute Chair and Bailies.
 - 3.1.4. appointment of committees of the Council, agreeing and/or amending their terms of reference and delegation of functions to them.
 - 3.1.5. deciding the composition of committees of the Council and appointment of members to serve on them.
 - 3.1.6. appointment of members to serve on joint committees, joint boards and any outside body.
 - 3.1.7. making, amending, revoking, re-enacting or adopting standing orders.
 - 3.1.8. approving or amending any scheme of delegation to officers.
 - 3.1.9. the annual review of the revenue budget and the fixing of council tax.
 - 3.1.10. the annual review of the capital investment programme and approval of any capital project not included in the capital investment programme.
 - 3.1.11. any material expenditure which is not included in the annual revenue budget.
 - 3.1.12. members’ remuneration.
 - 3.1.13. making, amending, revoking, re-enacting or adopting, bye-laws, schemes, regulations or rules made under statute.
 - 3.1.14. the formal adoption of Development Plans.

- 3.1.15. The determination of an application for planning permission for a development of a class mentioned in A38A (i) of the Town and Country Planning (Scotland) Act 1997.
- 3.1.16. appointment and dismissal of the Chief Executive and appointment of a chief official.
- 3.1.17. any decision in relation to any proposal to delegate a power or duty to or accept a delegated power from any other local authority or to co-operate or combine with any other local authority in providing services.
- 3.1.18. promoting or opposing the making of local legislation and;
- 3.1.19. the preparation and review of the Scheme for Community Councils.

4 Urgent decisions

- 4.1 If a decision which would normally be made by a Committee requires to be made urgently between meetings of the Committee, the appropriate Director or the Chief Executive, in consultation with the [Chair or Vice-Chair or administration Lead Member], may take action, subject to the matter being reported to the next meeting of the Committee.

5 Substitutes

- 5.1 Where permitted by law and where specified in these Committee Terms of Reference, a member may appoint a substitute member from his or her political group to attend a meeting of the Committee in his or her place, by email to the Clerk in advance of the meeting.
- 5.2 The substitute member will be a member of the Committee for that meeting and will be entitled to take part in the meeting with the full powers, duties and responsibilities of a member.

COMMITTEE TERMS OF REFERENCE AND DELEGATED POWERS

1 Corporate Policy and Finance Committee

1.1. Constitution: 13 [- 15] Members of the Council including:

- [Leader of the Council
- Depute Leader of the Council
- Culture and Leisure Lead Member
- Health, Social Care and Housing Lead Member
- Transport, Environment and Infrastructure Lead Member
- Finance and Resources Lead Member
- Education, Children and Families Lead Member
- Economic Development Lead Member
- Transformation and Neighbourhood Development Lead Member]
- [4 or 6 opposition members]
- For business relating to the discharge of the Council's functions as education authority ("Education business") 3 persons appointed under S124 of the Local Government (Scotland) Act 1973, [2 teacher and one parent representatives appointed in terms of Regulations.]

1.2 Chair

1.3 The Leader of the Council will chair the Corporate Policy and Finance Committee, except for Education business where the chair will be the Lead Member for Education, Children and Families.

1.4 Quorum

Five members of the Corporate Policy and Finance Committee will constitute a quorum.

1.5 Substitution

1.6 Substitutes are [not] permitted.

1.7 Delegated functions

1.8 Power is delegated to the Corporate Policy and Finance Committee to discharge all of the Council's functions except those reserved to the Council and those matters specifically delegated to other Committees or to officers.

1.9 The Corporate Policy and Finance Committee may choose not to discharge a particular function, but to make a recommendation on the matter to the Council.

1.10 The Corporate Policy and Finance Committee is responsible for (a) guiding the Council in the formulation of its policy objectives and priorities (b) recommending to the Council such forward programmes and other steps as may be necessary to achieve these objectives, either in whole or in part, during specific time spans; and (c) keeping the policy objectives and priorities under review, and

recommending to Council such alterations as may be considered necessary from time to time.

2 Policy Overview Committees

2.1. **Constitution:** 13 [or 15] members of the Council as follows:

- 5 Labour
- 4 SNP
- 2 [or 3] Conservative
- 1 [or 2] Green
- 1 SLD

2.2. **Chair**

2.3. The Chair of each Policy Overview Committee will be a member of the administration, who is not a member of the Corporate Policy and Finance Committee.

2.4. **Quorum**

2.5. Five members of a Policy Overview Committee will constitute a quorum.

2.6. **Substitution**

2.7. Substitutes are permitted.

2.8. **Delegated functions**

2.9. Power is delegated to each Policy Overview Committee to discharge the following functions:

2.10. To examine on behalf of the Council various policies, strategies and plans in draft relating to the subject area within its remit (whether provided directly by the Council, or by external organisations or partnerships) and reporting on these to the Corporate Policy and Finance Committee.

2.11. To undertake reviews or policy development tasks in relation to any matters falling within the remit of the Committee, the annual work programme or as requested by the Corporate Policy and Finance Committee or referred by the Governance, Risk and Best Value Committee.

- 2.12. To fulfill the functions of policy development (including consideration of equalities and environmental issues) as they relate to existing Council policies and the areas specifically delegated to the Policy Overview Committee. These functions include as follows:

Policy Committee	Overview	Policy Areas	Lead Members to attend
Health, Social Care and Housing [or Health and Wellbeing]		Housing and Regeneration Home Safety Edinburgh Building Services Property Conservation Public and Community Safety Anti Social Behaviour Trading Standards Community care; Adult services; Criminal justice services; Community Health and Care Partnerships; Homelessness function and strategy Health and health improvement; Voluntary sector; Health Integration	Health, Social Care and Housing
Economy		Tourism Economic Development Strategy Economic Development Projects Public Realm Projects Inward Investment External Relations	Economic Development
Culture and Sport		Arts and Museums Festivals and Events Cultural Development Sport and Recreation Libraries	Depute Leader Culture and Leisure

Policy Committee	Overview	Policy Areas	Lead Members to attend
Education, Children & Families [or Children and Families]	Early Years Schools Quality and Curriculum Inclusion and Pupil/Parent Support Community Services e.g. youth work, adult learning, community centres Children's Social Work Teams (including Child Protection) Looked after and Accommodated Children Family and Community Support, including youth offending Additional Support Needs Disability Special Schools and Classes Planning and Performance Children's Partnership Major Capital Project implementation Asset planning Facilities management	Education, Children and Families	
Transport and Environment [or Successful Communities]	Strategic Transport Planning Roads & Parking Traffic Management Road Safety Trams Sustainability Carbon Reduction and energy issues Flood Prevention Waste Services Environmental Health Street cleaning and open space maintenance Parks and Green space	Transport, Environment and Infrastructure	

Policy Committee	Overview	Policy Areas	Lead Members to attend
Transformation and Resources [or Successful Communities and Operational Excellence]		Community, neighbourhood and partnership engagement and development Co-operative development and service design Transformation programmes and major projects Customer access and Care Organisational development Corporate Health & Safety Corporate Property and Emergency Planning ICT	Leader Depute Leader Neighbourhood Development and Transformation Finance and Resources
Budget		Budget & Finance	Leader Depute Leader Finance and Resources

2.13. Issues within the remit of more than one Policy Overview Committee

2.14. Where a Policy Overview Committee conducts a review, which also falls (in whole or in part) within the remit of another Policy Overview Committee, then the Committee conducting the review will invite the Chair of the other Committee (or nominee) to attend when the matter is being reviewed.

3 Governance, Risk and Best Value Committee

3.1. **Constitution:** 13 members of the Council [who are not members of the Corporate Policy and Finance Committee] as follows:

- 5 Labour
- 4 SNP
- 2 Conservative
- 1 Green
- 1 SLD

3.2. Chair

3.3. A member of the opposition, who is not a member of the Corporate Policy and Finance Committee.

3.4. Quorum

3.5. Five members of the Governance, Risk and Best Value Committee will constitute a quorum.

3.6. **Substitution**

3.7. Substitutes are not permitted.

3.8. **Delegated functions**

3.9. Power is delegated to the Governance, Risk and Best Value Committee to exercise the following functions:

3.10. To monitor the financial performance of the Council and its subsidiary undertakings, the effectiveness of the Council's audit and inspection, risk management and governance arrangements and of the control environment of the Council and associated anti-fraud and anti-corruption arrangements; including:

3.10.1. Scrutinising information on:

- 3.10.1.1. Council Budgets;
- 3.10.1.2. Management of Council assets;
- 3.10.1.3. Control, monitoring and review of income and expenditure, both revenue and capital;
- 3.10.1.4. Members remuneration and allowances;
- 3.10.1.5. Council subsidiaries;
- 3.10.1.6. Civic matters;
- 3.10.1.7. Children's Panel; and
- 3.10.1.8. Common good fund.

3.10.2. Monitoring the annual strategic audit plan and reviewing all Council audit and inspection work against the plan.

3.10.3. Receiving and considering summaries of internal and external audit reports which relate to any issue falling within the remit of this committee.

3.10.4. Monitoring internal financial control, corporate risk management and key corporate governance areas including procurement.

3.10.5. Monitoring grant allocations across the Council.

3.10.6. Referring back to the appropriate Policy Overview Committee for its consideration any financial performance issue, which might have implications for policy development within the remit of the Policy Overview Committee.

3.11. To scrutinise and monitor the operational performance of all council services and Council subsidiaries in relation to the Council's agreed pledges, outcomes, policy objectives and statutory performance targets, including:

3.11.1. considering any performance reports and information that relate to issues falling within the remit of Council services, including complaints handling, customer care and ombudsman reports;

- 3.11.2. monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input;
 - 3.11.3. monitoring employment, HR and equalities issues as they relate to the operation of the council corporately and to its individual services;
 - 3.11.4. monitoring major projects and programmes, service review and transformational change.
 - 3.11.5. Inviting the administration Lead Member(s) to attend committee and where appropriate, to question and hold them to account on the operational performance of any service area falling within their remit ; and
 - 3.11.6. Referring back to the appropriate Policy Overview Committee for its consideration any service performance issues that might have implications for policy development coming within the remit of the Policy Overview Committee.
- 3.12. To initiate and undertake specific scrutiny reviews of any matter falling within the remit of this committee or requested by the Corporate Policy and Finance Committee.
- 3.13. To promote the observance by Councillors of high standards of conduct and assist them in observing the code of conduct, in accordance with any guidance issued by the standards commission for Scotland.

