

Governance Review: Political Management Arrangements and Operational Governance

The City of Edinburgh Council

20 September 2012

1 Purpose of report

1.1 The purpose of this report is to:

- 1.1.1 update members following consultation on outline proposals for new political management arrangements for the Council;
- 1.1.2 provide an overview of a revised model for consideration; and
- 1.1.3 provide an update on Elements Two, Three and Four of the Governance Review.

2 Main report

Background

- 2.1 Following a motion by the Leader at the Council meeting on 24 May 2012, a range of options were presented for new political management arrangements based on the following key principles:
- 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 executive 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.
- 2.2 A preferred option was identified and consultation was undertaken with proposals circulated to members from 19 July 2012. The Council noted the

proposals at the meeting on 23 August and agreed to continue consultation with consideration of a further report at this meeting.

- 2.3 Key aspects of the proposed model were received positively including strengthened scrutiny and oversight arrangements supported by a Governance, Risk and Best Value Committee, greater focus on policy development from the outset with wider engagement with key stakeholders, partners and communities, the introduction of a Petitions Committee and modernisation of committee business processes and ICT developments. The main areas of concern were focused on centralised decision making leading to a perception of 'two tier' councillors and ensuring key matters of ward interest or sensitivity were discussed in the appropriate forum.
- 2.4 A Governance Review Group of Administration elected members was set up to discuss the matter, consider cross party feedback and recommend revisions to the proposed model. The Group agreed to recommend a refined committee model to Council as set out below.
- 2.5 It is proposed that the Council consider discontinuing the existing committee arrangements and replacing with a refined committee model comprised of:
- a) Corporate Policy and Strategy Committee;
 - b) Seven executive decision making committees each with a sub committee focused on policy development as follows:
 - Communities and Neighbourhoods;
 - Culture and Sport;
 - Economy;
 - Education, Children and Families;
 - Finance and Budget;
 - Health, Wellbeing and Housing; and
 - Transport and Environment.
 - c) Governance, Risk and Best Value Committee;
 - d) Petitions Committee;
 - e) Pensions Committee and Audit Sub Committee;
 - f) Neighbourhood Partnerships (Advisory Committees);
 - g) Current committee arrangements for Planning and Regulatory responsibilities, appeals and joint boards.
- 2.6 An outline of the Terms of Reference and Scheme of Delegated Functions of each Committee is set out in Appendix 3 for approval.

Corporate Policy and Strategy Committee

- 2.7 The Committee has a revised corporate remit focusing on key strategic objectives, corporate policy, programmes and projects. This committee will work closely with all specialist executive committees and their members, officers, partners and key stakeholders to implement a range of initiatives for the council in line with the Capital Coalition pledges and council outcomes.

- 2.8 The consideration of Neighbourhood Plans, prepared in accordance with the Council's Neighbourhood Partnership arrangements, was within the remit of the Policy and Strategy Committee. In line with the proposed new executive committees, detailed from paragraph 2.9 in this report, it is proposed that consideration and approval of neighbourhood plans will transfer to the Communities and Neighbourhoods Executive Committee.
- 2.9 The membership of the Corporate Policy and Strategy Committee will be 15 members with a political balance of 5 Labour, 4 SNP, 3 Conservative, 2 Green and 1 SLD. The Convener of the committee is the Leader of the Council and the Vice Convener is the Deputy Leader.

Executive committees

- 2.10 Seven executive committees will focus on delivery of outcomes, Capital Coalition pledges and executive decision-making across a range of key areas. Each executive committee will form a Policy Development and Review Sub-Committee, chaired by its vice convener. The remit of each sub-committee is to develop and agree new policies in line with the capital coalition pledges and council outcomes and review the effectiveness of policy implementation, in accordance with the agreed strategic policy direction.
- 2.11 The membership of the Education, Children and Families committee will be 20 members, with a political balance of 7 Labour, 6 SNP, 4 Conservative, 2 Green and 1 SLD and the membership of the Health, Wellbeing and Housing and Transport and Environment committees will be 15 members, with a political balance of 5 Labour, 4 SNP, 3 Conservative, 2 Green and 1 SLD, all in recognition of the levels of business and priority areas of work linked to the Coalition pledges.
- 2.12 The membership of the remaining executive committees will be 13 members with a political balance of 5 Labour, 4 SNP, 2 Conservative, 1 Green and 1 SLD:
- a) Communities and Neighbourhoods.
 - b) Culture and Sport;
 - c) Economy; and
 - d) Finance and Budget.

Agenda and Business

- 2.13 Each executive committee will be chaired by the Convener with the order of business on each agenda as follows:
- Order of Business
 - Declaration of Interests
 - Minute of previous meeting
 - Deputations
 - Convener's Business Bulletin
 - Executive Decisions
 - Routine Decisions

- 2.14 As highlighted above reports that require an executive or key committee decision will be considered individually at each meeting in depth. Reports that are less strategic and less politically sensitive or have a low profile will generally be considered under routine business as a package. However, any matters that require more in depth consideration or discussions will be heard individually.
- 2.15 Following each executive committee, there will be a meeting of the appropriate Policy Development and Review Sub-Committee. This sub-committee will have the same membership as the parent committee but be chaired by the Vice Convener who will lead on key areas of policy development and review. This is designed to support enhanced public, community and stakeholder engagement in policy development and design ensuring that a range of input can be considered from the outset.

Budget policy development and review committee

- 2.16 The budget sub-committee has a separate remit in line with the Capital Coalition Agreement. The current Council annual budget process will be revised and in future the budget will be developed by the cross party sub-committee consulting and engaging closely with the public, communities and key stakeholders as proposals develop. The sub-committee will hear evidence on a range of critical areas and publish proposals via the Council's website to widen the scope for feedback.

Additional Members: Education, Children and Families Committee

- 2.17 The opportunity was taken to consult on options for additional members on the Education, Children and Families Committee with particular reference to how non-statutory, parent and teacher, representatives could 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. The following options are for consideration:
- a) **Option one:** 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.
 - b) **Option two:** six additional members to include three religious representatives, two teacher representatives and one parent representative.

- 2.18 Members are asked to agree an option for additional representatives for Education, Children and Families business and regulations for appointments set out in Appendix 6.

Governance, Risk and Best Value Committee

- 2.19 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. The previous proposal to the Council in August envisaged a centralised model of political management and this has, subject to approval,

been adjusted. This may have a potential impact on the initial effectiveness of the proposed Governance, Risk and Best Value Committee.

- 2.20 The operation of the committee will be monitored to support oversight and scrutiny across the full range of decision making executive committees and an evaluation of the committee's operation will be provided in the six month review of the political management arrangements. Additional officer support will be allocated in the early stages to develop an initial work programme and to plan business.
- 2.21 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.
- 2.22 In accordance with Audit Scotland guidance, the Chair of the Governance, Risk and Best Value committee will be a member of the opposition.

Petitions Committee

- 2.23 The committee will consider petitions submitted online as an e-petition or in writing, in accordance with the proposed petitions procedures detailed in appendix four, and determine the appropriate action to take.
- 2.24 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. The Chair of the petitions committee will be a member of the opposition.
- 2.25 The following options are suggested to determine the validity of petitions submitted:
 - a) **Option one:** 250 signatures is the threshold for all petitions;
 - b) **Option two:** 500 signatures is the threshold for all petitions but the Convener has discretion between 250 and 500 signatures on any matter;
or
 - c) **Options three:** 500 signatures is the threshold but the Convener has discretion between 250 and 500 signatures for localised issues only. This would apply where a principal petitioner can demonstrate that in relation to a particularly localised issue of concern, that it was not possible to obtain 500 signatures.
- 2.26 Members are asked to agree an option to apply to the validity of petitions and procedures for the Petitions committee set out in appendix 5.

Pensions Committee and Audit Sub Committee (Pensions)

- 2.27 Proposals to create a separate Pensions Committee and Audit Sub Committee for the Lothian Pension Fund were outlined in the report noted by the Council on 23 August 2012 'Review of Lothian Pension Funds Governance Framework.'
- 2.28 A new 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.

- 2.29 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.
- 2.30 As a result of the above changes to the governance arrangements for pensions, consideration has been given to the most effective governance arrangements for the future management of the Council's charitable trusts. The following options are suggested for consideration:
- a) **Option one:** responsibility for the trusts/endowments transferred from the Pensions and Trusts Committee are allocated between those executive committees that have a direct interest in the purposes of the relevant trust; or
 - b) **Option two:** responsibility for the trusts/endowments transferred from the Pensions and Trusts Committee to the Finance and Budget Committee.
- 2.31 Members are asked to agree an option to ensure effective administration of the Council's trusts.

Programme of Meetings

- 2.32 Council meetings will continue on a four weekly basis. Other Committees will generally meet every eight weeks with the exception of the Corporate Policy and Strategy Committee, Finance and Budget Committee (between October and March annually) 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 is set out in Appendix 4.
- 2.33 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.
- 2.34 The new arrangements will be effective from 29 October 2012, or agreed date thereafter.

Designation of Senior Councillors

- 2.35 On 24 May 2012, the Council agreed to allocate 'senior councillor' status to members of the existing committees. If the proposals in this report are agreed and are implemented the new committee arrangements will be in place from 29 October 2012, or agreed date thereafter.
- 2.36 In addition to remuneration arrangements agreed for the Lord Provost, Depute Lord Provost, Leader and Deputy Leader by Council on 24 May 2012, 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:

- Conveners of the executive committees - 65%;
- Vice Conveners of the Communities and Neighbourhoods, Culture and Sport, Education, Children and Families, Finance and Budget and Health, Wellbeing and Housing executive committees - 45%;
- Chair of the Governance, Risk and Best Value Committee- 50%; and
- Chair of the Petitions Committee- 45%.

2.37 The total cost of Councillors' remuneration, as outlined above, can be contained within the sum prescribed in the appropriate regulations.

