

Leadership Advisory Panel

10am, Thursday, 23 April 2020

Interim Political Management Arrangements 2020

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 The Leadership Advisory Panel is recommended to:
 - 1.1.1 reinstate the Policy and Sustainability Committee with its new terms of reference from 1 May 2020 to 1 September 2020 whereupon the remit of the committee will revert back to its current terms.
 - 1.1.2 reinstate the Development Management Sub-Committee to consider major applications from 1 May 2020.
 - 1.1.3 reinstate the Governance, Risk and Best Value Committee from 9 June 2020.
 - 1.1.4 immediately suspend all other committee meetings until 1 September 2020.
 - 1.1.5 suspend Procedural Standing Orders until 1 September 2020 and to agree the interim Standing Orders outlined in appendix two.
 - 1.1.6 agree that the functions reserved to Council in the Committee Terms of Reference and Delegated Functions would be carried out by the Policy and Sustainability Committee until such time as the Council can meet.
 - 1.1.7 delegate authority to the Chief Executive to set meeting dates for the reinstated committees in consultation with their conveners.
 - 1.1.8 agree that the political management arrangements should be reviewed by the Policy and Sustainability Committee in August 2020.

- 1.2 To note that the Chief Executive would report to the first meeting of the Policy and Sustainability Committee in May 2020 on potential options for holding meetings of Full Council.

Andrew Kerr

Chief Executive

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Report

Interim Political Management Arrangements 2020

2. Executive Summary

- 2.1 This report sets out political management arrangements to carry out Council business for the period of 1 May to 1 September.

3. Background

- 3.1 On 19 March 2020 the Chief Executive, under urgency provisions and in response to the Covid-19 emergency, extended recess from 20 March 2020 to 26 April 2020. The Council's Leadership Advisory Panel was established and has met twice in this period. Since this decision was taken, a partial lockdown has been implemented in the UK and the Council is fully engaged in responding to the emergency. Recess is due to end imminently and new arrangements must be agreed.
- 3.2 The Council is currently experiencing significant pressure on its front-line services both due to the response to the Covid-19 emergency and as a result of the increase in staff absences due to sickness and/or self-isolation. The partial lockdown has necessitated a number of service reductions or rested and the closure of the majority of Council buildings. This pressure on staff resources, the requirement for quick and flexible decision-making and the need to prioritise frontline services means a return to the usual committee system in April is not realistic and new interim arrangements should be agreed.

4. Main report

- 4.1 In determining the Council's interim political management arrangements the following requirements and considerations must be taken into account :
- 4.1.1 The constraints and demands of the emergency situation;
 - 4.1.2 The requirement to consider strategic and/or non-urgent business;
 - 4.1.3 The need for increased political oversight and scrutiny;
 - 4.1.4 The constraints of the current interim arrangements.

The constraints and demands of the emergency situation

- 4.2 The Council is in an emergency situation, this still applies and is the expected position for the next weeks and months. There is a continued need to make quick, urgent decisions and the Chief Executive's delegated powers in an emergency are still applicable.
- 4.3 Council resources are stretched and under considerable pressure. There is not the capacity to support an extensive committee structure and would have a detrimental impact on front line service delivery. The balance between increased oversight and scrutiny and when supporting this leads to a negative impact on operations is crucial and even more marked in a time of emergency.
- 4.4 Remote committees have so far worked well but this has not yet been tested on a larger scale and the practicalities of remote working must be taken account of when considering a new model.

The requirement to consider strategic business

- 4.5 Council business has been focussed on the response and the requirement to adjust services to meet the demands and the restrictions caused by the emergency situation. However, consideration must be taken to the next phases of the response including the recovery phase of the situation. The Council will soon have to consider the impact of the emergency on its budget and its priorities. As a result, the committee will have to consider the short and long-term strategic impact of the emergency as well as planning for business as usual.