4 Petitions Committee

- 4.1. **Constitution:** 10 members of the Council as follows:
- 3 Labour
 - 3 SNP
 - 2 Conservative
 - 1 Green
 - 1 SLD
- 4.2. **Chair**
- 4.3. An opposition member, who is not a member of the Corporate Policy and Finance Committee.
- 4.4. **Quorum**
- 4.5. Four members of the Petitions Committee will constitute a quorum.
- 4.6. **Substitution**
- 4.7. Substitutes are permitted.
- 4.8. **Delegated functions**

- 4.9. Power is delegated to the Petitions Committee:
- 4.10. to consider petitions addressed to the City of Edinburgh Council in accordance with the Council's approved petitions procedure and determine the appropriate action to be taken within the terms of the procedure.
- 4.11. The Council is unable to consider petitions that:
- 4.11.1. are sub-judice and the subject of current court proceedings;
 - 4.11.2. relate to a matter that is within the scope of the current approved work plan of a Policy Overview Committee;
 - 4.11.3. relate to a decision of the Council or Committee within the previous six month period.

5 Planning Committee

- 5.1. **Constitution:** 15 members of the Council as follows:
- 5 Labour
 - 5 SNP
 - 3 Conservative
 - 1 Green
 - 1 SLD
- 5.2. **Chair**
- 5.3. The Chair will be a member of the City of Edinburgh Council.
- 5.4. **Quorum**
- 5.5. Six members of the Planning Committee will constitute a quorum.
- 5.6. **Substitution**
- 5.7. No substitutes are permitted.
- 5.8. **Delegated functions:**
- 5.9. Power is delegated to the Planning Committee:
- 5.10. To exercise the functions of the Council as planning and street naming authority and to determine planning policies.
- 5.11. To express and interpret these policies as specific tasks and projects and set service standards.
- 5.12. To review performance in the delivery of services, the achievement of service standards and the impact of the Committee's activities on the City.

- 5.13. To conduct relations with external bodies relevant to the Committee's service responsibilities, including approval of a response to proposals by other authorities or bodies on which the Council is being consulted.
- 5.14. In preparing the Development Plan (Structure Plan and Local Plans) and other strategic, city-wide planning policies or initiatives, to be identified by the Head of Planning and Strategy, the views on the Corporate Policy and Finance Committee will be sought before draft proposals are finalised.
- 5.15. To refer final Development Plans to the Full Council for approval.
- 5.16. To refer to the Corporate Policy and Finance Committee, prior to consideration by the Planning Committee, an annual report on the performance and customer focus of the planning process and its contribution to broader council agendas.
- 5.17. To appoint representatives on outside bodies relevant to the Committee's service responsibilities.
- 5.18. To take decisions in pursuit of the Committee's policies, subject to compliance with corporate personnel and financial policies and regulations.
- 5.19. To determine any charges for services provided by the Committee.
- 5.20. To provide financial assistance, in pursuit of the Committee's policies.

6 Development Management Sub-Committee

- 6.1 **Constitution:** All 15 members of the Planning Committee, as follows:-
 - 5 Labour
 - 5 SNP
 - 3 Conservative
 - 2 Green
 - 1 SLD
- 6.2 **Chair**
- 6.3 The Chair will be a member of the City of Edinburgh Council.
- 6.4 **Quorum**
- 6.5 Five members of the Development Management Sub-Committee will constitute a quorum.
- 6.6 **Substitution**
- 6.7 Substitutes are not permitted.
- 6.8 **Delegated Functions**

- 6.9 To discharge all functions of Management of Development Control required under the Planning Acts including the determination of planning applications (except for applications for National Developments which require to be determined by full Council, or applications under the Council's Scheme of Delegation for Local Developments).

7 Regulatory Committee

- 7.1. **Constitution:** 9 members of the Council as follows:

- 3 Labour
- 3 SNP
- 2 Conservative
- 1 Green

7.2. Chair

- 7.3. The Chair will be a member of the City of Edinburgh Council.

7.4. Quorum

- 7.5. Three members of the Regulatory Committee will constitute a quorum.

7.6. Substitution

- 7.7. Substitutes are permitted.

7.8. Delegated functions

- 7.9. Power is delegated to the Regulatory Committee:

- 7.10. To exercise the functions of the Council as Licensing authority under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not within the remit of any other Committee.

- 7.11. To exercise the functions of the Council on all licensing functions which are not reserved to the Council, its officers or delegated to another Committee.

- 7.12. To determine individual applications for registration and licences under the Civic Government (Scotland) Act and other statutory provisions which are not delegated to officers, in accordance with approved policies.

- 7.13. To express and interpret licensing policies as specific projects, to set service standards and monitor performance in the delivery of services including financial performance relating to Regulatory Committee matters.

- 7.14. To liaise with external bodies relevant to the Committee's service area, considering and approving responses to consultation proposals.

- 7.15. To appoint representatives to outside bodies within the Committee's remit.

- 7.16. To approve charges as required by statute and determine licence fees.
- 7.17. To exercise functions under legislation to deal with buildings in need of repair.
- 7.18. To determine applications for road construction consent which are not delegated to the Director of Services for Communities.
- 7.19. To determine applications for permission to place tables and Chair on footways which are recommended for refusal by the Director of Services for Communities.
- 7.20. To exercise the Council's responsibilities in respect of safety at sports grounds.
- 7.21. To exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

8 Pensions Committee

8.1 **Constitution:** 5 members of the Council as follows:

- 2 Labour
- 2 SNP
- 1 Conservative

8.2 **Chair**

8.3 The Chair will be a member of the City of Edinburgh Council.

8.4 **Quorum**

8.5 2 members of the Pensions Committee will constitute a quorum.

8.6 **Substitution:**

8.7 Substitutes are permitted.

8.8 **Delegated functions:**

8.8.1 In this paragraph :

8.8.1.1 "Fire-fighters' Pension Schemes" means the pension schemes under the Firefighters' Pension Scheme Order 1992 and the Firefighters' Pension Scheme (Scotland) Order 2007

8.8.1.2 "Lothian Pension Funds" means the Lothian Pension Fund, Lothian Buses Pension Fund and the Scottish Homes Pension Fund.

8.8.1.3 "Investment and Pensions Division" means the Investment and Pensions division of the directorate of Corporate Governance of the Council.

8.9 **Power is delegated to the Pensions Committee**

- 8.10 To determine the overall policy objectives of the Lothian Pension Funds in accordance with the best interests of Lothian Pension Fund members and with relevant legislation.
 - 8.10.1 To determine the strategy for the investment of Lothian Pension Funds' monies including the variety and suitability of investments and to monitor investment performance.
 - 8.10.2 To ensure appropriate investment management arrangements are in place for the Lothian Pension Funds monies and to review investment manager performance.
 - 8.10.3 To establish and maintain arrangements for the effective management and administration of the Lothian Pension Funds and of the Firefighters' Pension Funds on behalf of Lothian and Borders Fire and Rescue Service, including staffing and budgetary arrangements.
 - 8.10.4 To approve the allocation of resources to the Investment and Pensions Division from the Revenue Budget and Capital Investment Programme of the Lothian Pension Funds.
 - 8.10.5 To approve responses to consultation papers issued by government and other authorities.
 - 8.10.6 To monitor overall performance of the Lothian Pension Funds in the delivery of services and financial performance.
 - 8.10.7 To consider all matters in respect of the Lothian Pension Funds and, where relevant, in respect of the administration of the Firefighters' Pension Funds on behalf of Lothian and Borders Fire and Rescue Service, including:
 - 8.10.7.1 To determine policies for the management and regulation of the Investment and Pensions Division within the strategic policy framework approved by the Council.
 - 8.10.7.2 To approve strategies, programmes and projects and work with officers and partners to implement them.
 - 8.10.7.3 To set standards for service delivery.
 - 8.10.7.4 To secure best value in the provision of services.
 - 8.10.7.5 To take all executive decisions in respect of the Lothian Pension Funds and the Firefighters' Pension Funds which are not reserved to the Council or delegated to another committee of the Council or officers.
 - 8.10.7.6 To ensure systematic appraisal of the control environment and framework of internal controls in respect of the Investment and Pensions Division to provide reasonable assurance of effective and efficient operations and compliance with laws and regulations.
 - 8.10.7.7 To promote the development of an appropriate risk management strategy and risk management procedures.
 - 8.10.7.8 To ensure highest standards of probity and public accountability.
 - 8.10.7.9 To ensure sound financial procedures are in place for authorising and monitoring expenditure.

- 8.10.7.10 To agree internal audit plans and to ensure internal audit work is properly planned with due regard to risk, materiality and coverage.
- 8.10.7.11 To oversee and review action taken on internal audit recommendations.
- 8.10.7.12 To review all matters relating to external audit, including audit plan, action points and reports, and to monitor implementation of external audit recommendations.
- 8.10.7.13 To promote, monitor and develop continuous improvement

9 Pensions Audit Sub-Committee

9.1 Constitution

9.2 Two members of the Pensions Committee.

9.3 Quorum

9.4 2 members of the Pensions Audit Sub Committee will constitute a quorum.

9.5 Chair

9.6 The Chair will be appointed by the Pensions Committee.

9.7 Substitution

9.8 Substitutes are not permitted.

9.9 Functions referred

9.10 Power is delegated to the Pensions Audit Sub-Committee to consider and make appropriate recommendation(s) to the Pensions Committee:

- (i) To ensure systematic appraisal of the control environment and framework of internal control of Lothian Pension Funds and of the administration of the Firefighters' Pension Funds on behalf of Lothian and Borders Fire and Rescue Service, to provide reasonable assurance of the effective and efficient operations and compliance with laws and regulations.
- (ii) To promote the development of an appropriate risk management strategy and risk management procedures.
- (iii) To ensure the highest standards of probity and public accountability.
- (iv) To ensure sound financial procedures are in place for authorising and monitoring expenditure.
- (v) To review the annual financial statements of the Lothian Pension Funds [and the International Standard on Auditing 260 (ISA 260) communication of audit matters to those charged with governance.

- (vi) To agree internal audit plans and to ensure that internal audit work is planned with due regard to risk, materiality and coverage.
- (vii) To oversee in light of the audit plan the performance of the audit service.
- (viii) To oversee and review action taken on internal audit recommendations.
- (ix) To review all matters relating to external audit, including audit planning, action points and reports, and to monitor the implementation of external audit recommendations.

10 The City Of Edinburgh Planning Local Review Body

10.1 **Constitution:** 5 members of the Council as follows:

10.2 Any 5 members who are also members of the Planning Committee.

10.3 **Chair**

10.4 The Chair of the City of Edinburgh Planning Local Review Body will be the Chair of the Planning Committee.

10.5 **Quorum**

10.6 Three members of the City of Edinburgh Planning Review Body will constitute a quorum.

10.7 **Substitution**

10.8 Substitutes are not permitted.

10.9 **Delegated functions:**

10.10 Power is delegated to the City Of Edinburgh Planning Local Review Body to fulfil the obligations of the Council, as planning authority, under section 43A of the Town and County Planning (Scotland) Act 1997 for the conduct of reviews.