Committee Business Processes

2.38 The revised political management arrangements, submitted to the August Council meeting, included a range of improved committee business processes to ensure efficient and effective processing of all business to support members. These have been developed further to support the refined committee model proposed by the Governance Review Group. The following is a summary of the main proposals:

- Business bulletins for the executive committees 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 Strategy Committee and each executive committee will agree and publish a key decisions forward plan for each 12-week period.
- Each Policy Development and Review Sub-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 work programme will be set by the parent executive committee in consultation with the Corporate Policy and Strategy Committee.
- A Policy Development and Overview progress report will be submitted from each Executive committee to the Corporate Policy and Strategy Committee for noting every six months.

- The Governance, Risk and Best Value Committee will formulate its own work programme and this will be reviewed and adjusted every four months.

2.39 A dedicated governance function is being created within the Legal, Risk and Compliance Division to provide an enhanced level of support and input to the full range of governance and compliance areas of the Council's business. This will include an enhanced range of committee business support services. A full range of research and information services will be developed for members in line with the increased focus on scrutiny and policy development. All revised committee business processes will be kept under review in close consultation with elected members.

Procedural Standing Orders for Council and Committee Meetings

2.40 Procedural Standing Orders for Council and Committee Meetings have been developed both updating and refreshing the format and content of those currently in use. For ease of reference the draft set out for approval in Appendix 2 shows the changes from the version submitted to council in August.

2.41 The key updates and revisions to the existing Standing Order provisions are:

- Standing Orders 14 and 16: Council Questions and Notices of Motion - both questions and motions to be submitted to the clerk by noon on the seventh working day before the meeting;
- Standing Order 24: Point of Order - new provision included for clarification.
- Standing Order 29: Committee– non-member motion – proposed new provision.
- Standing Order 30: Ward or members with special interest – proposed new provision.
- Standing Order 33: Freedom of the City – the process has been streamlined by removing referral to Finance and Resources or equivalent Committee.

2.42 The key elements of the Council's governance and procedural documentation will be updated annually and submitted to the Council meeting in May for approval.

Governance Review Element Two - Operational Governance

2.43 The Governance Review has also focused on key areas of the Council's operational governance framework including the following:

- Financial Regulations;
- Scheme of Delegation to Officers;
- Arms Length External Organisations; and
- Contracts Standing Orders.

- 2.44 Following the Council meeting in August, consultation on the proposals to revise the Scheme of Delegation to officers and Financial Regulations has commenced with officers. Briefing and consultation with all elected members will begin following this meeting.

Arms Length External Organisations

- 2.45 A new governance framework for the Council's Arms Length External Organisations (ALEO's) is being developed and consultation has commenced with officers. Briefing and consultation with all elected members will begin following this meeting.

Contracts Standing Orders

- 2.46 Following a review of the Council's tendering procedures as part of the Procurement Transformation Project, a review of Contracts Standing Orders has been undertaken to reflect developments in leading procurement practices, law and in line with good governance. A revised draft of Contracts Standing Orders has been prepared and consultation has commenced with officers. Briefing and consultation with all elected members will begin following this meeting.

Governance Review Elements Three and Four – Strategic and Programme Governance

- 2.47 Good progress has been made in relation to the strategic and programme governance elements of the review, outlined in the report noted by Council in August.
- 2.48 Further detailed reports for consideration and approval will be presented to the Council meeting on 25 October in line with agreed progress reporting arrangements.

3 Financial implications

- 3.1 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:

6.1.1 notes the consultation undertaken with members to develop and refine the Council's political management arrangements; and

6.1.2 considers approval of the refined committee model outlined within this report.

6.2 If approved, to:

6.2.1 agree to create the Committees proposed in paragraph 2.5, note arrangements for consideration of neighbourhood plans outlined in paragraph 2.8 and select option 1 or 2 detailed in paragraph 2.30 for the administration of trusts;

6.2.2 appoint 15 members to the Corporate Policy and Strategy Committee with a political balance of 5 Labour, 4 SNP, 3 Conservative, 2 Green and 1 SLD and notes the Leader and Deputy Leader will be convener and vice convener respectively;

6.2.3 appoint 20 members to the Education, Children and Families Committee with a political balance of 7 Labour, 6 SNP, 4 Conservative, 2 Green and 1 SLD and appoint administration members as convener and vice convener;

6.2.4 appoint 15 members to the Health, Wellbeing and Housing and Transport and Environment Committees with a political balance of 5 Labour, 4 SNP, 3 Conservative, 2 Green and 1 SLD and appoint administration members as conveners and vice conveners for each committee respectively;

6.2.5 appoint 13 members to the Communities and Neighbourhoods, Culture and Sport, Economy and Finance and Budget Committees with a political balance of 5 Labour, 4 SNP, 2 Conservative, 1 Green and 1 SLD and appoint administration members as conveners and vice conveners for each committee respectively;

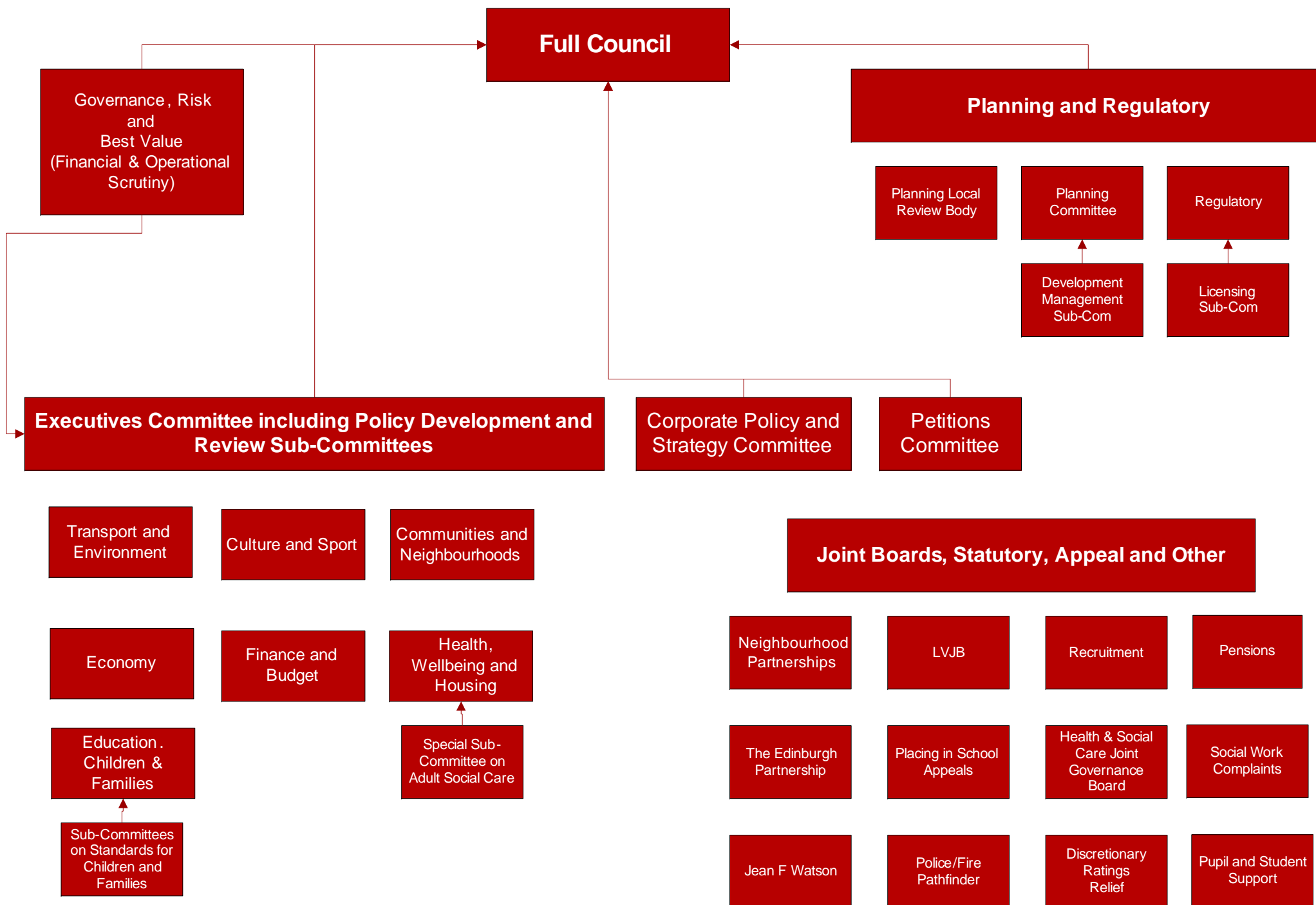
6.2.6 approve the regulations for appointment of religious, teacher and parent representatives detailed in appendix 6;

- 6.2.7 agree to appoint the following as additional members to the Education, Children and Families Committee:
- i. If Option one is chosen appoint the following: A Craig Duncan (Church of Scotland), Ms Marie Allan (Roman Catholic) and Rev Thomas Couper (The Robin Chapel), Allan Crosbie (Teacher representative) and Raymond George Simpson (Teacher representative); or
 - ii. If Option two is chosen appoint the following: A Craig Duncan (Church of Scotland), Ms Marie Allan (Roman Catholic) and Rev Thomas Couper (The Robin Chapel), Allan Crosbie (Teacher representative), Raymond George Simpson (Teacher representative) and a parent representative in accordance with the regulations in appendix 6.
- 6.2.8 appoint 13 members to the Governance, Risk and Best Value Committee with a political balance of 5 Labour, 4 SNP, 2 Conservative, 1 Green and 1 SLD and appoint an opposition member as convener;
- 6.2.9 appoint 10 members to the Petitions Committee with a political balance of 3 Labour, 3 SNP, 2 Conservative, 1 Green and 1 SLD and appoint an opposition member as convener;
- 6.2.10 approve the Procedures for the Petitions Committee detailed in appendix 5, subject to selection and incorporation of option 1, 2 or 3 outlined in paragraph 2.25;
- 6.2.11 appoint 5 members to the Pensions Committee with a political balance of 2 Labour, 2 SNP and 1 Conservative and to appoint an opposition member as convener;
- 6.2.12 approve the Committee Terms of Reference and Scheme of Delegated Functions in Appendix 3;
- 6.2.13 repeal Standing Orders and approve in their place the Procedural Standing Orders for Council and Committee Meetings set out in Appendix 2, such repeal and approval to take effect from 29 October 2012;
- 6.2.14 approve the outline programme of meetings at Appendix 4, and agree to implement new arrangements from 29 October 2012;
- 6.2.15 approve the designation of senior councillors detailed in paragraph 2.36; and
- 6.2.16 delegate authority to the Director of Corporate Governance to take such actions and make such minor adjustments to the documents set out in appendices 2 to 6 of this report as may be necessary in order to implement the decisions of Council in relation to this report; and
- 6.2.17 agrees to review these new arrangements after six months operation.