The need for increased political oversight and scrutiny

- 4.6 The Council has had to operate with minimal scrutiny of decision making over the past six weeks. This has been necessary both due to the constraints of the emergency and the need to relive pressure on stretched resources. However, this is not a sustainable approach and reintroducing a greater level of political oversight and scrutiny is preferable for democratic and good governance reasons. Scrutiny of decision-making will improve the decisions of the Council and the need for this is increased in a time of emergency.

The constraints of the current interim arrangements

- 4.7 The Leadership Advisory Panel has been an effective method of decision making in the initial first few weeks of the emergency. However, it is an emergency committee that operates within the recess period and is not meant to be a committee taking decisions on a long-term basis. It has a restrictive membership, with no scrutiny or oversight function and is focussed on urgent items only. It is not a suitable structure to take the Council forward in the upcoming months.

Proposed Model

- 4.8 It is proposed that a phased approach is taken to reinstating the Council's political management arrangements. This would involve the standing down of all

committees including the Leadership Advisory Panel from 26 April 2020 to 30 August 2020 except for the committees detailed below.

Phase 1

- 4.9 The first phase would commence from 1 May 2020 and would include the reinstatement of the Policy and Sustainability Committee, but with the remit of the committee being extended to include all Council activities. This committee involves a significant number of committee conveners and the majority of party group leaders and as a result is ideally suited to provide political leadership. This committee would take all decisions on behalf of the Council and would initially also perform a scrutiny role. At first, business would have to be kept to a minimum and focus on key services, but this could be expanded as the situation develops and resource pressures lessen. The situation remains fast moving, with considerable change and new decisions required daily. To meet this demand the committee would be required to sit every two weeks. A committee forward plan will be developed to enable the balance of business to be planned and kept under constant review.
- 4.10 It is also recommended that the Development Management Sub-Committee is reinstated from 1 May 2020 in accordance with the decision by the Leadership Advisory Panel on 31 March 2020. This would mean that the sub-committee would consider major planning applications only and the remaining business would be agreed by the Chief Planning Officer under delegated authority.
- 4.11 Discussions are taking place on whether the Licensing Board could be reinstated, but it is not recommended that the Licensing Sub-Committee is reinstated. This sub-committee predominantly involves a hearing often from applicants and sometimes from objectors as well. This would be difficult to replicate remotely and would involve significant change to process to be effective. Additionally, many of the teams involved in supporting the sub-committee are performing key front-line services and supporting Police Scotland to manage the lockdown arrangements. It is essential that applications continue to be dealt with timeously and fairly and a new delegated decision process was recently approved by the Leadership Advisory Panel on 31 March 2020.

Phase 2

- 4.12 The second phase would commence mid-June 2020 and would re-introduce the Governance, Risk and Best Value Committee. This committee is the Council's audit committee and performs a key scrutiny role, strengthened by having a member of the opposition as the convener. The reinstatement of this committee will improve the Council's decision making and provide a greater level of assurance. However, initially this committee could not be effectively supported without impacting on front line services and as a result it is proposed that mid-June would be the earliest this could be introduced. The committee would then meet on a monthly basis.

Phase 3

- 4.13 The final phase of the approach would be the re-establishment of the other executive committees and it is hoped that this could be implemented from 1

September 2020. A review of the political management arrangements would be considered by the Policy and Sustainability Committee in August 2020 to determine if this approach was still possible.

- 4.14 The phased approach would allow the Council the flexibility to increase or decrease its committee structure and levels of business depending on the development of the emergency and decisions taken by central governments.

Council

- 4.15 Currently, it is not recommended that the Council meets due to the impracticalities of holding a remote Council meeting with 63 elected members. However, officers are exploring what technology could be utilised to allow the Council to meet. Consideration will also be given to the practicalities of holding such a large meeting remotely. If the political management arrangements are agreed, the Chief Executive will report to the first meeting of the Policy and Sustainability Committee in May 2020 with options.

Standing Orders

- 4.16 A new set of interim standing orders are proposed at appendix two that take account of the restricted committee model and business.

5. Next Steps

- 5.1 If approved, work would be carried out to establish meeting dates for the agreed committees.

