
Report To:	Inverclyde Council	Date:	30 June 2022
Report By:	Head of Legal & Democratic Services	Report No:	IC/300622-1
Contact Officer:	Iain Strachan	Contact No:	01475 712710
Subject:	Review of Political Decision-Making Arrangements		

1.0 PURPOSE

- 1.1 The purpose of this report is to recommend that the Council approves a number of changes to the Council's political decision-making arrangements, and its associated Standing Orders and Scheme of Administration.

2.0 SUMMARY

- 2.1 At the statutory meeting of the Council on 19 May 2022, Council agreed to continue the adoption of the thematic committee structure that was in place prior to the local government elections. This was, however, subject to the Head of Legal and Democratic Services bringing forward a report to the 30 June meeting of the Council to suggest any proposed alterations that might be made to its governance documents and structure to improve the efficiency and effectiveness of the Council's decision making arrangements.
- 2.2 This report proposes a number of changes, in Section 5. It is considered that none of the changes are of themselves substantial, but with robust application by Elected Members and officers they will assist the governance of the Council, and its decision making arrangements. The Standing Orders and Scheme of Administration were last reviewed by the Council on 17 February, and as such Standing Orders will need to be suspended to consider this agenda item.
- 2.3 There is also an outstanding remit on officers, from the June 2021 Council meeting, to consider the current arrangements for the Education & Communities Committee, and potentially separating it into two Committees, and bring forward a report on this matter for consideration "by the next Council Administration as part of any review of meeting arrangements". The proposals in this report will close off this outstanding remit

3.0 RECOMMENDATIONS

- 3.1 The Council is asked to:-
- Approve the proposed changes to the Council's political decision-making arrangements as set out in this report, including the proposed changes to the Standing Orders and Scheme of Administration, and the terms of reference for both the Strategic Leadership Forum and the Members Budget Working Group, and delegate authority to the Head of Legal & Democratic Services to make any consequential changes to other constitutional documents of the Council as might be required to give effect to the decision of the Council in respect of this report; and
 - Note the proposal that no changes be made to the current arrangements for the Education & Communities Committee, save for the start time of the Committee meeting, and so closing that outstanding remit from the meeting of the Council on 10 June 2021.

Iain Strachan
Head of Legal & Democratic Services

4.0 BACKGROUND

- 4.1 In Scotland, there are, broadly speaking, two types of political management arrangements that can be adopted by a local authority. These are commonly referred to as a Committee model and an Executive/Cabinet model. Currently the Council operates a thematic committee structure, which has been in place for some years.
- 4.2 There is no correct answer for what would work best for a particular local authority. Rather, what is most important is culture – the behaviours, values and attitudes that govern how individuals work together, and the decision-making framework that will best support that for the benefit of Inverclyde.
- 4.3 At the statutory meeting of the Council on 19 May 2022, Council agreed to continue the adoption of the thematic committee structure that was in place prior to the local government elections, but subject to the Head of Legal and Democratic Services bringing forward a report to the 30 June meeting of the Council to suggest any proposed alterations that might be made to its governance documents and structure to improve the efficiency and effectiveness of the Council's decision making arrangements. In addition, at that meeting, it was noted that officers would also undertake a review of the current arrangements for the Strategic Leadership Forum and Members Budget Working Group and report any proposed changes to a future meeting of the Council.

5.0 PROPOSALS

- 5.1 With the Council having agreed to continue with the same thematic committee structure, no material changes to the existing arrangements are proposed. However, it has been assessed by the Corporate Management Team that there are a number of changes that would improve the efficiency and effectiveness of the Council's decision making arrangements, for the benefit of both Elected Members and officers. These will be taken in turn, with any proposed changes to the Standing Orders and Scheme of Administration being shown in tracked changes in the copy of the same which is attached as Appendix 5 to this report.

Health & Social Care Committee

- 5.2 As Elected Members are aware, the Council now has no substantive decision-making powers in respect of the strategic direction and policy framework of those social care and other services, the functions of which are incorporated within the Inverclyde Health & Social Care Partnership. This is because the associated decision-making has effectively been delegated to, and is overseen by, the Integration Joint Board (IJB). Given this, it is respectfully considered inappropriate to call this forum a committee, since that implies decision-making powers it does not possess. It is to be noted that there is also a large duplication between the reports that are submitted to this Committee and the papers that go to the IJB. Although it is known that some local authorities do not have such a dedicated committee, it is felt that complete removal would be a step too far at this time, in particular because of the Council having this long-established committee and the potential for wide scale reform on the back of the Feeley Review and development of proposals around a national care service. However, if this Committee is to be retained it should instead be reframed as the Social Work & Social Care Scrutiny Panel, or similar, to reflect this different status and to help manage expectations of the public and stakeholders.
- 5.3 The current remit of the Health and Social Care Committee and a suggested remit for a new Social Work & Social Care Scrutiny Panel is included in Appendix 1 to this report. Any substantive decisions that might have previously been required by the Health and Social Care Committee will instead, going forward, be considered by the Policy & Resources Committee, or the Environment & Regeneration Committee in respect of homelessness matters. As before, the Chief Social Worker's annual report will be considered by full Council.