11 Committee on Discretionary Rating Relief Appeals

11.1 **Constitution:** 5 members of the Council as follows:

- 2 Labour
- 2 SNP
- 1 Conservative

11.2 **Chair**

11.3 The Chair will be a member of the City of Edinburgh Council.

11.4 **Quorum**

11.5 Two members of the Committee on Discretionary Rating Relief Appeals will

constitute a quorum

11.6 **Substitution**

11.7 Substitutes are permitted.

11.8 **Delegated functions:**

11.9 Power is delegated to the Committee on Discretionary Rating Relief Appeals:

11.10 To review decisions taken by the Director of Finance to refuse discretionary rating relief.

11.11 To consider representations from organisations or individuals, justifying the granting of discretionary rating relief to them.

11.12 To decide whether or not to grant discretionary rating relief as a result of considering the organisation's or individual's representations.

11.13 To decide what, if any, conditions should be fulfilled prior to discretionary rating relief being granted.

12 **Personnel Appeals Committee**

12.1 **Constitution:** 9 members of the Council as follows:

- 3 Labour
- 3 SNP
- 2 Conservative
- 1 Green

12.2 **Chair**

12.3 The Chair will be a member of the City of Edinburgh Council.

12.4 **Quorum**

12.5 Three members of the Personnel Appeals Committee will constitute a quorum.

12.6 **Substitution**

12.7 Substitutes are permitted.

12.8 **Delegated functions:**

12.9 Power is delegated to the Personnel Appeals Committee:

12.10 To hear and decide appeals on a decision taken, or a failure to take a decision, by a Director, or his/her nominee, under the Procedures for Hearing Employee Grievances.

12.11 To hear and decide appeals on a decision

12.11.1 To dismiss or take other forms of punitive disciplinary action.

12.11.2 To issue a warning, oral or written under the Procedure for Consideration of Appeals by Directors against Disciplinary Action and the Procedure for Consideration of Appeals against Disciplinary Action.

12.11.3 To hear and decide disputes under the Avoidance of Industrial Disputes Procedure.

12.11.4 To decide appeals from teaching staff in regard to the application and interpretation of the terms of the Scheme of Salaries and Conditions of Service for Teaching Staff in School Education.

13 Committee on Pupil and Student Support

13.1 **Constitution:** 5 members of the Council as follows:

- 1 Labour
- 1 SNP
- 1 Conservative
- 1 Green
- 1 SLD
- One religious representative

13.2 **Chair**

13.3 The Chair will be a member of the City of Edinburgh Council.

13.4 **Quorum**

13.5 Two members of the Committee on Pupil and Student Support will constitute a quorum.

13.6 **Substitution**

13.7 Substitutes are permitted.

13.8 **Delegated functions:**

13.9 To consider school placing requests, and decide the priority order of placing requests;

13.10 To consider appeals from parents against decisions by the Director of Children and Families to refuse early admission to school.

14 Placing In Schools Appeals Committee

- 14.1 Constitution: One person from each of the following panels:
- 14.2 Panel 1: All members of Council, religious and teacher and parent representatives on the Corporate Policy and Finance Committee.
- 14.3 Panel 2: Parents of children of school ages.
- 14.4 Panel 3: Persons with experience in education and acquainted with educational conditions in the Council's area, nominated by the Director of Children and Families.
- 14.5 **Chair**
- 14.6 Each meeting appoints a chair.
- 14.7 **Quorum**
- 14.8 Three members of the Placing in Schools Appeals Committee will constitute a quorum. A member from each Panel outlined in paragraphs [x] and [x] above must be represented of any meeting.
- 14.9 **Substitution**
- 14.10 Substitutes are not permitted.
- 14.11 **Delegated functions:**
- 14.12 Power is delegated to the Placing in Schools Appeals Committee:
- 14.11.1 To hear and decide appeals from parents against decisions of the Council to refuse placing requests and exclude pupils all in terms of Section 28 C, D, E, G and H of the Education (Scotland) Act 1980 as mentioned.
- 15 **Social Work Complaints Review Committee**
- 15.1 **Constitution:**
- 15.2 Councillors do not serve on the Committee. Members of the Committee are recruited by public advertisement.
- 15.3 **Chair**
- 15.4 Each meeting appoints a Chair.
- 15.5 **Quorum**
- 15.6 Any three members from the membership appointed by the Council.
- 15.7 **Substitution**

15.8 Substitutes are not permitted.

15.9 **Delegated functions**

15.10 Power is delegated to the Social Work Complaints Review Committee to consider complaints with regard to the discharge of social work functions and make recommendations to the Corporate Policy and Finance Committee.

16 Recruitment Committee

16.1 **Constitution:** 8 members of the Council as follows:

- Leader of Council
- Deputy Leader of the Council
- Finance and Resources Lead Member, Corporate Policy and Finance Committee
- Relevant Lead Member for the role, Corporate Policy and Finance Committee
- Relevant opposition Lead Members:1 Conservative, 1 Green and 1 Scottish Liberal Democrat

16.2 **Chair**

16.3 The Chair of the Committee will be the Leader of the Council.

16.4 **Quorum**

16.5 Three members of the Recruitment Committee will constitute a quorum.

16.6 **Substitution**

16.7 Substitutes are [not] permitted.

16.8 **Delegated functions**

16.9 Power is delegated to the Recruitment Committee to short list and interview candidates and recommend an appointment to the Council for posts at Director and Heads of Service Division level (Chief Officials).

17 Leadership Advisory Panel

17.1 **Constitution:** 5 members of the council as follows:

- Leader of the Council
- Deputy Leader of the Council
- Conservative Group Leader
- Green Group Leader
- Scottish Liberal Democrat Group Leader

17.2 **Chair**

17.3 The Chair of the Committee will be the Leader of the Council.

17.4 **Quorum**

17.5 Two members of the Leadership Advisory Panel will constitute a quorum.

17.6 **Substitution**

17.7 Substitutes are [not] permitted.

17.8 **Delegated functions:**

17.9 Power is delegated to the Leadership Advisory Panel:

17.10 To decide any matter of urgency arising during any recess period, subject to the provision of any relevant enactment, to exercise all functions of the Council or Committee, which would otherwise have dealt with the matter that:

7.10.1 cannot await the resumption of the normal meetings timetable; and

7.10.2 cannot appropriately be decided by the Chief Executive or Director in accordance with urgency provisions within Standing Orders.

17.11 The Leadership Advisory Panel may not exercise the functions of the Committees listed in Standing Order.

17.12 When the Leadership Advisory Panel meets to consider Education business, its voting membership shall also comprise the three statutory religious representatives appointed to the Corporate Policy and Finance Committee.

Appendix Three

Corporate Policy and Finance Committee

Lead Members

CORPORATE POLICY & FINANCE COMMITTEE LEAD MEMBERS

- 1. Leader**
- 2. Depute Leader**
- 3. Culture and Leisure**
- 4. Health, Social Care and Housing**
- 5. Transport, Environment and Infrastructure**
- 6. Finance and Resources**
- 7. Education, Children and Families**
- 8. Economic Development**
- 9. Transformation and Neighbourhood Development**

LEAD MEMBERS ILLUSTRATIVE SCOPE OF RESPONSIBILITIES

LEAD MEMBER	SCOPE
LEADER	Strategy and Policy Improvement and Performance Equalities Member Development Communications and Reputation Political Management Arrangements
DEPUTE LEADER	Events & Festivals Champion Inter-Council/International links
CULTURE & LEISURE	Arts and Museums Festivals and Events Cultural Development Sport and Recreation Archives Libraries
HEALTH, SOCIAL CARE AND HOUSING	Housing and Regeneration Home Safety Edinburgh Building Services Property Conservation Adult Social Care Services Community Health Services Health Improvement Health Integration Public and Community Safety Anti Social Behaviour
TRANSPORT, ENVIRONMENT AND INFRASTRUCTURE	Trams Strategic Transport Planning Strategic Network Management Road Services Parking Traffic Management Road Safety Waste Management Sustainability Trading Standards Street cleaning and open space maintenance Environmental Health Parks and Green space

LEAD MEMBER	SCOPE
FINANCE AND RESOURCES	Budget and Finance Procurement Corporate Health and Safety Corporate Property and Emergency Planning ICT
EDUCATION, CHILDREN AND FAMILIES	Early Years Schools Quality and Curriculum Inclusion and Pupil/Parent Support Community Services e.g. youth work, adult learning, community centres Children's Social Work Teams (including Child Protection) Looked after and Accommodated Children Family and Community Support, including youth offending Additional Support Needs Disability Special Schools and Classes Planning and Performance Children's Partnership Major Capital Project implementation Asset planning Facilities management
ECONOMIC DEVELOPMENT	Tourism Economic Development Strategy Economic Development Projects Public Realm Projects Inward Investment External Relations
TRANSFORMATION AND NEIGHBOURHOOD DEVELOPMENT	Community, neighbourhood and partnership: engagement and development Capital coalition commitments: strategy and oversight Co-operative development and service design Transformation programmes and major projects Customer access and care Organisational development

Appendix Four

PETITIONS COMMITTEE

City of Edinburgh Council

Submission of Petitions: Procedure

1. Introduction

The City of Edinburgh Council aims to make the Council as inclusive and accessible as possible and deliver quality and best value by providing good quality services, which meet the needs of the public, key stakeholders, customers and communities.

The public petitions process plays a role to deliver these objectives by encouraging the public, key stakeholders, customers, businesses and communities to fully participate in the decision making process, both in groups and as individuals.

Councillors may not themselves submit petitions and the following is guidance to follow on the procedures and processes for the submission and consideration of petitions.

2. Petitions that cannot be considered

The Council is unable to consider petitions that:

- a) are sub-judice and the subject of current court proceedings;
- b) relate to a matter that is within the scope of the current approved work plan of a Policy Overview Committee;
- c) relate to a decision of the Council or Committee within the previous six month period.

A petition will not normally be considered where it is received within 24 months of another petition being considered by the Council on the same matter.

Petitions will only be considered if the criteria outlined below has been met.

3. Content

Once a petition has been submitted and acknowledged, it will be made available for public access on the Council's website. Petitioners should therefore take care not to include any information or signatures that they would not wish to be publicly available.

In exceptional circumstances, the Petitions Committee may agree that the name and address of the petitioner is not made publicly available.

Information is to be submitted in good faith and should not include any of the following:-

- a) false or defamatory statements;
- b) information which is protected by an interdict or court order;
- c) material which is commercially sensitive, confidential or which may cause personal distress or loss;
- d) the names of individual officers of public bodies; and
- e) the names of other individuals or information whereby they can be identified.

4. Pre-petition actions

Petitioners may wish to consider other steps before a petition is submitted including exhausting the Council's complaints procedures, raising the issue with the appropriate local ward member or spokesperson, Member of Parliament, Member of the Scottish Parliament, Community Council, Neighbourhood Partnership or Edinburgh Partnership.

If these routes have been explored, this information and copies of any correspondence can be included with the petition as supporting information.

5. Format

A template for petitions is included on the Council's website at the following link: www.edinburgh.gov.uk/petitionsxxxxx

Electronic petitions can be created, signed and submitted online using the Council's e-Petition facility.