6. Financial impact

- 6.1 New political management arrangements would be contained within existing revenue budgets.

7. Stakeholder/Community Impact

- 7.1 The governance arrangements of the Council require to be robust to provide adequate assurance on its delivery of services. This is heightened by an emergency situation, but it is imperative that a balance is struck so that an overly resource intensive governance structure does not impact negatively on service delivery.

8. Background reading/external references

- 8.1 None

9. Appendices

Appendix One – Policy and Sustainability Terms of Reference

Appendix Two – Interim Standing Orders

Appendix One

1. Policy and Sustainability Committee

1.1. **Constitution:** 17 Members of the Council including:

- 1.1.1. 5 SNP
- 1.1.2. 5 Conservative
- 1.1.3. 3 Labour
- 1.1.4. 2 Green
- 1.1.5. 2 SLD

Convener and Vice-Convener

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

Quorum

- 1.4. Six members of the Policy and Sustainability Committee will constitute a quorum.

Substitution

- 1.5. Substitutes are permitted.

Delegated functions

- 1.6. Power is delegated to the Policy and Sustainability Committee to:
 - 1.6.1. To discharge all of the Council's functions except those specifically reserved to full Council in the Committee Terms of Reference and Delegated Functions.

CITY OF EDINBURGH COUNCIL

**INTERIM PROCEDURAL STANDING
ORDERS**

FOR COUNCIL

AND COMMITTEE MEETINGS

STANDING ORDERS

These standing orders (“**Standing Orders**”) apply from 27 April 2020 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. **Ordinary and special meetings**

- 1.1 If circumstances allow a meeting of the Council will be held at 10 am on every fourth Thursday.
- 1.2 In a non-election year, the Council in May 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.
- 1.3 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 also 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.

2. **Notice of Meetings**

- 2.1 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 only if good reason is shown for failure to send such a summons.
- 2.2 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, or at the request of the Convener. Meetings will be called at least six days before the meeting date in accordance with the statutory requirements
- 2.3 The Clerk will call a special 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 concerned.

2.4 Any summons must give a note of the agenda of business and the proposed order for dealing with business at the meeting.

2.5 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.

3. **Quorum**

3.1 The quorum of the Council is sixteen. No business may be transacted at any meeting unless a quorum is present. If fewer than sixteen 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 sixteen members present, the meeting will be adjourned until such date and time as the Lord Provost decides.

3.2 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.

3.3 Subject to law the quorum of a Committee will be one third of the number of voting members of the Committee (see Committee terms of reference for specific numbers) provided that in no case will any business be transacted unless at least two voting members are present.

3.4 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.

3.5 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.

4. **Lord Provost - Council Meetings**

4.1 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.

5. **Convener - Committees**

- 5.1 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.

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

- 6.1 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 behaviour 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;

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.

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

- 7.1 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.

8. **Declaration of Interests**

- 8.1 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.

9. **Deputations**

- 9.1 The Council or any Committee can hear deputations on any matter that is included in its power, duties or delegation. For this interim period a deputation should take the form of a written submission.
- 9.2 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 both these requirements.
- 9.3 The Clerk will submit the application to the Council or relevant Committee. An application for a deputation will only be submitted if it relates to an item of business on the agenda for that meeting or if the Lord Provost or Convener decides that there is sufficient reason for the meeting to consider it.
- 9.4 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.
- 9.5 Standing Order 9 does not apply to meetings of the Licensing Sub-Committee, the Development Management Sub-Committee, or the City of Edinburgh Planning Local Review Body, nor to any subsequent consideration of a quasi-judicial matter, or to any other quasi-judicial items considered by the Council or its committees.

10. **Minutes**

- 10.1 The Clerk will minute all Council and Committee meetings. The minutes will record the names of the members who attended the meeting and record, in the event of a vote, how each individual member voted. 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.

11. **Council Questions**

- 11.1 Council questions will be suspended until 1 September 2020.

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

12.1 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.

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

13. **Notices of Motion**

13.1 Every formal notice of motion will be in writing and signed off 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.