6.3 To note progress and consultation arrangements for elements two, three and four of the governance review.

Alastair D Maclean
Director of Corporate Governance

Appendices	Appendix One: Outline Committee Model Appendix Two: Procedural Standing Orders Appendix Three: Committee Terms of Reference and Delegated Functions Appendix Four: Programme of Meetings Appendix Five: Petitions Committee Draft Procedures Appendix Six: Regulations for the appointment of Religious, Teacher and Parent Representatives
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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 Two

CITY OF EDINBURGH COUNCIL

PROCEDURAL STANDING ORDERS

FOR COUNCIL

AND COMMITTEE MEETINGS

CONTENTS

1.	First meeting of the Council after an election	3
2.	Lord Provost and Depute Convener – Term of Office	3
3.	Ordinary and special meetings	3
4.	Notice of meetings	4
5.	Quorum	4
6.	Lord Provost – Council Meetings	5
7.	Convener– Committees	5
8.	Lord Provost and Convener – Duties	5
9.	Order of business	6
10.	Power to vary order of business	8
11.	Declaration of interests	8
12.	Deputations	8
13.	Minutes	9
14.	Council questions	9
15.	Leader’s report and questions	9
16.	Notices of Motion	10
17.	Order of debate	10
18.	Length of speeches	10
19.	Motion for adjournment	11
20.	Debate	11
21.	Closure of debate	12
22.	Voting	12
23.	Appointments	13
24.	Point of order	14
25.	Suspension of Standing Orders	14
26.	Obstructive or offensive conduct by members	14
27.	Changing a Council decision	15
28.	Referring a decision to Full Council	15
29.	Committee – non-member motion	15
30.	Ward or members with special interest	15
31.	Freedom of the City	16
32.	Admission of media and members of the public	16
33.	Variation and revocation of Standing Orders	16
34.	Review of Standing Orders	16

STANDING ORDERS

These standing orders (“**Standing Orders**”) apply from 29 October 2012 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 members of the committees of the Council and their conveners and any vice-conveners, the members 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, the members of the committees of the Council and their conveners and any vice-conveners and the members of 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 Strategy Committee, Executive Committees, Governance, Risk and Best Value Committee 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 Standing Order 4.1 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 Convener 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 Convener 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 Convener 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 Convener 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. **Convener - Committees**

- 7.1 The Convener will chair any meeting of a Committee when he or she is present. When the Convener is absent from a Committee meeting the Vice-Convener, if appointed, will chair the meeting. When the Convener and Vice-Convener are absent, another member chosen by the members present will chair the meeting.

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

- 8.1 The duties of the Lord Provost or Convener 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 Convener will fix then or later. In leaving the meeting, the Lord Provost or Convener 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 Convener 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 Strategy Committee and Executive Committees** – the business of the Corporate Policy and Strategy Committee and Executive Committees 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) Convener's Business Bulletin
- (g) Executive Decisions
- (h) Routine Decisions
- (i) Motions

9.3 **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) Convener's Business Bulletin
- (f) Work Programme
- (g) Reports:
 - (i) Finance
 - (ii) Audit
 - (iii) Operational and Service Reviews
 - (iv) Performance
- (h) Motions

9.4 **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 Convener; 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 Convener 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 Convener will decide how much time to allow.

12.6 Unless the Lord Provost or Convener 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 Convener 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 Convener or Vice-Convener 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 or Convener may specify that a particular question will be answered by another Convener or Vice-Convener, with that member's consent.

14.2 A member may put a question to a Convener or Vice-Convener 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 Convener or Vice-Convener 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 4.4 if:
- (a) They have been delivered to the Clerk before the start of the meeting;
 - (b) They are considered by the Lord Provost or Convener 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 Convener, will be considered at the next ordinary meeting.
- 16.4 Every formal motion submitted, in terms of Standing Orders 16.1 and 16.2, 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 wishes to speak, when called on, will address the Lord Provost or Convener. 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 Convener, 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 Convener'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 Convener 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 Convener 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 Convener when it will be dealt with as in Standing Order 19.1.

20. **Debate**

20.1 A member wishing to speak will rise will address the Lord Provost or Convener. 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 Convener 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 Convener, 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 members.

20.5 The limits of time specified in Standing Orders 20.3 and 20.4 may be exceeded with the consent of the majority of members present and the Lord Provost or Convener 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 Convener 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 member 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 Convener 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 Standing Order 22.1.

- 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 Convener 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 Standing Order 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 Convener will decide whether to have a recount. If there is a recount, the Lord Provost or Convener 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 Convener. 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 Convener. The decision of the Lord Provost or Convener 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 2, 8, 20.6, 24, 25, 26 and 32 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 Convener, 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 Convener 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 Standing Order 28.2, where a decision is taken at the Corporate Policy and Strategy Committee, Executive Committees, 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 Standing Order 28.1 where the Convener 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 Convener will give clear reasons for this decision.

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 Convener the matter will be placed on the agenda of business for the next meeting. A Convener 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 Convener, or Vice-Convener 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. **Freedom of the City**

31.1 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.

31.2 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.

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

32.1 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.

32.2 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.

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

33.1 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 16.

34. **Review of Standing Orders**

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

Appendix ~~One~~ Two

CITY OF EDINBURGH COUNCIL

PROCEDURAL STANDING ORDERS

FOR COUNCIL

AND COMMITTEE MEETINGS

CONTENTS

1.	First meeting of the Council after an election	3
2.	Lord Provost and Depute Convener – Term of Office	3
3.	Ordinary and special meetings	3
4.	Notice of meetings	4
5.	Quorum	4
6.	Lord Provost – Council Meetings	5
7.	Chair Convener – Committees and Sub-Committees	5
8.	Lord Provost and Chair Convener – Duties	5
9.	Order of business	6
10.	Power to vary order of business	8
11.	Declaration of interests	8
12.	Deputations	8
13.	Minutes	9
14.	Council questions	9
15.	Leader’s report and questions	9
16.	Notices of Motion	10
17.	Order of debate	10
18.	Length of speeches	10
19.	Motion for adjournment	11
20.	Debate	11
21.	Closure of debate	12
22.	Voting	12
23.	Appointments	13
24.	Point of order	14
25.	Suspension of Standing Orders	14
26.	Obstructive or offensive conduct by members	14
27.	Changing a Council decision	15
28.	Referring a decision to Full Council	15
29.	Committee – non-member business motion	15
30.	Ward or members with special interest	15
31.	Corporate Policy and Strategy Committee	
32.		
31 33	Freedom of the City	16

<u>32.</u> 34	Admission of media and members of the public	<u>16</u>
	⌵	
<u>33.</u> 35	Variation and revocation of Standing Orders	<u>16</u>
	⌵	
<u>34.</u> 36	Review of Standing Orders	<u>16</u>
	⌵	

STANDING ORDERS

These standing orders ("[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 members of the ~~Corporate Policy and Strategy Committee, Conveners, Vice Conveners and members of the Executive Committees and other Committees, and~~[committees of the Council and their conveners and any vice-conveners, the members](#) 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 ~~of the Council, the members of the Corporate Policy and Strategy Committee, Conveners, Vice Conveners and members of the Executive Committees and other Committees, and~~ [the members of the committees of the Council and their conveners and any vice-conveners and the members](#) of 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 Strategy Committee, [Executive Committees](#), 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]~~ [Standing Order 4.1](#) 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~~ [Convener](#) 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~~ [Convener](#) 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~~Convener 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~~Convener 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~~Convener - Committees**

- 7.1 ~~Subject to paragraph 7.2, the Chair~~The Convener will chair any meeting of a Committee when he or she is present. When the ~~Chair~~Convener is absent from a Committee meeting the Vice-~~Chair~~Convener, if appointed, will chair the meeting. When the ~~Chair~~Convener and Vice-~~Chair~~Convener are absent, another member chosen by the members present will chair the meeting.

~~7.2 When the Corporate Policy and Strategy Committee is considering business that relates to the discharge of the Council's functions as education authority ("education business"), the Education, Children and Families Convener will chair the education business agenda items.~~

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

8.1 The duties of the Lord Provost or ~~Chair~~Convener 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~~Convener will fix then or later. In leaving the meeting, the Lord Provost or ~~Chair~~Convener 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~~Convener 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 Strategy Committee and Executive Committees** – the business of the Corporate Policy and Strategy Committee and Executive Committees 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~~Convener's Business Bulletin
- (g) ~~Reports:~~Executive Decisions
 - ~~(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~~Routine Decisions

~~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~~

(j) ~~(g)~~ Motions

9.3 ~~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~~Convener's Business Bulletin
- (f) Work Programme
- (g) Reports:
 - (i) Finance
 - (ii) Audit
 - (iii) Operational and Service Reviews
 - (iv) Performance
- (h) Motions

9.4 ~~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~~[Convener](#); 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~~[Convener](#) 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~~[Convener](#) will decide how much time to allow.