Copies are also available from libraries and other public buildings. The petition should be titled and include a short, clear and concise statement (no more than 200 words) covering the main subject of the petition and details of action the petitioner wishes the Council to take.

The petition **must** include the following:-

- a) the **name** of the **Principal Petitioner** who **must** be on the Register of Electors for the **City of Edinburgh Council Area** or in the case of a Local Business Petitioner be on the Valuation Roll for the City of Edinburgh Council Area.
- b) the **contact address** of the **Principal Petitioner** to which all communications should be sent;

- c) the **name, address and signature** of any person(s) supporting the petition.
- d) It would be helpful if petitions were typewritten or completed in black ink to facilitate checking, scanning and reproduction. If petitioners have any special requirements, they should contact the Petitions Officer, City of Edinburgh Council, City Chambers, High Street, Edinburgh EH1 1YJ. (Telephone/email)

Petitions must not contain language, which is offensive, inflammatory, provocative language or other terms that could reasonably be considered as offensive by the reader.

6. Validity

A petition must be supported by:-

- a) **Petition from Citizens** – at least 250 signatures from people living in the City of Edinburgh Council Area and on the Register of Electors.
- b) **Petition from Local Business(es)** – support from at least 20 other businesses on the Valuation Roll.

7. Submission

When the Principal Petitioner is satisfied that it meets the criteria outlined, he/she should submit the petition.

Petitions can be submitted online, by post or handed in, clearly marked for the attention of the Petitions Officer, Legal, Risk and Compliance, City of Edinburgh Council, City Chambers, High Street, Edinburgh.

A written acknowledgement will be sent to the Principal Petitioner upon receipt of the petition.

8. Consideration

Once the petition has been verified as having been correctly completed and submitted, it will be considered at the next available meeting of the Petitions Committee. The Convener of the committee may invite petitioners to appear before the committee to speak in support of their petition if it is considered this would be useful in assisting the committee reach a decision.

Petitioners should indicate on the form whether or not they wish to have the opportunity to make a statement before the committee. Due to pressure of

business, no guarantee can be given that petitioners will automatically be invited to address the committee.

The Petitions Committee will take a decision on action to be taken including:

- a) agreeing that the issues raised merit further action and formally agreeing to refer the petition to the relevant decision making body;
- b) agreeing that the issues raised do not merit further action; and
- c) agreeing to take any other action as appropriate.

The petitioner will be advised in writing of the committee's decision.

CITY OF EDINBURGH COUNCIL

PETITIONS FORM

***Please refer to the X Guidance before completing the template.
If you require any further information or advice,
please contact the Petitions Officer whose details are provided at the end
of this form.***

Details of Principal Petitioner

Please enter the name of person and organisation (if applicable) raising the petition. Please include a contact address to which correspondence may be sent, a contact telephone number and e-mail address if available.

Name:

Address:

Tel No:

E mail:

Title of Petition

Petition Statement – Please state (in no more than 250 words) what action the Petitioner wishes the Council to take.

Action Taken (if any) to Resolve Issues of Concern before Submitting the Petition

Before a petition is submitted, petitioners are expected to have taken reasonable steps in attempting to resolve the issues.

Please enter below details of any individuals or organisations approached.

Copies of correspondence, including any responses, should be appended.

This information will be made available to the Petitions Committee prior to its consideration of the Petition.

Appearance before Petitions Committee

The Convener of the Petitions and Committee may invite petitioners to appear before the committee to speak in support of their petition if it is considered this would be useful in assisting the committee reach a decision.

Please indicate below whether you wish to submit a request to make a brief statement to the committee when it is considering your petition.

***I DO wish the opportunity to make a brief statement before the Committee**

***I DO NOT wish to make a brief statement before the Committee**

Signature of Principal Petitioner

When satisfied that the petition meets all the criteria outlined in the Guidance on Submission of Petitions, the Principal Petitioner should sign and date the form in the box below.

Any additional sheets of signatures should be attached to the form and/or uploaded online.

Signature **Date**

Name in block capitals

**PETITION SUBMITTED BY CITIZENS
NAME ADDRESS SIGNATURE**

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- 50.

*Additional sheets as required

Form A**A petition must be supported by:-**

At least 250 signatories living in the City of Edinburgh Council area and on the Register of Electors.

Submission

Please submit this form and attachments – online, by mail or in person – to:-

Petitions Officer

Legal, Risk & Compliance

City of Edinburgh Council

City Chambers

High Street

Edinburgh

Petitions Officer Contact Details.

Tel: e-mail:

PETITION SUBMITTED BY LOCAL BUSINESS(ES)

**Name and Position
held with Business**

Address of Business Signature

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- 20.

Form B

A petition must be supported by:-

At least 20 other businesses on the Valuation Roll.

Support

Signature Date

.....

Submission

Please submit this form and attachments – online, by mail or in person to:

Petitions Officer
Legal, Risk & Compliance
City of Edinburgh Council
City Chambers
High Street
Edinburgh

Petitions Officer Contact Details.

Tel: e-mail:

Appendix Five

Regulations for the Appointment of Religious, Teacher and Parent Representatives

RELIGIOUS REPRESENTATIVES

Regulations for nominations of persons interested in the promotion of religious education to be appointed to the Corporate Policy and Finance Committee.

1. The Council shall appoint three persons interested in the promotion of religious education to be members of the Corporate Policy and Finance Committee (Education) in accordance with Section 124 of the Local Government (Scotland) Act 1973, as amended by Section 31 of the Local Government etc. (Scotland) Act 1994.
2. The appointments shall be made by the Council as soon as possible after the ordinary statutory election of Councillors in the month of May and, subject to Regulation 5(e), the persons will be appointed and hold office until the day of the next ordinary statutory election of Councillors.
3. One person interested in the promotion of religious education shall be nominated by the General Assembly of the Church of Scotland in terms of Section 124 of the Local Government (Scotland) Act 1973 as amended. The Clerk to the Council shall, in a year of an election of Councillors, request the Principal Clerk of the General Assembly of the Church of Scotland to submit to him a nomination of the person not later than the First day of May in that year.
4. One person interested in the promotion of religious education shall be nominated by the Roman Catholic Church, in such manner as may be determined by its Scottish Hierarchy in terms of Section 124 of the Local Government (Scotland) Act 1973 as amended. The Clerk to the Council shall, in a year of an election of Councillors, request the Archbishop of Edinburgh and St. Andrews to submit to him a nomination of the person not later than the First day of May in that year.
5. One other person interested in the promotion of religious education shall be nominated in terms of Section 124 of the Local Government (Scotland) Act 1973, as amended.
6. The nomination shall be made in accordance with the following provisions:-
 - a) Not later than the Fifteenth day of March in the year of an election of Councillors, the Clerk to the Council, by advertisement in one or more newspapers circulating in the Area, shall give notice that the Churches or

- i. A certified list of the names and situations of the duly constituted charges or other regularly appointed places of worship which such church or other denominational body claims to have within the Area;
- ii. A certified statement of the number of representatives whom such church or denominational body claims to be entitled to have at the said meeting calculated in accordance with the following scale –

Number of duly constituted charges or other regularly appointed places of worship	Number of representatives at meeting
Not more than three	One
More than three and not more than six	Two
More than six and not more than ten	Three
More than ten and not more than fifteen	Four
More than fifteen and not more than twenty	Five
Each ten in excess of twenty	One additional

- iii. The full names and postal addresses of the persons appointed to represent such Church or denominational body at the said meeting.

(b) Not later than the Seventh day of April, the Clerk to the Council shall -

- i. Prepare a list of the Churches or denominational bodies who have claimed to have duly constituted charges or other regularly appointed places of worship within the Area, which list shall, as regards each Church or denominational body included therein, show the total number of duly constituted charges or other regularly appointed places of worship and the

number of representatives at the aforesaid meeting which such Church or denominational body has claimed.

- II. Provide a copy of such list to each of the Churches or denominational bodies included therein, and at the same time intimate to such Churches or denominational bodies that they may inspect at his office all the certified lists of the duly constituted charges or other regularly appointed places of worship and all the certified statements of the numbers of representatives claimed at the aforesaid meeting which he has received from Churches or denominational bodies in the Area; and that any Church or denominational body included in the list may, within seven days after the date of such intimation, lodge with him objections to any of the certified lists or certified statements on the ground that such list or statement is inaccurate.
- III. If any objection to any such certified list or certified statement on the ground that it is inaccurate is received by the Clerk to the Council in accordance with the immediately preceding paragraph, he shall, as soon as reasonably may be, fix a time and place for the hearing and determination of such objection and send a copy of each such objection to each Church or denominational body included in the list and intimate the time and place fixed for the hearing and determination of the objections, and each Church or denominational body included in the list may be represented at such hearing and determination by not more than two representatives. The Director of Corporate Governance or a person nominated by him shall preside at such hearing and, after such procedure as he may prescribe, shall determine whether the objection is well founded and shall in accordance with the scale prescribed in paragraph (a) (ii) of this Regulation, fix the number of representatives whom each church or denominational body shall be entitled to have at the meeting for the nomination of a person in terms of this Regulation. The determination of the Director of Corporate Governance or the person appointed by him shall be final and not subject to review.
- IV. If no such objections are received or upon the determination of any such objections, the Clerk to the Council shall call a meeting of the representatives appointed by the Churches or denominational bodies for the purpose of nominating a person with a view to such person being appointed a member of the Corporate Policy and Finance Committee (Education). Such meeting shall be held in the City Chambers, Edinburgh, not later than the Thirtieth day of April and shall be called by circular addressed and sent by post to each representative not less than six days prior to the date of the meeting. The Director of Corporate Governance, or such other person appointed by him, shall preside and conduct and regulate the proceedings at the meeting, but he shall have only a casting vote. Each representative of a Church or denominational body present at the meeting shall have one vote only. The Clerk to the Council shall

- V. In the event of a casual vacancy among the members of the Corporate Policy and Finance Committee (Education) appointed in accordance with this Regulation, the provisions contained in this Regulation shall apply to and govern the constitution and covering of the meeting of representatives of Churches or denominational bodies for the purpose of filling such vacancy. The Clerk to the Council shall determine the dates for taking the action required of him, allowing periods of time between events similar to those specified in the preceding sub-paragraphs.