Local Police & Fire Scrutiny Committee

- 5.4 For similar reasons as for the Health & Social Care Committee, with the single national services having now been established for some time, i.e. Police Scotland and the Scottish Fire & Rescue Service, this Committee should also be reframed as a Scrutiny Panel.
- 5.5 The current remit of the Local Police & Fire Scrutiny Committee and a slightly adapted remit for a new Local Police & Fire Scrutiny Panel is included in Appendix 2 to this report.

5.6 Education & Communities Committee

There is an outstanding remit on officers, from the June 2021 Council meeting, to consider the current arrangements for the Education & Communities Committee, and potentially separating it into two Committees, and bring forward a report on this matter for consideration “by the next Council Administration as part of any review of meeting arrangements”. Whilst it has been noted that there have, in the past, at times been issues around the length of the meetings of this Committee, it is recommended that no changes be made at this time, and instead it is recommended that this is monitored going forward, including the impact of the changes proposed in this report. Notwithstanding the foregoing, as a consequence of feedback from Members, Members are asked to note that the report at Item 5 on the Agenda for this meeting will propose that the Communities element of these meetings now commences at 2pm, and not 1pm.

Audit Committee

- 5.7 It is common practice in local authorities that this committee, or its equivalent, is chaired by an Elected Member who is not part of the Council Administration. Given this, and to reflect the decision at the statutory meeting, it is recommended that the Standing Orders and Scheme of Administration are revised to state that the Convenor of the Audit Committee be an Elected Member who is not a member of the Administration.

Strategic Leadership Forum/Members Budget Working Group

- 5.8 At the statutory meeting, Council agreed to continue the use of the Strategic Leadership Forum (SLF) and the Members Budget Working Group (MBWG), with it being noted that officers would undertake a review of current arrangements and bring any proposed changes back to Council. As the SLF and the MBWG are not enshrined in the Standing Orders and Scheme of Administration it is proposed that they are, with the terms of reference (ToRs) as set out in Appendices 3 and 4. By way of explanation, the MBWG had ToRs agreed in 2014, but these have not been reviewed since then. Some small updates are proposed, but the ToRs are largely as originally agreed. It is understood that there have never been ToRs for the SLF, and as such some are proposed, based upon those for the MBWG.

Noting reports

- 5.9 In 2021 and 2022 (to the end of March) the Council’s strategic decision-making committees, i.e. Policy & Resources, Environment & Regeneration and Education & Communities, received 243 reports. A large number of these (110) were for noting, and not seeking substantive decisions. It would greatly assist the length and efficiency of meetings, and the associated impact on the time of Elected Members and officers, if the number of such reports could be reduced and their consideration dealt with in other ways. On 17 September 2019 the Policy & Resources Committee agreed actions to seek to tackle this, including to actively filter reports as part of the pre-agenda process. It is recognised that there will often be good reason for such reports coming forward, such as for critical financial reporting or service performance monitoring, but it is considered that action should again be taken on this.
- 5.10 Firstly, there will be more constructive challenge by the Corporate Management Team and Directorate Management Teams on the need for any such reports. Secondly, it is recommended that a new section is included on agendas for the Council’s strategic decision-making committees, being “Routine Decisions and Items for Noting”. The effect of this would be that any reports included in this section would be taken to be approved, and not be the subject of an officer introduction or any questions or discussion, except where specifically requested at the meeting, on an exception only basis. Whether or not a report was considered to be a “routine

decision” would be assessed at the pre-agenda meeting, but for instance it could include minor property transactions or other minor and predominately operational matters in respect of which officers do not have delegated authority to take the decision in question. In this way, it is intended that the required reports can be brought forward for Elected Members, but without unnecessarily tying up Committee time and attention.

- 5.11 For the avoidance of doubt, these committees would still receive noting reports for question and discussion, as they do now, but they would generally only relate to key performance/financial management data, or matters with specific legal issues.

Councillor Virtual Library

- 5.12 Linked to the above, it is recommended that officers establish a Councillor Virtual Library, into which information for noting can be submitted and accessed by all Elected Members, and which would also include member briefing notes and the like. Senior officers would promote the use of this by their service areas, with a standard Council template for such briefing notes and a formalised sign off process prior to submission. If approved, officers would look to have this established during the Autumn. The exact timing of this will depend upon a number of factors, including planned upgrades to the Council’s ICT system.