12.6 Unless the Lord Provost or ~~Chair~~[Convener](#) 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~~Vice-Convenor 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 Convenor or ~~Chair~~Vice-Convenor 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, or ~~Convenor~~ ~~or Chair~~ may specify that a particular question will be answered by another Convenor or ~~Chair~~Vice-Convenor, with that member's consent.
- 14.2 A member may put a question to a Convenor or ~~Chair~~Vice-Convenor 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 Convenor or ~~Chair~~Vice-Convenor 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]~~4.4 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~~Convener 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~~Convener, will be considered at the next ordinary meeting.
- 16.4 Every formal motion submitted, in terms of ~~paragraphs [x]~~Standing Orders 16.1 and [x] above, 16.2, 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~~wishes to speak, when called on, will address the Lord Provost or ~~Chair~~Convener. 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~~Convener, 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~~Convener'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~~Convener 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~~[Convener](#) 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~~[Convener](#) when it will be dealt with as in ~~paragraph [x]~~[Standing Order 19.1](#).

20. **Debate**

20.1 A member wishing to speak will rise will address the Lord Provost or ~~Chair~~[Convener](#). 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~~[Convener](#) 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~~[Convener](#), 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~~[members](#).

20.5 The limits of time specified in ~~paragraphs [x]~~[Standing Orders 20.3](#) and ~~[x]~~[above 20.4](#) may be exceeded with the consent of the majority of members present and the Lord Provost or ~~Chair~~[Convener](#) 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~~[Convener](#) 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~~member 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~~Convener 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]~~Standing Order 22.1.

- 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~~[Convener](#) 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~~[Standing Order](#) 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~~[Convener](#) will decide whether to have a recount. If there is a recount, the Lord Provost or ~~Chair~~[Convener](#) 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/Convener](#). 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/Convener](#). The decision of the Lord Provost or [Chair/Convener](#) 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)]~~ [2, 8, 20.6, 24, 25, 26 and 32](#) 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/Convener](#), 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/Convener](#) 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]~~, [Standing Order 28.2](#), where a decision is taken at the Corporate Policy and Strategy Committee, [Executive Committees](#), 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 [~~[Standing Order 28.1](#)~~]~~ where the ~~Chair~~[Convener](#) 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~~[Convener](#) 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 Strategy 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 Strategy 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 Convener ~~or Chair~~ the matter will be placed on the agenda of business for the next meeting. A Convener ~~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 Convener, ~~Chair~~ or Vice-~~Chair~~Convener 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 Strategy Committee**~~

- ~~31.1 The Corporate Policy and Strategy 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 Strategy 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.~~

31. ~~33.~~ **Freedom of the City**

- 31.1 ~~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.

- 31.2 ~~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.

32. ~~34.~~

Admission of media and members of the public

[32.1](#) ~~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.

[32.2](#) ~~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.

[33.](#) ~~35.~~ **Variation and revocation of Standing Orders**

[33.1](#) ~~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]~~ [16.](#)

[34.](#) ~~36.~~ **Review of Standing Orders**

[34.1](#) ~~36.1~~ These Standing Orders will be reviewed annually at the first ordinary Council meeting.

Appendix Three

CITY OF EDINBURGH COUNCIL

**COMMITTEE
TERMS OF REFERENCE AND
DELEGATED FUNCTIONS**

CONTENTS

Page Number

A. GENERAL

1. Introduction
2. Delegation to Committees
3. Reserved matters - Council
4. Urgent decisions
5. Substitutes
6. Convener of Sub-Committees

B. COMMITTEE TERMS OF REFERENCE AND DELEGATED FUNCTIONS

1. Corporate Policy and Strategy Committee

Executive Committees incorporating Policy Development and Review Sub-Committees:
 2. Communities and Neighbourhoods
 3. Culture and Sport
 4. Economy
 5. Education, Children and Families
 6. Finance and Budget
 7. Health, Wellbeing and Housing
 8. Transport and Environment
9. Policy Development and Review Sub-Committees
10. Governance, Risk and Best Value Committee
11. Petitions Committee

Other committees of the Council:
 12. Discretionary Rating Relief Appeals Committee
 13. Leadership Advisory Panel
 14. Planning Committee
 15. Pensions Committee
 16. Personnel Appeals Committee
 17. Placing in Schools Appeals Committee
 18. Pupil And Student Support Committee
 19. Recruitment Committee
 20. Regulatory Committee
 21. Social Work Complaints Review Committee
 22. The City Of Edinburgh Planning Local Review Body
 23. Committee on Jean F Watson Bequest

Sub-committees:

24. Development Management Sub-Committee
25. Licensing Sub-Committee
26. Pensions Audit Sub-Committee
27. Property Sub-Committee
28. Special Sub-Committee on Adult Social Care
29. Sub-Committees on Standards for Children and Families

A. 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; and
- 2.1.3. any minute of the Council making specific delegation to the Committee.

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 Leader, Deputy Leader, Lord Provost, Depute Convener 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, including external members;
 - 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 with a value exceeding £50,000, 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 Local Development Plans;
 - 3.1.15. the approval of a Proposed Strategic Development Plan and the delegation of authority to the strategic development planning authority (SESplan);

- 3.1.16. 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;
- 3.1.17. appointment and dismissal of the Chief Executive and appointment of a chief official;
- 3.1.18. 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;
- 3.1.19. promoting or opposing the making of local legislation, and
- 3.1.20. 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 Chief Executive or appropriate Director, in consultation with the Convener or Vice-Convener, 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.

6 Convener of Sub-Committee

- 6.1 The Convener of a sub-committee will be appointed by its parent committee.

B. COMMITTEE TERMS OF REFERENCE AND DELEGATED POWERS

1 Corporate Policy and Strategy Committee

1.1 Constitution: 15 Members of the Council including:

- 1.1.1 Leader of the Council
- 1.1.2 Deputy Leader of the Council
- 1.1.3 Convener of the Communities & Neighbourhoods Committee
- 1.1.4 Convener of the Culture and Sport Committee
- 1.1.5 Convener of the Economy Committee
- 1.1.6 Convener of the Education, Children and Families Committee
- 1.1.7 Convener of the Finance and Budget Committee
- 1.1.8 Convener of the Health, Wellbeing and Housing Committee
- 1.1.9 Convener of the Transport & Environment Committee
- 1.1.10 3 Conservative
- 1.1.11 2 Green
- 1.1.12 1 SLD

Convener and Vice-Conveners

1.2 The Leader of the Council will be the Convener of the Corporate Policy and Strategy Committee.

1.3 The Deputy Leader of the Council will be the Vice-Convener of the Corporate Policy and Strategy Committee.

Quorum

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

Substitution

1.5 Substitutes are permitted.

Delegated functions

1.6 Power is delegated to the Corporate Policy and Strategy Committee to:

- 1.6.1 advise the Council on outcomes, strategic objectives and key priorities.
- 1.6.2 develop and approve corporate policies and strategies, including community planning and partnership working.
- 1.6.3 adopt and implement the management framework for planning, implementing, reporting and reviewing corporate service delivery.
- 1.6.4 ensure the Council meets its statutory responsibilities in terms of best value.

- 1.6.5 monitor implementation of the five-year business plan, the Council's transformational change programme, corporate initiatives and service reviews.
- 1.6.6 facilitate and encourage public consultation, engagement and participation ensuring the involvement of the community, neighbourhood networks, partners and key stakeholders in the committee decision-making process.
- 1.6.7 instruct such performance information as the committee requires to fulfil its remit and monitor overall performance in the delivery of services and the Council's financial performance.
- 1.6.8 monitor annually, performance and consistency between executive committees.
- 1.6.9 determine differences between committees except where the difference involves a decision on an individual planning or licensing application.
- 1.6.10 take all decisions which are not reserved to the Council or delegated to another committee of the Council.
- 1.6.11 **[Option: Administration of Trusts within the remit of the committee].**

Executive Committees

2 Communities and Neighbourhoods Committee

2.1. Constitution: 13 members of the Council as follows:

- 2.1.1. 5 Labour
- 2.1.2. 4 SNP
- 2.1.3. 2 Conservative
- 2.1.4. 1 Green
- 2.1.5. 1 SLD

Convener & Vice Convener

- 2.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

- 2.3. Five members will constitute a quorum.

Substitution

- 2.4. Substitutes are permitted.

Delegated functions

- 2.5. Power is delegated to the Communities and Neighbourhoods Committee in relation to the matters listed in paragraph 2.6, to:

- 2.5.1 develop and approve policies, strategies, programmes and non capital projects and work with officers, communities and partners to implement them;
- 2.5.2 take all decisions which are not reserved to the Council or delegated to another committee of the Council;
- 2.5.3 set standards for service delivery and secure value for money;
- 2.5.4 set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
- 2.5.5 monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
- 2.5.6 monitor arrangements to ensure best value and continuous improvement across all services;
- 2.5.7 facilitate and encourage public, engagement, consultation, participation and feedback; and
- 2.5.8 review the impact of the committee's policies on the city;

2.6. The matters referred to in paragraph 2.5 are as follows:

- 2.6.1. Capital Coalition pledges 33 and 36;
- 2.6.2. neighbourhood plans prepared by neighbourhood committees;
- 2.6.3. community planning and the Edinburgh Partnership;
- 2.6.4. The Edinburgh Compact and the third sector;
- 2.6.5. co-operative development and service design;
- 2.6.6. equalities, social inclusion, poverty and deprivation; and
- 2.6.7. customer access and care.
- 2.6.8. **[Option: Administration of Trusts within the remit of the committee].**

3. Culture and Sport Committee

3.1. **Constitution:** 13 members of the Council as follows:

- 3.1.1. 5 Labour
- 3.1.2. 4 SNP
- 3.1.3. 2 Conservative
- 3.1.4. 1 Green
- 3.1.5. 1 SLD

Convener & Vice Convener

3.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

3.3. Five members will constitute a quorum.

Substitution

3.4. Substitutes are permitted.

Delegated functions

3.5. Power is delegated to the Culture and Sport Committee in relation to the matters listed in paragraph 3.6, to:

- 3.5.1. develop and approve policies, strategies, programmes and non-capital projects and work with officers, communities and partners to implement them;
- 3.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
- 3.5.3. set standards for service delivery and secure value for money;
- 3.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;

- 3.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 3.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 3.5.7. facilitate and encourage public, engagement, consultation, participation and feedback; and
 - 3.5.8. review the impact of the committee's policies on the city;
- 3.6. The matters referred to in paragraph 3.5 are as follows:
- 3.6.1. Capital Coalition pledges 24,31,35,42 and 43.
 - 3.6.2. Arts and museums;
 - 3.6.3. Sport and recreation, outwith the Education, Children and Families' estate, but including Edinburgh Leisure;
 - 3.6.4. Libraries;
 - 3.6.5. Festivals and events; and
 - 3.6.6. Cultural development.
 - 3.6.7. **[Option: Administration of Trusts within the remit of the committee].**

4. **Economy Committee**

- 4.1. **Constitution:** 13 members of the Council as follows:

- 4.1.1. 5 Labour
- 4.1.2. 4 SNP
- 4.1.3. 2 Conservative
- 4.1.4. 1 Green
- 4.1.5. 1 SLD

Convener & Vice Convener

- 4.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

- 4.3. Five members will constitute a quorum.