NOMINATION OF TEACHER REPRESENTATIVES

1. The Council shall appoint two Teachers in the employment of the Council as Teachers' Representatives to be members of the Education, Children and Families Policy Overview Committee.
2. The appointments shall be made by the Council as soon as possible after the ordinary statutory election of Councillors in the month of May and, subject to Regulation 13, the Teachers' Representatives shall be appointed and hold office until the day of the next ordinary statutory election of Councillors.
3. Teachers entitled to nominate and vote for Teachers' Representatives and teachers entitled to be nominated as Teachers' Representatives shall be registered teachers holding full-time permanent appointments with the Council and engaged in Primary or Secondary Education as at the First day of March in the year of election.
4. A teacher shall be entitled to nominate and vote for not more than two Teachers' Representatives.
5. The Director of Corporate Governance or a person nominated by him shall be the Returning Officer to supervise the nominations of Teachers' Representatives and the decisions of the Returning Officer on all matters relating to the nominations shall be final and not subject to review.
6. Not later than the Fifteenth day of March in the year of an election of Councillors, the Director of Corporate Governance shall send to all teachers entitled to nominate Teachers' Representatives a notice specifying the right of each teacher to nominate not more than two Teachers' Representatives and the arrangements for making nominations of Teachers' Representatives and for voting on the nominations if necessary.
7. Each nomination shall be on a form prescribed by the Director of Corporate Governance and shall be signed by two teachers, one as proposer and one as seconded, and shall be counter-signed by the nominee to signify his or her consent to the nomination.
8. Candidates may provide a personal statement of not more than 250 words which statement must either accompany the nomination form or be lodged with the Director of Corporate Governance on the Seventh day of April in the year of the election at the latest. The statement will be reproduced and circulated by the Director of Corporate Governance with the ballot papers. Statements must not be defamatory, offensive, obscene, likely to incite racial hatred or political in nature or designed to effect public support for a political party. If any part of the personal statement is not permitted by reason of being defamatory, offensive, obscene, likely to incite racial hatred or political

in nature, the circulation of it will be refused by the Returning Officer unless suitably amended by the candidate or candidates concerned. The candidates remain responsible for their own personal statement

9. Nominations must be lodged with the Director of Corporate Governance at Council Headquarters, level 2.6 Waverley Court, 4 East Market Street, Edinburgh, not later than 4 p.m. on the Thirty first day of March in the year of election.
10. Immediately after the closing date for the receipt of nominations, the Director of Corporate Governance shall issue to each teacher who is validly nominated, a list of the names and addresses of all teachers who are validly nominated. A teacher may withdraw his or her nomination by written intimation to that effect lodged with the Director of Corporate Governance not later than 4 p.m. on the Seventh day of April in the year of election.
11. Where more than two teachers remain validly nominated the Director of Corporate Governance shall, not later than the Fifteenth day of April in the year of election, send ballot papers to all the teachers entitled to vote.
12. Ballot papers, duly completed, shall be lodged in sealed marked envelopes with the Director of Corporate Governance not later than 4 p.m. on the Twenty fifth day of April in the year of election.
13. The Returning Officer shall make arrangements for the ballot papers to be opened and the votes to be counted not later than the Thirtieth day of April in the year of election and shall forthwith notify the names of the persons duly nominated as Teachers' Representatives to the Chief Executive who shall report the names to the Council as soon as possible after the ordinary statutory election of Councillors.
14. In the event of a casual vacancy among the Teachers' Representatives on the Education, Children and Families Policy Overview Committee the provisions contained in these Regulations shall apply to and govern the nomination of a successor Teachers' Representative. The Director of Corporate Governance shall determine the dates for taking the action required of him allowing periods of time between events similar to those specified in the preceding Regulations. The teachers entitled to nominate and vote for the Teachers' Representatives shall be registered teachers holding full-time permanent appointments with the council and engaged in Primary or Secondary Education all as at the Fifteenth day prior to the date fixed by the Director of Corporate Governance for issuing the notice specified in 6 above.

NOMINATION OF THE PARENTS' REPRESENTATIVE

1. The Council shall appoint one parent representative to be a member of the Education, Children and Families Policy Overview Committee.
2. The appointment will be made by the Council as soon as possible after the ordinary statutory election of Councillors in the month of May and, subject to 9, the parent's representative shall be appointed and hold office until the day of the next ordinary statutory election of Councillors.
3. Only members of the Consultative Committee with Parents, duly appointed from Schools and Parent Councils, are eligible to be nominated as the parents' representative on the Education, Children and Families Policy Overview Committee.
4. Not later than the Fifteenth day of March in the year of an election of Councillors, the chair of the Consultative Committee with Parents will arrange for nominations to be considered as an agenda item for the committee.
5. The Director of Corporate Governance will oversee the nominations of the Parent's Representative and the decisions of the Director of Corporate Governance on all matters relating to the nominations shall be final and not subject to review.
6. Each nominee must be moved and seconded by members of the Consultative Committee with parents. The candidate with the most votes will be recommended to the Council to fulfil the role of Parents Representative on the Education, Children and Families Policy Overview Committee.
7. The Consultative Committee with Parents will advise the Head of Legal, Risk and Compliance of their nomination.
8. The Head of Legal, Risk and Compliance shall report the names to the Council as soon as possible after the ordinary statutory election of Councillors on the name of the duly nominated parents' representative of the Corporate Policy and Finance Committee (Education).
9. In the event of a casual vacancy among for the role of parents representative on the Education, Children and Families Policy Overview Committee the provisions contained in these Regulations shall apply to and govern the nomination of a successor Parents' Representative.

Appendix Six
Draft Programme of Meetings

29 October 2012 – 23 August 2013

Mon	29	October	a.m.	Licensing Board
			p.m.	
Tue	30	October	a.m.	TRANSPORT AND ENVIRONMENT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	31	October	a.m.	Local Review Body (Panel 2)
			p.m.	Personnel Appeals Committee
Th	1	November	a.m.	BUDGET POLICY OVERVIEW COMMITTEE
			p.m.	Planning Committee Visits
Fri	2	November	a.m.	
			p.m.	
Mon	5	November	a.m.	
			p.m.	Lothian and Borders Police Board Audit and Scrutiny Committee
Tue	6	November	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	7	November	a.m.	Development Management Sub-Committee
			p.m.	
Th	8	November	a.m.	Planning Committee Workshop
			p.m.	
Fri	9	November	a.m.	Lothian and Borders Fire and Rescue Board (West Lothian)
			p.m.	
Mon	12	November	a.m.	Lothian and Borders Police Board (East Lothian)
			p.m.	
Tue	13	November	a.m.	HEALTH, SOCIAL CARE AND HOUSING POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	14	November	a.m.	Local Review Body (Panel 3)
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	15	November	a.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
			p.m.	
Fri	16	November	a.m.	Regulatory Committee Licensing Sub-Committee
			p.m.	
Mon	19	November	a.m.	
			p.m.	
Tue	20	November	a.m.	ECONOMY POLICY OVERVIEW COMMITTEE
			p.m.	Joint Consultative Group
Wed	21	November	a.m.	Development Management Sub-Committee
			p.m.	
Th	22	November	a.m.	The City of Edinburgh Council
			p.m.	
Fri	23	November	a.m.	
			p.m.	

Mon	26	November	a.m.	Licensing Board Lothian Valuation Joint Board
			p.m.	
Tue	27	November	a.m.	TRANSFORMATION AND RESOURCES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	28	November	a.m.	Local Review Body (Panel 1)
			p.m.	Personnel Appeals Committee
Th	29	November	a.m.	PETITIONS COMMITTEE
			p.m.	Planning Committee Visits
Fri	30	November	a.m.	
			p.m.	
Mon	3	December	a.m.	
			p.m.	
Tue	4	December	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	5	December	a.m.	Development Management Sub-Committee
			p.m.	
Th	6	December	a.m.	Planning Committee
			p.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
Fri	7	December	a.m.	
			p.m.	
Mon	10	December	a.m.	
			p.m.	
Tue	11	December	a.m.	EDUCATION, CHILDREN AND FAMILIES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	12	December	a.m.	Local Review Body (Panel 2)
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	13	December	a.m.	The City of Edinburgh Council
			p.m.	
Fri	14	December	a.m.	Forth Estuary Transport Authority Licensing Sub-Committee
			p.m.	
Mon	17	December	a.m.	Licensing Board
			p.m.	
Tue	18	December	a.m.	CULTURE AND SPORT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	19	December	a.m.	Development Management Sub-Committee
			p.m.	
Th	20	December	a.m.	
			p.m.	
Fri	21	December	a.m.	
			p.m.	(Christmas and New Year Recess until w/c 14 January 2013) except:
Mon	7	January	a.m.	Lothian and Borders Police Board Sub-Committee Dealing with Complaints Issues (Dip Sampling Meeting)

Mon	14	January	a.m.	Lothian and Borders Police Board Sub-Committee Dealing with Complaints Issues Lothian and Borders Police Board Policy Development Group
			p.m.	
Tue	15	January	a.m.	TRANSPORT AND ENVIRONMENT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	16	January	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	17	January	a.m.	BUDGET POLICY OVERVIEW COMMITTEE
			p.m.	Planning Committee Visits
Fri	18	January	a.m.	Lothian and Borders Fire and Rescue Board JCG Lothian and Borders Fire and Rescue Board Scrutiny Committee
			p.m.	
Mon	21	January	a.m.	
			p.m.	Lothian and Borders Police Board Audit and Scrutiny Committee
Tue	22	January	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	23	January	a.m.	Local Review Body (Panel 3)
			p.m.	
Th	24	January	a.m.	Planning Committee Workshop
			p.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
Fri	25	January	a.m.	
			p.m.	
Mon	28	January	a.m.	Licensing Board Lothian and Borders Police Board (Revenue Budget) (West Lothian)
			p.m.	
Tue	29	January	a.m.	HEALTH, SOCIAL CARE AND HOUSING POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	30	January	a.m.	Development Management Sub-Committee
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	31	January	a.m.	The City of Edinburgh Council
			p.m.	
Fri	1	February	a.m.	Regulatory Committee Licensing Sub-Committee Lothian Valuation Joint Board JCG Lothian Valuation Joint Board (Revenue Budget) Lothian and Borders Fire and Rescue Board JCG Lothian and Borders Fire and Rescue Board (Revenue Budget) (Edinburgh)
			p.m.	
Mon	4	February	a.m.	
			p.m.	
Tue	5	February	a.m.	ECONOMY POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	6	February	a.m.	Local Review Body (Panel 1)
			p.m.	
Th	7	February	a.m.	The City of Edinburgh Council (Budget Meeting)
			p.m.	
Fri	8	February	a.m.	
			p.m.	(February School recess until w/c 18 February 2013)

Mon	18	February	a.m.	
			p.m.	
Tue	19	February	a.m.	TRANSFORMATION AND RESOURCES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	20	February	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	21	February	a.m.	PETITIONS COMMITTEE
			p.m.	Planning Committee Visits
Fri	22	February	a.m.	Forth Estuary Transport Authority
			p.m.	
Mon	25	February	a.m.	Licensing Board
			p.m.	
Tue	26	February	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	27	February	a.m.	Local Review Body (Panel 2)
			p.m.	
Th	28	February	a.m.	Planning Committee
			p.m.	
Fri	1	March	a.m.	
			p.m.	
Mon	4	March	a.m.	Lothian and Borders Police Board Sub-Committee Dealing with Complaints Issues (Dip Sampling Meeting)
			p.m.	
Tue	5	March	a.m.	EDUCATION, CHILDREN AND FAMILIES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	6	March	a.m.	Development Management Sub-Committee
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	7	March	a.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
			p.m.	
Fri	8	March	a.m.	Licensing Sub-Committee Lothian and Borders Fire and Rescue Board JCG Lothian and Borders Fire and Rescue Board Scrutiny Committee
			p.m.	
Mon	11	March	a.m.	Lothian and Borders Police Board Sub-Committee Dealing with Complaints Issues Lothian and Borders Police Board Policy Development Group
			p.m.	
Tue	12	March	a.m.	CULTURE AND SPORT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	13	March	a.m.	Local Review Body (Panel 3)
			p.m.	
Th	14	March	a.m.	The City of Edinburgh Council
			p.m.	
Fri	15	March	a.m.	
			p.m.	