13.2 Late formal notices of motion may be submitted to the Council or Committee at the appropriate time in the meeting, 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.

13.3 Late motions which are not accepted as urgent by the Lord Provost or Convener, will be considered at the next ordinary meeting.

13.4 Every formal motion submitted, in terms of Standing Orders 13.1 and 13.2, 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.

14. **Public Meetings and Private Items**

14.1 Meetings of the Council are generally open to the public but the Local Government (Scotland) Act 1973 does allow the Council to hear matters in private if they meet the description of confidential information as defined in the Act or by resolution if the Council agrees that if the meeting was held in public, then exempt information as defined in Schedule 7(A) of the Act would be disclosed.

15. **Order of Debates**

15.1 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.

16. **Length of Speeches**

16.1 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.

17. **Motion for Adjournment**

17.1 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.'

17.2 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 17.1.

18. **Debate**

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

18.2 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. Members will be only permitted to move or second one motion/amendment for each item of business.

18.3 That any motion or amendment, to any subject under discussion be provided to the clerk no later than 2pm on the working day before the meeting unless the motion or amendment:

- a) Moves the recommendations of the report; or
- b) Calls for a continuation of consideration of the item to a future meeting; or
- c) Moves no action; or
- d) Has been ruled urgent by the Lord Provost or Convener; or

e) Can be submitted verbally at the meeting and with the consent of the Lord Provost or Convener.

- 18.4 Clause 18.3 will not apply to any agenda items where the final report or reports were not issued alongside the notice of the meeting.
- 18.5 Minor changes to motions and amendments are permitted but these should be able to be verbally altered at the meeting.
- 18.6 The Council or Committee can agree that in exceptional circumstances the requirements of this standing order can be ignored.
- 18.7 The mover and seconder of any motion or amendment or adjustment thereof 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.
- 18.8 Notwithstanding the provisions in Standing Order 18.9, if an individual member is named by another speaker during debate, that member will be permitted to speak, even if having already spoken, but only in response to the specific reference made and only to correct any apparent or actual misrepresentation.
- 18.9 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.
- 18.10 The limits of time specified in Standing Orders 18.7 and 18.4-9 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.
- 18.11 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. The Lord Provost or Convener (or nominee) will have the right to move a minute or report, as the original motion, with all alternative proposals considered as amendments.
- 18.12 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.

18.13 The mover of an amendment, which is not seconded, may have his/her dissent to the decision of the Council or Committee recorded in the minute.

18.14 If a motion is moved and seconded and no amendments are put forward, the Lord Provost or Convener will have discretion to determine whether further contributions will be permitted.

19. **Closure of Debate**

19.1 Any member who has not spoken on the question before the meeting may propose 'that the matter now be 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 now be 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.

20. **Voting**

20.1 All votes will be taken by roll call vote.

20.2 The minutes will record how each individual member voted.

20.3 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.

20.4 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 continuation of a decision or no action, a vote will firstly be taken on the proposal(s) involving continuation or no action as soon as the discussion is completed. This vote will be taken 'for or against' either continuation or no action. Any vote necessary on the remaining proposals will be taken in terms of Standing Order 20.1.

20.5 When a motion and two or more amendments, none of which involves continuation or no action, 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. –

- 20.6 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 administered by the clerk.
- 20.7 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.
- 20.8 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.

21. **Appointments**

- 21.1 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.
- 21.2 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.
- 21.3 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 administered by the clerk.
- 21.4 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.

22. **Point of Order**

- 22.1 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 Convener'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.

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

23.1 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.

24. **Changing a Council decision**

24.1 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.

25. **Committee – non member motion**

25.1 Any member may raise with the relevant committee a matter of new business 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. 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.

25.2 Any member may raise an amendment to an item of business to a committee they are not a member of. They will not though be permitted to move or second or speak to the amendment at the meeting.

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

26.1 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.

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

27.1 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 13.

28. **Duration of Standing Orders**

28.1 These Standing Orders will be in place until 1 September 2020 unless otherwise determined by the Council or appropriate committee.