Substitution

- 4.4. Substitutes are permitted.

Delegated functions

- 4.5. Power is delegated to the Economy Committee in relation to the matters listed in paragraph 4.6, to:
 - 4.5.1. develop and approve policies, strategies, programmes and non-capital projects and work with officers, communities and partners to implement them;
 - 4.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
 - 4.5.3. set standards for service delivery and secure value for money;
 - 4.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
 - 4.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 4.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 4.5.7. facilitate and encourage public, engagement, consultation, participation and feedback; and
 - 4.5.8. review the impact of the committee's policies on the city;
- 4.6. The matters referred to in paragraph 4.5 are as follows:
 - 4.6.1. Capital Coalition pledges 7, 15-17, 20-23 and 28-29;
 - 4.6.2. Economic Development;
 - 4.6.3. External Relations, and
 - 4.6.4. Inward investment.
 - 4.6.5. **[Option: Administration of Trusts within the remit of the committee].**

5. Education, Children & Families

- 5.1. **Constitution:** 20 members of the Council as follows:
 - 5.1.1. 7 Labour
 - 5.1.2. 6 SNP
 - 5.1.3. 4 Conservative
 - 5.1.4. 2 Green
 - 5.1.5. 1 SLD
 - 5.1.6. Additional members for education items:
 - 5.1.7. 3 Religious Representatives
 - 5.1.8. 2 Teacher Representatives
 - 5.1.9. **[Option:1 Parent Representative]**

Convener & Vice Convener

- 5.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

- 5.3. Seven members will constitute a quorum except in the case of education business where nine members will constitute a quorum.

Substitution

- 5.4. Substitutes are permitted for all members of the Council.

Delegated functions

- 5.5. Power is delegated to the Education, Children and Families Committee to:
 - 5.6. exercise all the functions of the Council as education authority (education business), within the terms of the relevant legislation; and
 - 5.7. exercise the functions as social work authority, within the terms of the relevant legislation, in relation to children.
- 5.8. In addition, in relation to the matters listed in paragraph 5.9, to:
 - 5.8.1. develop and approve policies, strategies, programmes and non-capital projects and work with officers, communities and partners to implement them;
 - 5.8.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
 - 5.8.3. set standards for service delivery and secure value for money;
 - 5.8.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals.
 - 5.8.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 5.8.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 5.8.7. facilitate and encourage public, engagement, consultation, participation and feedback; and
 - 5.8.8. review the impact of the committee's policies on the city.

5.9. The matters referred to in paragraph 5.8 are as follows:

5.9.1. Capital Coalition pledges 1-6;

5.9.2. the Council's education, children and families services; and

5.9.3. major capital programmes or projects implementation, asset planning and facilities management for the Council's education, children and families services.

5.9.4. **[Option: Administration of Trusts within the remit of the committee].**

6. **Finance and Budget Committee**

6.1. **Constitution:** 13 members of the Council as follows:

6.1.1. 5 Labour

6.1.2. 4 SNP

6.1.3. 2 Conservative

6.1.4. 1 Green

6.1.5. 1 SLD

Convener & Vice Convener

6.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

6.3. Five members will constitute a quorum.

Substitution

6.4. Substitutes are permitted.

Delegated functions

6.5. Power is delegated to the Finance and Budget Committee in relation to matters listed in paragraph 6.6 to:

6.5.1. develop and approve policies, strategies, programmes and non-capital projects and work with officers, communities and partners to implement them;

6.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;

6.5.3. set standards for service delivery and secure value for money;

6.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;

- 6.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 6.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 6.5.7. facilitate and encourage public engagement, consultation, participation and feedback; and
 - 6.5.8. review the impact of the committee's policies on the city.
- 6.6. The matters referred to in paragraph 6.5 are as follows:
- 6.6.1. Capital Coalition pledges 25-27, 30 and 41;
 - 6.6.2. Council's revenue and capital budgets;
 - 6.6.3. Council's expenditure and budget policy;
 - 6.6.4. Council's long term financial plan and opportunities to generate efficiencies;
 - 6.6.5. Council's five year business plan;
 - 6.6.6. Edinburgh transformation programme;
 - 6.6.7. Procurement and procurement transformation project;
 - 6.6.8. resources and workforce planning;
 - 6.6.9. Corporate Governance services within the Council, excluding Audit and Risk and Pensions; Corporate Programmes and Corporate Property;
 - 6.6.10. [Option 1: All charitable and other trust funds vested in the Council except where the Council has expressly made other arrangements or Option 2: Administration of Trusts within the remit of the committee].**
- 6.7. To monitor all of the Council's budgets, in particular to:
- 6.7.1. establish processes and procedures for close monitoring of the budget approved by Council;
 - 6.7.2. receive budget monitoring reports from each service and to ensure close scrutiny of the management of each service budget;
 - 6.7.3. call budget holders to account for proper control of the budget for which they are responsible;

- 6.7.4. monitor performance of each service against each budget forecast within the Council's five-year plan and Edinburgh Transformation Programme; and
- 6.7.5. ensure action plans are in place to meet the budget savings or efficiencies approved by Council, that are not included within the scope of the five-year business plan, and to monitor the performance.

7. Health, Wellbeing and Housing Committee

- 7.1. **Constitution:** 15 members of the Council as follows:

- 7.1.1. 5 Labour
- 7.1.2. 4 SNP
- 7.1.3. 3 Conservative
- 7.1.4. 2 Green
- 7.1.5. 1 SLD

Convener & Vice Convener

- 7.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

- 7.3. Five members will constitute a quorum.

Substitution

- 7.4. Substitutes are permitted.

Delegated functions

- 7.5. Power is delegated to the Health, Wellbeing and Housing Committee to:
- 7.6. exercise the functions of the Council as local housing authority; and
- 7.7. exercise the functions of the Council as social work authority, for adults.
- 7.8. In addition, in relation to the matters referred to in paragraph 7.9, to:
 - 7.8.1. develop and approve policies, strategies, programmes and non-capital projects and work with officers, communities and partners to implement them;
 - 7.8.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council;
 - 7.8.3. set standards for service delivery and secure value for money;

- 7.8.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
 - 7.8.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 7.8.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 7.8.7. facilitate and encourage public, engagement, consultation, participation and feedback; and
 - 7.8.8. review the impact of the committee's policies on the city.
- 7.9. The matters referred to in paragraph 7.8 are as follows:
- 7.9.1. Capital Coalition pledges 8-14, 32, 34, 37-39;
 - 7.9.2. Community care services;
 - 7.9.3. Social care;
 - 7.9.4. Offender services;
 - 7.9.5. Welfare reform;
 - 7.9.6. Housing; and
 - 7.9.7. Regeneration.

8. Transport and Environment Committee

- 8.1. **Constitution:** 15 members of the Council as follows:
- 8.1.1. 5 Labour
 - 8.1.2. 4 SNP
 - 8.1.3. 3 Conservative
 - 8.1.4. 2 Green
 - 8.1.5. 1 SLD

Convener & Vice Convener

- 8.2. The Convener and Vice Convener will be members of the City of Edinburgh Council.

Quorum

- 8.3. Five members will constitute a quorum.

Substitution

- 8.4. Substitutes are permitted.

Delegated functions

- 8.5. Power is delegated to the Transport and Environment Committee in relation to the matters listed in paragraph 8.6, to:

- 8.5.1. develop and approve policies, strategies, programmes and non-capital projects and work with officers, communities and partners to implement them;
 - 8.5.2. take all decisions which are not reserved to the Council or delegated to another committee of the Council or officers;
 - 8.5.3. set standards for service delivery and secure value for money;
 - 8.5.4. set and monitor corporate standards, consider the necessity of existing service provisions and agree new service proposals;
 - 8.5.5. monitor performance, including financial, instructing such performance information as the committee requires to fulfil its remit;
 - 8.5.6. monitor arrangements to ensure best value and continuous improvement across all services;
 - 8.5.7. facilitate and encourage public, engagement, consultation, participation and feedback; and
 - 8.5.8. review the impact of the committee's policies on the city.
- 8.6. The matters referred to in paragraph 8.5 are as follows:
- 8.6.1. Capital Coalition pledges 18-19 and 44-53;
 - 8.6.2. Tram project;
 - 8.6.3. Strategic Transport Planning;
 - 8.6.4. Traffic management, roads and parking;
 - 8.6.5. Public transport;
 - 8.6.6. Public Realm Projects;
 - 8.6.7. Sustainability, carbon reduction and energy issues;
 - 8.6.8. Flood prevention
 - 8.6.9. Waste services
 - 8.6.10. Environmental health and trading standards;
 - 8.6.11. Parks and green space; and
 - 8.6.12. Street cleaning and open space maintenance.

9. **Policy Development and Review Sub-Committees**

- 9.1. Each Executive Committee will appoint a Policy Development and Review Sub-Committee.

Constitution

- 9.2. The membership will be the same as the parent committee.

Convener

- 9.3. The Vice-Convener of the parent committee will be the Convener of the relevant Policy and Review Sub-Committee.