Mon	18	March	a.m.	Lothian and Borders Police Board (Scottish Borders) Lothian Valuation Joint Board
			p.m.	
Tue	19	March	a.m.	TRANSPORT AND ENVIRONMENT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	20	March	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	21	March	a.m.	BUDGET POLICY OVERVIEW COMMITTEE
			p.m.	Planning Committee Visits
Fri	22	March	a.m.	Lothian and Borders Fire and Rescue Board (East Lothian)
			p.m.	(Easter Recess until w/c 15 April 2013) except:
Mon	25	March	a.m.	Licensing Board
Wed	27	March	a.m.	Development Management Sub-Committee
Mon	15	April	a.m.	<i>Spring Holiday</i>
			p.m.	
Tue	16	April	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	17	April	a.m.	Development Management Sub-Committee
			p.m.	
Th	18	April	a.m.	Planning Committee Workshop
			p.m.	
Fri	19	April	a.m.	Forth Estuary Transport Authority
			p.m.	
Mon	22	April	a.m.	
			p.m.	
Tue	23	April	a.m.	HEALTH, SOCIAL CARE AND HOUSING POLICY OVERVIEW COMMITTEE
			p.m.	Joint Consultative Group
Wed	24	April	a.m.	Local Review Body (Panel 1)
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	25	April	a.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
			p.m.	
Fri	26	April	a.m.	Regulatory Committee Licensing Sub-Committee
			p.m.	
Mon	29	April	a.m.	Licensing Board
			p.m.	
Tue	30	April	a.m.	ECONOMY POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	1	May	a.m.	Development Management Sub-Committee
			p.m.	
Th	2	May	a.m.	The City of Edinburgh Council
			p.m.	
Fri	3	May	a.m.	
			p.m.	

Mon	6	May	a.m.	<i>May Day</i>
			p.m.	
Tue	7	May	a.m.	TRANSFORMATION AND RESOURCES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	8	May	a.m.	Local Review Body (Panel 2)
			p.m.	Personnel Appeals Committee
Th	9	May	a.m.	PETITIONS COMMITTEE
			p.m.	Planning Committee Visits
Fri	10	May	a.m.	
			p.m.	
Mon	13	May	a.m.	
			p.m.	
Tue	14	May	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	15	May	a.m.	Development Management Sub-Committee
			p.m.	
Th	16	May	a.m.	Planning Committee
			p.m.	
Fri	17	May	a.m.	
			p.m.	
Mon	20	May	a.m.	<i>Victoria Day</i>
			p.m.	
Tue	21	May	a.m.	EDUCATION, CHILDREN AND FAMILIES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	22	May	a.m.	Local Review Body (Panel 3)
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	23	May	a.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
			p.m.	
Fri	24	May	a.m.	Licensing Sub-Committee
			p.m.	
Mon	27	May	a.m.	Licensing Board
			p.m.	
Tue	28	May	a.m.	CULTURE AND SPORT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	29	May	a.m.	Development Management Sub-Committee
			p.m.	
Th	30	May	a.m.	The City of Edinburgh Council
			p.m.	
Fri	31	May	a.m.	
			p.m.	

Mon	3	June	a.m.	
			p.m.	
Tue	4	June	a.m.	TRANSPORT AND ENVIRONMENT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	5	June	a.m.	Local Review Body (Panel 1)
			p.m.	Personnel Appeals Committee
Th	6	June	a.m.	BUDGET POLICY OVERVIEW COMMITTEE
			p.m.	Planning Committee Visits
Fri	7	June	a.m.	
			p.m.	
Mon	10	June	a.m.	
			p.m.	
Tue	11	June	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	12	June	a.m.	Development Management Sub-Committee
			p.m.	
Th	13	June	a.m.	Planning Committee Workshop
			p.m.	
Fri	14	June	a.m.	Forth Estuary Transport Authority
			p.m.	
Mon	17	June	a.m.	
			p.m.	
Tue	18	June	a.m.	HEALTH, SOCIAL CARE AND HOUSING POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	19	June	a.m.	Local Review Body (Panel 2)
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	20	June	a.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
			p.m.	
Fri	21	June	a.m.	Regulatory Committee Licensing Sub-Committee
			p.m.	
Mon	24	June	a.m.	Licensing Board
			p.m.	
Tue	25	June	a.m.	ECONOMY POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	26	June	a.m.	Development Management Sub-Committee
			p.m.	
Th	27	June	a.m.	The City of Edinburgh Council
			p.m.	
Fri	28	June	a.m.	Lothian Valuation Joint Board (Unaudited Accounts)
			p.m.	(Summer recess until w/c 29 July 2013) except:
Wed	3	July	a.m.	Development Management Sub-Committee
Wed	17	July	a.m.	Development Management Sub-Committee
			p.m.	Licensing Sub-Committee
Wed	24	July	a.m.	Development Management Sub-Committee

Mon	29	July	a.m.	Licensing Board
			p.m.	
Tue	30	July	a.m.	TRANSFORMATION AND RESOURCES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	31	July	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	1	August	a.m.	PETITIONS COMMITTEE
			p.m.	Planning Committee Visits
Fri	2	August	a.m.	
			p.m.	
Mon	5	August	a.m.	
			p.m.	
Tue	6	August	a.m.	CORPORATE POLICY AND FINANCE COMMITTEE
			p.m.	
Wed	7	August	a.m.	Local Review Body (Panel 3)
			p.m.	
Th	8	August	a.m.	Planning Committee
			p.m.	
Fri	9	August	a.m.	
			p.m.	
Mon	12	August	a.m.	
			p.m.	
Tue	13	August	a.m.	EDUCATION, CHILDREN AND FAMILIES POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	14	August	a.m.	Development Management Sub-Committee
			p.m.	Licensing Sub-Committee Personnel Appeals Committee
Th	15	August	a.m.	GOVERNANCE, RISK AND BEST VALUE COMMITTEE
			p.m.	
Fri	16	August	a.m.	Licensing Sub-Committee
			p.m.	
Mon	19	August	a.m.	
			p.m.	
Tue	20	August	a.m.	CULTURE AND SPORT POLICY OVERVIEW COMMITTEE
			p.m.	
Wed	21	August	a.m.	Local Review Body (Panel 1)
			p.m.	
Th	22	August	a.m.	The City of Edinburgh Council
			p.m.	
Fri	23	August	a.m.	
			p.m.	

Appendix Seven

DRAFT FOR CONSULTATION

CITY OF EDINBURGH COUNCIL

PROCEDURAL STANDING ORDERS

FOR COUNCIL

AND COMMITTEE MEETINGS

CONTENTS

1. First meeting of the Council after an election
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STANDING ORDERS

These standing orders apply from [date] and regulate the conduct of business at meetings of the City of Edinburgh Council (“**Council**”) and the committees or sub-committees of the Council (“**Committees**”).

1. **First meeting of the Council after an election**

1.1 In an election year, the Council will hold a meeting at 10 am, no later than the third Thursday after the day of the ordinary election of Councillors.

1.2 At this meeting or at any adjournment of it, the Council will

(a) appoint the Lord Provost.

(b) appoint the Depute Convener, the Leader and Depute Leader of the Council, the Lead Members and members of the Corporate Policy and Finance Committee, Chairs and Vice Chairs and members of the other Committees, and of the joint committees and joint boards, the members of the Licensing Board and such representatives to other bodies as the Council may decide to appoint, and

(c) deal with any urgent competent business.

2. **Lord Provost and Depute Convener – term of office**

2.1 The Council may at any time agree to remove the Lord Provost and Depute Convener from office, with immediate effect, provided that not less than three quarters of the members of the Council present and voting so decide.

3. **Ordinary and special meetings**

3.1 A meeting of the Council will be held at 10 am on every fourth Thursday.

3.2 In a non-election year the Council, at its first ordinary meeting in May, or at any adjournment of it, will appoint the Leader and Depute Leader and Lead Members and members of the Corporate Policy and Finance Committee, Chairs, Vice Chairs and members of the other Committees and the joint committees and joint boards.

3.3 The Lord Provost may in exceptional circumstances alter the arrangements for ordinary meetings or authorise a special meeting to be called. A special meeting may be called at any time by written request to the Clerk specifying the business to be transacted and signed by at least one quarter of the members of the Council. The Clerk will arrange for the special meeting to be held within 14 days of receipt of the request. The right to call a meeting does not apply to Committees.

3.4 The Council may recess for periods to be determined by the Clerk after consultation with the Lord Provost and the Leader of the Council. During any recess no meetings of the Council, Corporate Policy and Finance Committee, Governance, Risk and Best Value Committee, Policy Overview Committees or the Petitions Committee will be held.

4. **Notice of Meetings**

4.1 At least 3 clear days before a meeting of the Council or its Committees:

(a) the Clerk will publish a notice of the time and place of the intended meeting. If the meeting is called by members of the Council, the signed request will accompany the notice; and

(b) a summons to attend the meeting containing the agenda of business will be sent to every Council member by email or to an alternative address nominated by them. If a summons is not sent to any member the meeting will still be validly called.

4.2 A Committee will hold such meetings as the Council may prescribe, but the Clerk will call additional meetings of a Committee at any time on being required to do so by the Committee concerned. The Clerk will call a meeting to be held within eight days of receiving a written request specifying the business to be transacted and signed by at least one quarter of the members of the Committee.

4.3 Any summons issued under paragraphs [Council] and [Committee] must give a note of the agenda of business and the proposed order for dealing with business at the meeting.

4.4 No business other than that set out in the notice of meeting may be dealt with unless it is brought before the Council or Committee as a matter of urgency. The Lord Provost or Chair must rule that it is a matter of urgency and give the reasons for the ruling to be noted in the minutes. The item must be made known at the start of the meeting when the order of business is decided. If the Lord Provost or Chair rules that the matter is not urgent, it will be included as an item for the next ordinary meeting of the Council or next scheduled committee meeting, unless dealt with earlier.