Quorum

- 9.4. Five members will constitute a quorum except in the case of education business when nine members will constitute a quorum.

Substitution

- 9.5. Substitutes are permitted.

Delegated functions

- 9.6. Power is delegated to the Policy Development and Review Sub-Committees to:

- 9.7. Consider, develop (**Option: and determine**) policies for the services included in its parent committee's remit within the strategic framework approved by the Council.

- 9.8. Facilitate and encourage public, stakeholder and partner participation in the formulating of policy.

- 9.9. Monitor and review the effectiveness of policies in achieving the stated outcomes.

- 9.10. In addition to the powers delegated above, the Finance and Budget Policy Development and Review Sub-Committee has the following delegated powers:

- 9.11. To facilitate and encourage public engagement, consultation, participation and feedback in respect of the Council's budget setting process.

- 9.12. To examine areas of spending by the Council, related external organisations, partnerships and third party funded agencies, including examining opportunities to generate efficiencies and make recommendations to the Finance and Budget Committee.

9.13. To consider, review and make recommendations to the Finance and Budget Committee in relation to resource allocations as they affect the following:

- 9.13.1. Council's revenue and capital budgets;
- 9.13.2. Council expenditure and budget policy, and
- 9.13.3. Level of Council tax.

10. **Governance, Risk and Best Value Committee**

10.1. **Constitution:** 13 members of the Council as follows:

- 10.1.1. 5 Labour
- 10.1.2. 4 SNP
- 10.1.3. 2 Conservative
- 10.1.4. 1 Green
- 10.1.5. 1 SLD

Convener

10.2. The convener of the committee will be a member of the opposition.

Quorum

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

Substitution

10.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Director of Corporate Governance.

Delegated functions

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

10.6. 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:

10.6.1. Scrutinising information on:

- 10.6.1.1 Council Budgets;
- 10.6.1.2 Management of Council assets;
- 10.6.1.3 Control, monitoring and review of income and expenditure, both revenue and capital;
- 10.6.1.4 Council subsidiaries;
- 10.6.1.5 Civic matters;
- 10.6.1.6 Children's Panel; and
- 10.6.1.7 Common Good Fund.

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

- 10.6.3. Receiving and considering summaries of internal and external audit reports which relate to any issue falling within the remit of this committee.
 - 10.6.4. Monitoring internal financial control, corporate risk management and key corporate governance areas including procurement.
 - 10.6.5. Monitoring grant allocations across the Council.
 - 10.6.6. Referring back to the appropriate Executive Committee for its consideration any financial performance issue, which might have implications for policy development within the remit of the Executive Committee and its policy development and review sub-committee.
- 10.7. 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:
- 10.7.1. 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;
 - 10.7.2. monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input;
 - 10.7.3. monitoring employment, organisational development and equalities issues as they relate to the operation of the council corporately and to its individual services;
 - 10.7.4. scrutinising major projects and programmes, service reviews and transformational change.
- 10.8. To invite Conveners or Vice-Conveners to attend committee and where appropriate, to question and hold them to account on the operational or financial performance of any service area falling within their remit; and
- 10.9. To refer back to the appropriate Executive Committee for its consideration any service performance issues that might have implications for policy development coming within the remit of the Executive Committee and its Policy Development and Review Sub-Committee.
- 10.10. To initiate and undertake specific scrutiny reviews of any matter falling within the remit of this committee or requested by the Corporate Policy & Strategy Committee or an Executive Committee.
- 10.11. 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.
- 10.12. To report, as required, on any matter within the committee's remit to Council.

11. **Petitions Committee**

11.1. **Constitution:** 10 members of the Council as follows:

- 11.1.1. 3 Labour
- 11.1.2. 3 SNP
- 11.1.3. 2 Conservative
- 11.1.4. 1 Green
- 11.1.5. 1 SLD

Convener

11.2. The Convener of the Committee will be a member of the opposition.

Quorum

11.3. Four members of the Petitions Committee will constitute a quorum.

Substitution

11.4. Substitutes are permitted.

Delegated functions

11.5. Power is delegated to the Petitions Committee to:

11.6. 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.

11.7. The Council is unable to consider petitions that:

- 11.7.1. are sub-judice and the subject of current court proceedings;
- 11.7.2. relate to a matter that is within the scope of the current key decisions forward plans of the Corporate Policy and Strategy Committee or the Executive Committees or within the work programmes of the Policy Development and Review Sub-Committees and the Governance, Risk and Best Value Committee;
- 11.7.3. relate to a decision of the Council or Committee within the previous six-month period.

Other Committees

12. Committee on Discretionary Rating Relief Appeals

12.1. Constitution: 5 members of the Council as follows:

- 12.1.1. 2 Labour
- 12.1.2. 2 SNP
- 12.1.3. 1 Conservative

Convener

12.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

12.3. Two members of the Committee on Discretionary Rating Relief Appeals will constitute a quorum

Substitution

12.4. Substitutes are permitted.

Delegated functions:

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

12.6. To review decisions taken by the Director of Corporate Governance to refuse discretionary rating relief.

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

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

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

13. Leadership Advisory Panel

13.1. Constitution: 5 members of the council as follows:

- 13.1.1. Leader of the Council
- 13.1.2. Deputy Leader of the Council
- 13.1.3. Conservative Group Leader
- 13.1.4. Green Group Leader
- 13.1.5. Scottish Liberal Democrat Group Leader
- 13.1.6. three statutory religious representatives, appointed by the Education, Children and Families Committee when considering education business

Convener

13.2. The Convener of the Committee will be the Leader of the Council.

Quorum

13.3. Two members of the Leadership Advisory Panel will constitute a quorum except on education business when the quorum will be three members.

Substitution

13.4. Substitutes are permitted.

Delegated functions:

13.5. Power is delegated to the Leadership Advisory Panel:

13.6. 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:

13.6.1. cannot await the resumption of the normal meetings timetable; and

13.6.2. cannot appropriately be decided by the Chief Executive or Director in accordance with urgency provisions within these Committee Terms of Reference.

14. Planning Committee

14.1. **Constitution:** 15 members of the Council as follows:

14.1.1. 5 Labour

14.1.2. 5 SNP

14.1.3. 3 Conservative

14.1.4. 1 Green

14.1.5. 1 SLD

Convener

14.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

14.3. Five members of the Planning Committee will constitute a quorum.

Substitution

14.4. Substitutes are not permitted.

Delegated functions:

14.5. Power is delegated to the Planning Committee:

- 14.6. To exercise the functions of the Council as planning and street naming authority and to determine planning policies.
- 14.7. To express and interpret these policies as specific tasks and projects and set service standards.
- 14.8. To review performance in the delivery of services, the achievement of service standards and the impact of the Committee's activities on the City.
- 14.9. 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.
- 14.10. To refer final Development Plans to the Full Council for approval.
- 14.11. To refer to the Corporate Policy and Strategy 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.
- 14.12. To appoint representatives on outside bodies relevant to the committee's service responsibilities.
- 14.13. To take decisions in pursuit of the committee's policies, subject to compliance with corporate personnel and financial policies and regulations.
- 14.14. To determine any charges for services provided by the committee.
- 14.15. To provide financial assistance, in pursuit of the committee's policies.

15. **Pensions Committee**

- 15.1. **Constitution:** 5 members of the Council as follows:
 - 15.1.1. 2 Labour
 - 15.1.2. 2 SNP
 - 15.1.3. 1 Conservative
 - 15.1.4. 2 external members nominated by the Lothian Pension Funds Consultative Panel, 1 employer and 1 member representative.

Convener

- 15.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 15.3. Three members of the Pensions Committee will constitute a quorum.

Substitution

- 15.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Director of Corporate Governance.

Delegated functions:

15.4.1. In this paragraph:

15.4.2. "pension funds" means the Lothian Pension Fund, Lothian Buses Pension Fund and the Scottish Homes Pension Fund;

15.4.3. "fire-fighters' pension schemes" means the pension schemes under the Fire-fighters' Pension Scheme Order 1992 and the Fire-fighters' Pension Scheme (Scotland) Order 2007; and

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

- 15.5. Power is delegated to the Pensions Committee to:
- 15.6. exercise all functions of the pension funds, within the terms of the legislation.
- 15.7. determine the overall policy objectives of the pension funds in accordance with the best interests of fund members and with relevant legislation.
- 15.8. determine the strategy for the investment of pension funds monies including the variety and suitability of investments and to review and monitor investment arrangements.
- 15.9. ensure appropriate investment management arrangements are in place for pension funds monies and to review investment manager performance.
- 15.10. establish and maintain arrangements for the effective management and administration of the pension funds including staffing and budgetary arrangements.
- 15.11. approve the allocation of resources to the Investment and Pensions Division from the Revenue Budget and Capital Investment Programme of the pension funds.
- 15.12. approve responses to consultation papers issued by government and other authorities.
- 15.13. monitor overall performance of the pension funds in the delivery of services and financial performance.
- 15.14. consider all matters in respect of the pension funds and, where relevant, in respect of the administration of the fire-fighters pensions schemes on behalf of Lothian and Borders Fire and Rescue Service, including:

- 15.14.1. determining policies for the management and regulation of the Investment and Pensions Division within the strategic policy and planning framework approved by the Council;
- 15.14.2. approving strategies, programmes and projects and work with officers and partners to implement them;
- 15.14.3. setting standards for service delivery;
- 15.14.4. securing best value in the provision of services;
- 15.14.5. taking all executive decisions in respect of the pension funds and the fire-fighters pension scheme which are not reserved to the Council or delegated to another committee of the Council;
- 15.14.6. ensuring 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;
- 15.14.7. promoting the development of an appropriate risk management strategy and risk management procedures;
- 15.14.8. ensuring highest standards of probity and public accountability;
- 15.14.9. ensuring sound financial procedures are in place for authorising and monitoring expenditure;
- 15.14.10. agreeing internal audit plans and to ensure internal audit work is properly planned with due regard to risk, materiality and coverage;
- 15.14.11. overseeing and review action taken on internal audit recommendations;
- 15.14.12. reviewing all matters relating to external audit, including audit plan, action points and reports, and to monitor implementation of external audit recommendations; and
- 15.14.13. promoting, monitoring and developing continuous improvement.

16. **Personnel Appeals Committee**

16.1. **Constitution:** 9 members of the Council as follows:

- 16.1.1. 3 Labour
- 16.1.2. 3 SNP
- 16.1.3. 2 Conservative
- 16.1.4. 1 Green

Convener

- 16.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

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

Substitution

- 16.4. Substitutes are permitted.

Delegated functions:

- 16.5. Power is delegated to the Personnel Appeals Committee to:
- 16.6. 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.
- 16.7. hear and decide appeals to a decision to:
 - 16.7.1 dismiss or take other forms of punitive disciplinary action.
 - 16.7.2 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.
- 16.8. hear and decide disputes under the Avoidance of Industrial Disputes Procedure.
- 16.9. 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.

17. Placing In Schools Appeals Committee

- 17.1. **Constitution:** One person from each of the following panels:
- 17.2. Panel 1: All members of Council, religious and teacher and any parent representatives on the Education, Children and Families Committee.
- 17.3. Panel 2: Parents of children of school ages.
- 17.4. 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.

Convener

- 17.5. Each meeting appoints a Convener.

Quorum

- 17.6. Three members of the Placing in Schools Appeals Committee will constitute a quorum. A member from each Panel outlined in paragraphs 19.2-19.4 above must be represented at any meeting.

Substitution

- 17.7. Substitutes are only permitted from the same Panel.

Delegated functions:

17.8. Power is delegated to the Placing in Schools Appeals Committee:

17.8.1. 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 amended;

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

18. Pupil and Student Support Committee

18.1. **Constitution:** 5 members of the Council as follows:

18.1.1. 1 Labour

18.1.2. 1 SNP

18.1.3. 1 Conservative

18.1.4. 1 Green

18.1.5. 1 SLD

18.1.6. One religious representative

Convener

18.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

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

Substitution

18.4. Substitutes are permitted.

Delegated functions:

18.5. To consider school placing requests, and decide the priority order of placing requests.

19. Recruitment Committee

19.1. **Constitution:** 7 members of the Council as follows:

19.1.1. Leader of Council

19.1.2. Deputy Leader of the Council

19.1.3. Finance and Budget Convener

19.1.4. Relevant Convener for the role

19.1.5. Opposition group representatives

Convener

- 19.2. The Convener of the committee will be the Leader of the Council.

Quorum

- 19.3. Three members of the Recruitment Committee will constitute a quorum.

Substitution

- 19.4. Substitutes are permitted.

Delegated functions

- 19.5. 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)

20. Regulatory Committee

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

20.1.1. 3 Labour

20.1.2. 3 SNP

20.1.3. 2 Conservative

20.1.4. 1 Green

Convener

- 20.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

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

Substitution

- 20.4. Substitutes are permitted.

Delegated functions

- 20.5. Power is delegated to the Regulatory Committee to:

- 20.6. 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.

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

- 20.8. 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.
- 20.9. 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.
- 20.10. liaise with external bodies relevant to the Committee's service area, considering and approving responses to consultation proposals.
- 20.11. appoint representatives to outside bodies within the Committee's remit.
- 20.12. approve charges as required by statute and determine licence fees.
- 20.13. exercise functions under legislation to deal with buildings in need of repair.
- 20.14. determine applications for road construction consent which are not delegated to the Director of Services for Communities.
- 20.15. determine applications for permission to place tables and chairs on footways which are recommended for refusal by the Director of Services for Communities.
- 20.16. exercise the Council's responsibilities in respect of safety at sports grounds.
- 20.17. exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

21. Social Work Complaints Review Committee

21.1. Constitution:

- 21.2. Councillors do not serve on the Committee. Members of the Committee are recruited by public advertisement.

Convener

- 21.3. Each meeting appoints a Convener.

Quorum

- 21.4. Any three members from the membership appointed by the Council.

Substitution

- 21.5. Substitutes are not permitted.

Delegated functions

- 21.6. 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 Education, Children and Families Committee or Health, Wellbeing and Housing Committee as appropriate.

22. **The City Of Edinburgh Planning Local Review Body**

22.1. **Constitution:** 5 members of the Council as follows:

22.2. Any five members who are also members of the Planning Committee.

Convener

22.3. Each meeting appoints a convener.

Quorum

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

Substitution

22.5. Substitutes are only permitted from the pool of trained members of the Planning Committee.

Delegated functions:

22.6. 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.

23. **Committee on the Jean F Watson Bequest**

23.1. **Constitution:** 8 members of the council as follows:

23.1.1. 3 Labour

23.1.2. 2 SNP

23.1.3. 2 Conservative

23.1.4. 1 Green

23.1.5. one nominee of Friends of City Art Centre

23.1.6. two external members appointed by the Director of Corporate Governance, in consultation with the Convener.

Convener

23.2. The Convener of the Committee will be a member of the City of Edinburgh Council.

Quorum

23.3. Four members of the Committee on the Jean F Watson Bequest will constitute a quorum.

Substitution

23.4. Substitutes are permitted.

Delegated functions:

23.5. Power is delegated to the Committee on the Jean F Watson Bequest, with monies from the Jean F Watson Bequest, to:

23.5.1. purchase and commission for the City's collection works of artists and craftspeople born, practising in, or otherwise associated with Scotland, and in particular Edinburgh; all decisions to be guided by the Collection and Disposal Policy for the City Museums and Galleries.

Sub-Committees

24. Development Management Sub-Committee (Parent: Planning Committee)

24.1. **Constitution:** All 15 members of the Planning Committee, as follows:-

- 24.1.1. 5 Labour
- 24.1.2. 5 SNP
- 24.1.3. 3 Conservative
- 24.1.4. 1 Green
- 24.1.5. 1 SLD

Convener

24.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

24.3. Five members of the Development Management Sub-Committee will constitute a quorum.

Substitution

24.4. Substitutes are not permitted.

Delegated Functions

24.5. 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 and major development significantly contrary to the Development Plan which require to be determined by full Council, or applications under the Council's Scheme of Delegation for Local Developments).

25. Licensing Sub-Committee (Parent: Regulatory Committee)

25.1. **Constitution:** 9 members of the Council as follows:

- 25.1.1. 3 Labour
- 25.1.2. 3 SNP
- 25.1.3. 2 Conservative
- 25.1.4. 1 Green

Convener

25.2. The Convener of the Licensing Sub-Committee is the Convener of the Regulatory Committee.

Quorum

25.3. Three members of the Licensing Sub-Committee will constitute a quorum.

Substitution

- 25.4. Substitutes are permitted.

Delegated functions:

- 25.5. Power is delegated to the Licensing Sub-Committee to:
- 25.6. 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.
- 25.7. exercise functions under legislation to deal with buildings in need of repair.
- 25.8. determine applications for road construction consent not delegated to the Director of Services for Communities.
- 25.9. determine applications for permission to place tables and chairs on footways recommended for refusal by the Director of Services for Communities.
- 25.10. exercise the Council's responsibilities in respect of safety at sports grounds.
- 25.11. exercise the Council's functions regarding notification of parades and processions so far as not delegated to officers.

26. Pensions Audit Sub-Committee (Parent: Pensions Committee)

Constitution

- 26.1. Three members from the Pensions Committee of which a minimum are two City of Edinburgh elected members.

Quorum

- 26.2. Two members of the Pensions Audit Sub Committee will constitute a quorum.

Convener

- 26.3. The Convener of the Pensions Audit Sub-Committee will be appointed from the membership of the Pensions Committee, excluding the Convener of that committee.

Substitution

- 26.4. Substitutes are permitted from members of the Council who have undertaken and completed appropriate training specified by the Director of Corporate Governance.

Delegated functions

- 26.5. Power is delegated to the Pensions Audit Sub-Committee to consider and make appropriate recommendation(s) to the Pensions Committee:
- 26.5.1. To ensure systematic appraisal of the control environment and framework of internal control of pension funds to provide reasonable assurance of the effective and efficient operations and compliance with laws and regulations;
 - 26.5.2. To promote the development of an appropriate risk management strategy and risk management procedures;
 - 26.5.3. To ensure the highest standards of probity and public accountability.
 - 26.5.4. To ensure sound financial procedures are in place for authorising and monitoring expenditure;
 - 26.5.5. To review the annual financial statements of the pension funds [and the International Standard on Auditing 260 (ISA 260) communication of audit matters];
 - 26.5.6. To agree internal audit plans and to ensure that internal audit work is planned with due regard to risk, materiality and coverage;
 - 26.5.7. To oversee in light of the audit plan the performance of the audit service;
 - 26.5.8. To oversee and review action taken on internal audit recommendations; and
 - 26.5.9. To review all matters relating to external audit, including audit planning, action points and reports, and to monitor the implementation of external audit recommendations.

27. Property Sub-Committee (Parent: Finance and Budget Committee)

- 27.1. **Constitution:** 10 members of the Council as follows:

- 27.1.1. 3 Labour
- 27.1.2. 3 SNP
- 27.1.3. 2 Conservative
- 27.1.4. 1 Green
- 27.1.5. 1 SLD

Convener

- 27.2. The Convener will be a member of the City of Edinburgh Council.

Quorum

- 27.3. Four members of the Property Sub-Committee will constitute a quorum.

Substitution

- 27.4. Substitutes are permitted.

Delegated functions:

- 27.5. Power is delegated to the Property Sub-Committee to:
 - 27.5.1. oversee the work programme arising from the Council and Police investigations into the Council's Property Service including the Property Conservation and Property Care Services.
 - 27.5.2. to take decisions in relation to the Council's Property Service that fall within the remit of the Finance and Budget Committee on the following:
 - 21.5.2.1 progress in resolving financial risks;
 - 21.5.2.2 progress in dealing with complaints from owners and the associated legal and insurance risks;
 - 21.5.2.3 action relating to contractors, and
 - 21.5.2.4 new service re-redesign issues.