5. **Quorum**

5.1 The quorum of the Council is fifteen. No business may be transacted at any meeting unless a quorum is present. If fewer than fifteen members are present ten minutes after the appointed time for the start of the meeting the division bell will be rung. If after a further period of three minutes there are still fewer than fifteen members present, the meeting will be adjourned until such date and time as the Lord Provost decides.

- 5.2 If at any time during a Council meeting a question arises on whether there is a quorum, the Lord Provost will instruct a count of the members who are present. If a quorum is not present, the meeting will be adjourned until such date and time as the Lord Provost decides.
- 5.3 Subject to law the quorum of a Committee will be one third of the number of voting members of the Committee provided that in no case will any business be transacted unless at least two voting members are present.
- 5.4 If fewer members are present five minutes after the time appointed for the start of a Committee meeting than are needed to constitute a quorum the meeting will be adjourned until such date and time as the Chair decides. After a meeting has started if the number of members present falls below the quorum the meeting will be adjourned immediately until such date and time as the Chair decides.
- 5.5 A member who has declared an interest in an item of business and has left the meeting may not be counted in the quorum for that item of business. If less than a quorum of the Council or Committee is entitled to vote on an item due to declaration of interests that item cannot be dealt with at the meeting.

6. **Lord Provost - Council Meetings**

- 6.1 The Lord Provost will chair any Council meeting when he or she is present. When the Lord Provost is absent from a Council meeting, the Depute Convener will chair the meeting. When the Lord Provost and Depute Convener are absent, another member of the Council, chosen by the members present, will chair the meeting.

7. **Chair - Committees**

- 7.1 Subject to paragraph 7.2, the Chair will chair any meeting of a Committee when he or she is present. When the Chair is absent from a Committee meeting the Vice Chair, if appointed, will chair the meeting. When the Chair and Vice Chair are absent, another member chosen by the members present will chair the meeting.
- 7.2 When the Corporate Policy and Finance Committee is considering business that relates to the discharge of the Council's functions as education authority ("education business"), the Education, Children and Families Lead Member will chair the education business agenda items.

8. **Lord Provost and Chair - Duties**

8.1 The duties of the Lord Provost or Chair of the meeting, in accordance with these Standing Orders, will include:

- (a) Deciding on all matters of protocol, decorum, order, competency and relevancy;
- (b) Determining all matters of procedure for which no provision is made within these Standing Orders. In reaching this determination he/she may be advised by the Clerk;
- (c) Deciding priority between two or more members wishing to speak;
- (d) Ensuring that a fair opportunity is given to all members to express their views on any item of business;
- (e) Preserving order within the meeting;
- (f) Ordering the exclusion of any member of the public, in order to prevent or suppress disorderly conduct or any other misbehaviour which impedes or is, in the Lord Provost or Chair's opinion, impeding the business of the meeting;
- (g) In the event of disorder arising, adjourning the meeting to a time and date the Lord Provost or Chair will fix then or later. In leaving the meeting, the Lord Provost or Chair in such circumstances, will without further procedure, have formally adjourned the meeting;
- (h) Signing the minutes of the previous meeting;

8.2 The decision of the Lord Provost or Chair in relation to all questions regarding Standing Orders is final, but in reaching these decisions advice may be sought from the Clerk.

9. **Order of Business**

9.1 **Full Council** – the business of Council at ordinary meetings will take place in the following order:

- (a) Order of Business
- (b) Declaration of Interests
- (c) Deputations
- (d) Minutes
- (e) Council Questions

- (f) Leader's Report
- (g) Appointments
- (h) Reports
- (i) Motions

9.2 **Corporate Policy and Finance Committee** – the business of the Corporate Policy and Finance Committee will take place in the following order:

- (a) Order of Business
- (b) Declaration of Interests
- (c) Deputations
- (d) Minutes
- (e) Key Decisions Forward Plan
- (f) Leader's Business Bulletin
- (g) Reports:
 - (i) Education, Children and Families
 - (ii) Culture and Leisure
 - (iii) Health, Social Care and Housing
 - (iv) Transport, Environment and Infrastructure
 - (v) Economic Development
 - (vi) Transformation and Neighbourhood Development
 - (vii) Finance and Resources
- (h) Motions

9.3 **Policy Overview Committees** – the business of Policy Overview Committees will take place in the following order:

- (a) Order of Business
- (b) Declaration of Interests
- (c) Minutes
- (d) Chair's Business Bulletin

- (e) Work Programme
- (f) Reports:
 - (i) Policy Development
 - (ii) Policy Overview
- (g) Motions

9.4 **Governance, Risk and Best Value Committee** – the business of the Governance, Risk and Best Value Committee will take place in the following order:

- (a) Order of Business
- (b) Declaration of Interests
- (c) Deputations
- (d) Minutes
- (e) Chair’s Business Bulletin
- (f) Work Programme
- (g) Reports:
 - (i) Finance
 - (ii) Audit
 - (iii) Operational and Service Reviews
 - (iv) Performance
- (h) Motions

9.5 **Petitions Committee** – the business of the Petitions Committee will take place in the following order:

- (a) Order of business
- (b) Declaration of Interests
- (c) Minutes
- (d) Reports: Petitions presented to the Committee for consideration
- (e) Motions

10. **Power to vary order of business**

10.1 The Council or Committee may at any meeting vary the order of business to give precedence to any item on the agenda:

- (a) at the discretion of the Lord Provost or Chair; or
- (b) on a motion duly moved and seconded and voted on electronically or by a show of hands.

11. **Declaration of Interests**

11.1 Where a member declares an interest in accordance with the Councillors' Code of Conduct and leaves the meeting, the fact will be recorded in the minutes of the meeting.

12. **Deputations**

12.1 The Council or any Committee can hear deputations on any matter that is included in its power, duties or delegation.

12.2 Every application for a deputation must be from an office bearer of an organisation or group. It must be submitted by email or in writing, setting out the subject of the deputation and be delivered to the Clerk no later than 5pm on the day before the meeting concerned. The Lord Provost or Chair has discretion to waive this requirement.

12.3 The Clerk will submit the application to the Council or relevant Committee. An application for a deputation to Council will only be submitted if it relates to an item of business on the agenda for that meeting or if the Lord Provost decides that there is sufficient reason for the meeting to consider it.

12.4 When the Council or Committee considers whether to hear a deputation, it must not discuss the merits of the case itself. If necessary a vote will be taken without discussion on whether to hear the deputation.

12.5 Each deputation will not usually exceed four persons and will have ten minutes to present its case. If the meeting decides to hear more than one deputation on the same subject, they will be heard together. The Lord Provost or Chair will decide how much time to allow.

12.6 Unless the Lord Provost or Chair decides otherwise, the total maximum time allowed for deputations to present their cases at a meeting, excluding questions, will be limited to 60 minutes.

12.7 Any member can put a question to the deputation that is relevant to the subject. The total time allowed for such questions will not be more than ten minutes for each deputation. The merits of the case must not be discussed by members until the deputation has withdrawn.

12.8 This Standing Order does not apply in connection with hearings at the Licensing Sub-Committee, the Development Management Sub-Committee, or the City of Edinburgh Planning Review Body, nor to any subsequent consideration of the subject of the hearing.

13. **Minutes**

13.1 The Clerk will minute all Council and Committee meetings. The minutes will record the names of the members who attended the meeting. They will be circulated among members of the Council or Committee at least three clear working days before its next meeting for approval. If they are approved as a correct record of proceedings of the meeting, the Lord Provost or Chair of the meeting will sign them.

14. **Council Questions**

14.1 At any Council meeting, a member may put a question to the Lord Provost or to any Lead Member or Chair with relevant responsibility about any relevant or competent business. The question must be given in by email or in writing to the Clerk by noon on the seventh working day before the meeting. The Lord Provost, Lead Member or Chair may specify that a particular question will be answered by another Lead Member or Chair, with that member's consent.

14.2 A member may put a question to a Lead Member or Chair at a Council meeting about any matter that is on the summons for that meeting. He/she must give the question orally or in writing to the Clerk by 10am on the day before the meeting.

14.3 After a question has been answered the questioner may ask a supplementary question, if necessary, to seek clarification of the answer given. The total time for asking a supplementary question and replying to it will not be more than 5 minutes. The total time for all such questions and answers will not be more than 40 minutes.

14.4 No discussion will be allowed on any question or answer.

15. **Leader's Report and Questions**

15.1 At a meeting, a member may put one or more oral questions to the Leader in connection with the Leader's Report. The Leader may invite a Lead Member or Chair to respond on his/her behalf. The total time allowed for such questions and answers will not be more than 40 minutes.

15.2 No discussion will be allowed on any question or answer.

16. **Notices of Motion**

- 16.1 Every formal notice of motion will be in writing and signed by the member giving the notice. The notice must be delivered to the Clerk by noon on the seventh working day before the meeting. Those not received within this timescale, will not be included in the summons calling the meeting.
- 16.2 Late formal notices of motion may be submitted to the Council or Committee at the appropriate time in the meeting, in terms of Standing Order [order of business] if:
- (a) They have been delivered to the Clerk before the start of the meeting;
 - (b) They are considered by the Lord Provost or Chair to be competent, relevant and urgent; and
 - (c) They have been circulated to members before the meeting commences or read by the Clerk to the meeting at the appropriate time in the meeting.
- 16.3 Late motions, which are not accepted as urgent by the Lord Provost or Chair, will be considered at the next ordinary meeting.
- 16.4 Every formal motion submitted, in terms of paragraphs [x] and [x] above, will require to be moved and seconded formally. If such a motion is not moved and seconded formally it will fall and this will be recorded in the minutes.

17. **Order of Debates**

- 17.1 A member who wants to speak, when called on, will address the Lord Provost or Chair. The member will speak directly on the motion or amendment that is being proposed, seconded or discussed, or on a question of order. No member can speak more than once on any subject that is being discussed, except for a point of order or, with the permission of the Lord Provost or Chair, to give an explanation. The person proposing the motion has a right of reply.

18. **Length of Speeches**

- 18.1 Except with the Lord Provost or Chair's permission the proposer and seconder of a motion or an amendment must not speak for more than five minutes, and all other speakers for not more than three minutes. The proposer of the original motion may speak for up to five minutes in reply, and the reply must not introduce any new matter into the debate. After that, the discussion will finish and the Lord Provost or Chair will direct that a vote be taken.

19. **Motion for Adjournment**

19.1 A motion to adjourn the meeting may be put at any time, except if a member is speaking, and will have precedence over all other motions. It must be moved and seconded without discussion and must at once be put by the Lord Provost or Chair in the form of 'adjourn' or 'not adjourn.'

19.2 A second or subsequent motion to adjourn may not be made within half an hour unless it is moved by the Lord Provost or Chair when it will be dealt with as in paragraph [x].

20. **Debate**

20.1 A member wishing to speak will rise will address the Lord Provost or Chair. He/she will speak only on the matter under consideration or on a question of order.