28. **Special Sub-Committee on Adult Social Care (Parent: Health, Wellbeing and Housing Committee)**

- 28.1. 5 members of the Council as follows:
 - 28.1.1. 1 Labour
 - 28.1.2. 1 SNP
 - 28.1.3. 1 Conservative
 - 28.1.4. 1 Green
 - 28.1.5. 1 SLD

Convener

- 28.2. The parent committee appoints the Convener.

Quorum

- 28.3. Two members of the Special Sub-Committee on Adult Social Care will constitute a quorum.

Substitution

- 28.4. Substitutes are permitted.

Delegated functions

- 28.5. Power is delegated to the Special Sub-Committee on Adult Social Care to:
 - 28.5.1. maintain an overview of the quality of social work experience for Edinburgh's citizens by considering reports of HMI, SWIA, and Care Commission inspections and internal reviews of health and social care establishments and services, and action taken.
 - 28.5.2. monitor the implementation of new initiatives relating to quality.

28.5.3. maintain an overview of the implementation of national and local policies.

28.5.4. address issues relating to the work of services which arise during the course of the business of the sub-committee and make recommendations to the Health, Wellbeing and Housing Committee.

28.5.5. celebrate the success of services, including identification of examples of good practice.

28.5.6. provide a high quality experience for officers and sub-committee members by adopting an agreed set of protocols for the conduct of Special Sub-Committees.

29. **Sub-Committee on Standards for Children and Families (Parent: Education, Children and Families Committee)**

29.1. The Education, Children and Families Committee will appoint a Sub-Committee on Standards for Children and Families for the following areas: - east, north, south, south west and west.

Constitution

29.2. Sub-Committee on Standards for Children and Families (east)

5 members of the Council as follows:

29.2.1. 2 Labour

29.2.2. 2 SNP

29.2.3. 1 Religious Representative

29.3. Sub-Committee on Standards for Children and Families (north)

6 members of the Council as follows:

29.3.1. 2 Labour

29.3.2. 1 SNP

29.3.3. 1 Conservative

29.3.4. 1 Green

29.3.5. 1 Religious Representative

29.4. Sub-Committee on Standards for Children and Families (south)

6 members of the Council as follows:

29.4.1. 2 Labour

29.4.2. 1 SNP

29.4.3. 1 Conservative

29.4.4. 1 Green

29.4.5. 1 Religious Representative

29.5. Sub-Committee on Standards for Children and Families (south west)

5 members of the Council as follows:

- 29.5.1. 1 Labour
- 29.5.2. 1 SNP
- 29.5.3. 1 Conservative
- 29.5.4. 1 Green
- 29.5.5. 1 Religious Representative

29.6. Sub-Committee on Standards for Children and Families (west)

5 members of the Council as follows:

- 29.6.1. 1 Labour
- 29.6.2. 1 SNP
- 29.6.3. 1 Conservative
- 29.6.4. 1 SLD
- 29.6.5. 1 Religious Representative

Convener

29.7. The Education, Children and Families Committee will appoint a convener for each sub-committee from the members of the Council on the sub-committee.

Quorum

29.8. Two members will constitute a quorum for each sub-committee.

Substitution

29.9. Substitutes are permitted.

Delegated functions

29.10. Power is delegated to the Sub-Committees on Standards for Children and Families to:

- 29.10.1. maintain an overview of the quality of educational and care experiences for all young people in the City of Edinburgh by considering the reports and follow up actions of HMIE and SWSI inspections and authority reviews of service, establishments and units, Care Commission and voluntary organisations.
- 29.10.2. monitor the implementation of initiatives relating to quality improvement and assurance and attainment and achievement;
- 29.10.3. approve responses and subsequently approve follow-up action.
- 29.10.4. maintain an overview of the implementation of national and local policies specifically related to quality standards by officers, establishments and services.

- 29.10.5. contribute to the support and challenge agenda within the context of establishment plans.
- 29.10.6. celebrate the success of establishments, units, teams and the service including recognising items of good practice.
- 29.10.7. provide a high quality experience for staff, parents and carers, young people, officers, members of the community and Sub-committee members by adopting an agreed set of protocols for the conduct of meetings.

Appendix 4

Programme of Meetings

29 October 2012 – 23 August 2013

Mon	29	October	a.m.	Licensing Board
			p.m.	
Tue	30	October	a.m.	
			p.m.	
Wed	31	October	a.m.	Local Review Body (Panel 2)
			p.m.	Personnel Appeals Committee
Th	1	November	a.m.	FINANCE AND BUDGET 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 STRATEGY COMMITTEE
			p.m.	
Wed	7	November	a.m.	Development Management Sub-Committee
			p.m.	
Th	8	November	a.m.	Planning Committee Workshop
			p.m.	PETITIONS COMMITTEE
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, HOUSING AND WELLBEING 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 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.	COMMUNITIES AND NEIGHBOURHOODS COMMITTEE
			p.m.	
Wed	28	November	a.m.	Local Review Body (Panel 1)
			p.m.	Personnel Appeals Committee
Th	29	November	a.m.	FINANCE AND BUDGET 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 STRATEGY 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 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 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 COMMITTEE
			p.m.	
Wed	16	January	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	17	January	a.m.	FINANCE AND BUDGET 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 STRATEGY COMMITTEE
			p.m.	PETITIONS COMMITTEE
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, HOUSING AND WELLBEING 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 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.	COMMUNITIES AND NEIGHBOURHOODS COMMITTEE
			p.m.	
Wed	20	February	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	21	February	a.m.	FINANCE AND BUDGET 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 STRATEGY 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 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 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 COMMITTEE
			p.m.	
Wed	20	March	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	21	March	a.m.	FINANCE AND BUDGET 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 STRATEGY COMMITTEE
			p.m.	
Wed	17	April	a.m.	Development Management Sub-Committee
			p.m.	
Th	18	April	a.m.	Planning Committee Workshop
			p.m.	PETITIONS COMMITTEE
Fri	19	April	a.m.	Forth Estuary Transport Authority
			p.m.	
Mon	22	April	a.m.	
			p.m.	
Tue	23	April	a.m.	HEALTH, HOUSING AND WELLBEING 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 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.	COMMUNITIES AND NEIGHBOURHOODS COMMITTEE
			p.m.	
Wed	8	May	a.m.	Local Review Body (Panel 2)
			p.m.	Personnel Appeals Committee
Th	9	May	a.m.	
			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 STRATEGY 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 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 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 COMMITTEE
			p.m.	
Wed	5	June	a.m.	Local Review Body (Panel 1)
			p.m.	Personnel Appeals Committee
Th	6	June	a.m.	FINANCE AND BUDGET 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 STRATEGY COMMITTEE
			p.m.	
Wed	12	June	a.m.	Development Management Sub-Committee
			p.m.	
Th	13	June	a.m.	Planning Committee Workshop
			p.m.	PETITIONS COMMITTEE
Fri	14	June	a.m.	Forth Estuary Transport Authority
			p.m.	
Mon	17	June	a.m.	
			p.m.	
Tue	18	June	a.m.	HEALTH, HOUSING AND WELLBEING 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 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.	COMMUNITIES AND NEIGHBOURHOODS COMMITTEE
			p.m.	
Wed	31	July	a.m.	Development Management Sub-Committee
			p.m.	Personnel Appeals Committee
Th	1	August	a.m.	
			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 STRATEGY 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.	
			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 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 Five

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 key decision forward plans of the Corporate Policy and Strategy Committee and the Executive Committees or the work programmes of the Policy Development and Review Sub-Committees and the Governance, Risk and Best Value 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:-

Option 1

- 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.

Option 2

- a) **Petition from Citizens** – at least 500 signatures from people living in the City of Edinburgh Council Area and on the Register of Electors. The Convener has discretion to declare a petition with greater than 250 signatures to be valid.
- b) **Petition from Local Business(es)** – support from at least 20 other businesses on the Valuation Roll.

Option 3

- a) **Petition from Citizens** – at least 500 signatures from people living in the City of Edinburgh Council Area and on the Register of Electors. The Convener has discretion to declare a petition with greater than 250 valid where the Principal Petitioner can demonstrate that in relation to a particularly localised area of concern, that it was not possible to obtain 500 signatures.

- 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:-**

Subject to the decision of Council one of the options outlined in paragraph 6 will be detailed in this section of the form.

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
EH1 1YJ

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
EH1 1YJ

Petitions Officer Contact Details.

Tel: e-mail:

Appendix Six

REGULATIONS FOR THE APPOINTMENT OF RELIGIOUS, TEACHER AND PARENT REPRESENTATIVES

NOMINATION OF RELIGIOUS REPRESENTATIVES

Regulations for nominations of persons interested in the promotion of religious education to be appointed to the Education, Children and Families Committee.

1. The Council shall appoint three persons interested in the promotion of religious education to be members of the Education, Children and Families Committee 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 6b(v), 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 Members, the Clerk to the Council, by advertisement in one or more newspapers circulating in the Area, shall give notice that the Churches or denominational bodies (other than the Church of Scotland and the Roman Catholic Church) who claim to have duly constituted charges or other regularly appointed places of worship within the Area and to be entitled to

be represented at the meeting for nomination of one person with a view to appointment as a member of the Education, Children and Families Committee, may obtain copies of these Regulations on application to him; and that each of these Churches or denominational bodies who desire to be represented at the meeting for the nomination of one person with a view to appointment as a member of the Education, Children and Families Committee must provide to him prior to the Thirty first day of March -

- 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 Education, Children and Families Committee. 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 report the result of such meeting of representatives to the Council as soon as possible after the ordinary statutory election of Councillors for decision by Full Council.

- V. In the event of a casual vacancy among the members of the Education, Children and Families Committee 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 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 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 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 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 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 Education, Children and Families Committee.
9. In the event of a casual vacancy among for the role of parents representative on the Education, Children and Families Committee the provisions contained in these Regulations shall apply to and govern the nomination of a successor Parents' Representative.