20.2 A member proposing to submit a motion or amendment on any subject under discussion will before addressing the meeting state the terms of the motion or amendment. If he/she fails to do so the Lord Provost or Chair will ask him/her to state the terms. Every motion or amendment must be moved and seconded and will, when required by the Lord Provost or Chair, be put in writing and handed over to the Clerk.

20.3 The mover of any motion or amendment may speak in support of the motion or amendment for not more than five minutes. No other speaker may speak for more than three minutes or more than once in the same discussion except to call attention to a point of order.

20.4 The mover of the original motion will have the right to speak for a further five minutes in reply to the debate after which the discussion will be closed. The mover of the motion must, in his/her reply, strictly confine himself/herself to answering previous speakers and not introducing any new matter. No member will be permitted to offer an opinion or to ask a question or otherwise to interrupt the proceedings. The motion and amendment(s) will then be voted on by Councillors.

20.5 The limits of time specified in paragraphs [x] and [x] above may be exceeded with the consent of the majority of members present and the Lord Provost or Chair may determine, without taking a vote, whether such consent has been obtained.

20.6 When a motion and two or more amendments are before the meeting, the Lord Provost or Chair will decide the order and manner for putting the motion and amendments to the meeting.

- 20.7 The mover of the motion or amendment may agree to add all or part of an amendment moved and seconded by other members, provided that:
- (a) His/her seconder consents;
 - (b) The mover and seconder of the other amendment consents; and
 - (c) The agreement takes place before the mover of the motion has replied.
- 20.8 The mover of an amendment, which is not seconded, may have his/her dissent to the decision of the Council or Committee minuted.

21. **Closure of Debate**

- 21.1 Any councillor who has not spoken on the question before the meeting may propose 'that the matter be now decided'. If this is seconded and the Lord Provost or Chair thinks the question has been discussed enough, he or she will order that a vote on the motion be taken, without amendment or discussion. If the motion that the matter be now decided is carried, the proposer of the original motion will have a right to reply, and the question itself will then be put to the meeting. If the motion that the matter be now decided is not carried, a similar motion may be made after every two further members have spoken.

22. **Voting**

- 22.1 A vote may be taken by either calling the roll, by electronic voting or by a show of hands. When it is proposed to take the vote by electronic voting or by a show of hands, any member may object and if ten members present at the Council or two members in any other Committee object, the vote must be taken by calling the roll. All votes on procedure, however, will be taken by electronic voting or a show of hands.
- 22.2 When a motion and amendment are before the Council or Committee the proposal receiving the support of a majority of members present and voting will be declared to be a decision of the Council or Committee.
- 22.3 When a motion and two or more amendments are before the Council or Committee and the adoption of one or more of the proposals would result in either the postponement of a decision or in negation, a vote will firstly be taken on the proposal(s) involving postponement or negation as soon as the discussion is completed. The proposal(s) involving postponement or negation ('not proceed') will be put to the Council or Committee in the form of 'proceed' or 'not proceed'. Any vote necessary on the remaining proposals will be taken in terms of paragraph [x] or [x].

- 22.4 When a motion and two or more amendments, none of which involves postponement or negation, are before the Council or Committee, the vote will be taken on all proposals, each member having one vote. If a proposal receives the support of a majority of members voting it will be declared to be the decision of the Council or Committee. If none of the proposals receives the support of a majority of those voting, the one which has received the fewest votes will be dropped and a fresh vote taken on the remaining proposals. If there is an equal number of votes between the proposals with the fewest votes the Lord Provost will have a casting vote to determine which proposal should be dropped. If the Lord Provost does not exercise his/her casting vote, the decision will be by lot. This process of elimination will continue until one proposal has received majority support from those voting which will be declared the decision of the Council or Committee.
- 22.5 If there are equal numbers of votes, the Lord Provost or Chair will have a casting vote except where the vote relates to appointing a member of the Council to any particular office or committee. In this case, the decision will be by lot.
- 22.6 In a meeting of the Council, the City Officer will ring the Division Bell for sixty seconds immediately before any vote is taken. The doors of the Council Chamber will then be locked and voting undertaken by the Clerk. Where a series of votes is to be taken, which in the opinion of the Lord Provost are on related subjects, the Lord Provost may suspend the requirements of this paragraph after the first vote in the series.
- 22.7 If a vote has been taken and a member immediately challenges the accuracy of the count, the Lord Provost or Chair will decide whether to have a recount. If there is a recount, the Lord Provost or Chair will decide how this should be taken.

23. **Appointments**

- 23.1 When appointing a member of the Council or any person to office where the number of candidates is more than the number of vacancies, the person to be selected may be decided by ballot. In each case, members can vote for as many candidates as there are vacancies but in any vote, they may only vote once for any one candidate.
- 23.2 If only one vacancy is to be filled and one candidate has an absolute majority of the votes cast, that candidate will be declared appointed. If this is not the case, the name of the candidate with the fewest votes will be taken off the list of candidates. This process of elimination will continue until the number of remaining candidates equals the number of vacancies or one candidate has a majority and there is only one vacancy. That candidate or those candidates will be declared to be appointed.
- 23.3 If there is a vote between more than two candidates and there are an equal number of votes for candidates with fewest votes, there will be an extra vote by

ballot of those candidates. The name of the candidate with the fewest votes will be taken off the list. If there are an equal number of votes between two candidates, the candidate to be taken off the list will be decided by lot.

- 23.4 Subject to law, appointments to outside bodies are for the life of the Council unless the person appointed resigns from the appointment or the outside body's constitution specifies a different time period.

24. **Point of Order**

- 24.1 Any member may raise a point of order at any time during a meeting. Any member who is addressing the meeting when a question of order is raised will resume his/her seat until the question has been decided by the Lord Provost or Chair. The member raising the point of order will advise which Standing Order he/she considers is being infringed and thereafter, without debate, await the Lord Provost or Chair's decision. No other member may speak to the point of order unless with the permission of the Lord Provost or Chair. The decision of the Lord Provost or Chair will be final and cannot be discussed.

25. **Suspension of Standing Orders**

- 25.1 The Council may on a motion duly moved and seconded, and with the consent of two thirds of members voting, suspend any Standing Order specified in the motion. Any such motion may be submitted, without previous notice, and will be voted on electronically or by a show of hands without discussion.
- 25.2 Standing Orders numbers [Lord Provost and Depute Convener Term of Office, Access of media and members of the public, Point of Order, Chair Duties & (g) on disorderly conduct, Obstructive or offensive conduct & Debate (6)] will not be capable of suspension.

26. **Obstructive or offensive conduct by members**

- 26.1 If any member at any meeting disregards the authority of the Lord Provost or Chair, or behaves obstructively or offensively, a motion may then be proposed and seconded to suspend the member for the rest or any part of the meeting. The motion will be put without discussion. If it is carried, the City Officer or Clerk will act on any orders received from the Lord Provost or Chair to carry out the decision.

27. **Changing a Council decision**

27.1 Subject to law, a decision of the Council cannot be changed by the Council within six months unless notice has been given of the proposed item in the summons for the meeting and:

- (a) the Lord Provost rules there has been a material change of circumstances; or
- (b) the Council agrees the decision was based on erroneous, incorrect or incomplete information.

28. **Referring a decision to Council**

28.1 Subject to paragraph [28.2], where a decision is taken at the Corporate Policy and Finance Committee, Governance, Risk & Best Value Committee or the Regulatory Committee, not less than [one quarter of the members present may ask for it to be passed to Council as a recommendation.

28.2 A decision will not be sent to the Council in terms of paragraph [28.1] where the Chair considers that a final decision must be made before the next meeting of the Council, in order to avoid material prejudice to the interests of the Council. The Chair will give clear reasons for this decision.

28.3 Option One: If recommendations from a Policy Overview Committee are not agreed by the Corporate Policy and Finance Committee, at the request of at least [one quarter] of the members present at the meeting of the Policy Overview Committee, the matter can be referred to the Council for decision; or

28.4 Option Two: At the request of at least [one quarter] of the members present at a meeting of a Policy Overview Committee, a recommendation of the Policy Overview Committee may be referred to Council rather than the Corporate Policy and Finance Committee, for determination.

29. **Committee – non member motion**

29.1 Any member may raise with the relevant committee a matter of new business that is not already the subject of consideration by submitting a motion in writing to the Clerk by noon on the seventh working day before the meeting. .If accepted by the Lead Member or Chair the matter will be placed on the agenda of business for the next meeting. A Lead Member or Chair can only delay consideration of business submitted in terms of this Standing Order by one cycle. The member raising the matter will be entitled to appear at that meeting to move his/her motion, which will require to be seconded by another member, but may not vote unless he/she is a member of the Committee.

30. **Ward or members with special interest**

- 30.1 A member of the Council who is not a member of a particular committee may be invited by the Lead Member, Chair or Vice Chair to attend a meeting where there is under discussion any item in which that member has a local or other special interest. The member will be entitled to speak on that item but may not vote. This Standing Order does not apply to the Regulatory or the Planning Committee or any of their sub-committees.

31. **Corporate Policy and Finance Committee**

- 31.1 The Corporate Policy and Finance Committee agenda will be sent to all members of the Council at the same time it is sent to Committee members.
- 31.2 When the Corporate Policy and Finance Committee meets to advise the Council of any matter relating to the discharge of its functions as Education Authority or to discharge any of those functions on the Council's behalf its voting membership will also comprise three persons representing churches and other religions appointed under section 124 of the Local Government (Scotland) Act 1973 [, two teacher representatives and one parent representative appointed in accordance with the Council's Regulations for appointment of members for Education business].

32. **Policy Overview Committees**

- 32.1 When the Education, Children and Families Policy Overview Committee meets to advise the Council of any matter relating to the discharge of its functions as Education Authority its voting membership will also comprise three persons representing churches and other religions appointed under section 124 of the Local Government (Scotland) Act 1973, two teacher representatives and one parent representative appointed in accordance with the Council's Regulations for appointment of members for Education business.

33. **Freedom of the City**

- 33.1 Any member of the Council who wishes to propose that the Freedom of the City be offered to any distinguished person will first consult the Lord Provost before submitting any motion to the Council.
- 33.2 Any motion to give Freedom of the City will be stated in the notice of the meeting of the Council and will need to be passed by at least two thirds of members at the meeting.

34. **Admission of media and members of the public**

34.1 Subject to law and in particular to the provisions of the Local Government (Access to Information) Act 1985, meetings will be open to the public and representatives of the media, subject to powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at the meeting.

34.2 Other than the live web casting of Council meetings by the Council, any video or sound recordings or broadcasting of meetings or the taking of any photographs will be at the Lord Provost or Chair's discretion.

35. **Variation and revocation of Standing Orders**

35.1 Any motion to vary or revoke these Standing Orders will, when voted on, be approved by a majority of members of the Council present and voting. Any such motion must be by formal notice as provided in Standing Order [Notice of Motion].

36. **Review of Standing Orders**

36.1 These Standing Orders will be reviewed annually at the first ordinary Council meeting.