- 5.13 Again, linked to the above, custom and practice is that all elected members on a committee/Board receive a hard copy of the agenda papers. In 2021/22 the cost of external printing for Committee papers was approximately £14,300. Whilst a move to a completely paperless system is not realistic at this time, and also dependent upon the identification of a technological solution that is both suitable and affordable, it is recommended that the Council looks to reduce the amount of hard copy agendas that are issued. Such an approach reflects the Council’s net zero carbon ambitions, and also recognises the Council’s financial challenges. For the time being, it is recommended that (i) all Elected Members on a Committee/Board receive a hard copy of the issued agenda and (ii) all Elected Members are asked if they wish to receive a hard copy of any issued agendas for those Committee/Boards they are not a member of, subject to two hard copies of each issued agenda (i.e. not Pre Agenda Meeting papers) being left in the Members’ Lounge for all Elected Members to review. Officers will keep this practice under review, in order to incrementally reduce the use of hard copy agendas and the associated spend.

Shared Services Joint Committee/Glasgow and Clyde Valley City Deal Cabinet

- 5.14 The Shared Services Joint Committee, with West Dunbartonshire Council, and the Glasgow and Clyde Valley City Deal Cabinet have both been established as joint committees in terms of S.57 of the Local Government (Scotland) Act 1973. Council approved the Shared Services arrangements on 29 September 2016 and the City Region Deal arrangements on 4 December 2014. Given this joint committee status, and the committees’ respective roles, it is considered appropriate to include reference to them in the Standing Orders and Scheme of Administration. This is also so that members of the public can understand their place in the Council’s governance arrangements.

Meeting Management

- 5.15 There are three suggested changes to the Standing Orders related to this.
- 5.16 The first concerns Member Requests. It is established custom and practice that elected members can bring forward Requests for submission onto Council/Committee agendas, without needing a seconder. However, the Standing Orders do not regulate these at all, or distinguish between written Notices of Motion (under Standing Order 22) and Requests. As such, it is recommended that the Standing Orders be updated to reflect this, and to be clear that a Request is, in essence, a motion seeking a formal Council/Committee decision but one where the substantive matter is not political in nature and is neither seeking any material commitment around the need for Council funding or other resources. As with Notices of Motion the Convenor will rule on the competency of a Request, taking officer advice. Proposed revisions have been included in the Standing Orders, Standing Orders 24 to 26, to reflect this.

- 5.17 Linked to this, it is noted that, other than for written Notice of Motions under Standing Order 22 (as referred to above), there is no requirement for the submission of Motions and Amendments in advance of the actual Council/Committee meeting. Given this, Members are encouraged to discuss any potential motions or amendments with relevant senior officers in advance of the meeting. In particular, this will enable advice to be given around the competency of such motions.
- 5.18 Secondly, it has been identified that the drafting of Standing Order 41 (now Standing Order 45) could be revised, to confirm the ability of the Provost to have a casting vote in respect of the appointment of a member to an outside body. To be clear, the proposed alteration does not change the substance of the Standing Order, and merely seeks to clarify it.
- 5.19 Finally, Members are asked to note that it is also suggested that the second paragraph of Standing Order 4 be deleted. It is understood this text, namely the ability for an elected member to request that they participate in a meeting by video-conference facility, originated before the covid pandemic. Given the Council's successful introduction of remote and hybrid meetings, It is suggested that this text has now been superseded, including by the text in the first paragraph of this Standing Order. As such, officers are of the opinion that the text in the second paragraph is no longer required.
- 5.20 Going forward, to help ensure the Council's decision-making arrangements remain fit for purpose, officers will seek feedback from the Strategic Leadership Forum following the completion of every cycle of meetings. If any changes are proposed following such feedback, other than minor matters that can be dealt with at an operational level, these would be the subject of a report to a future meeting of the Council.

6.0 IMPLICATIONS

Finance

- 6.1 There are no direct financial implications from this report.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

Legal

- 6.2 There are no direct legal implications from this report.

Human Resources

- 6.3 There are no direct human resources implications from this report.

Equalities

6.4 Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

Repopulation

6.5 None.

7.0 CONSULTATIONS

7.1 The Corporate Management Team and the Strategic Leadership Forum has been consulted on these proposals.

8.0 BACKGROUND PAPERS

8.1 None.

Current remit of Health and Social Care Committee

“Power is delegated to the Health and Social Care Committee:

- (a) To oversee the Council’s relationship with the Inverclyde Integration Joint Board;
- (b) To oversee the effective deployment of Council resources to support the strategic priorities of the Inverclyde Integration Joint Board;
- (c) To oversee the Council’s responsibilities in relation to homelessness services and, within the statutory framework, to contribute to reports on homelessness and rented residential accommodation to the Scottish Housing Regulator.”

Proposed remit of Social Work & Social Care Scrutiny Panel

“Noting that decisions regarding the strategic direction and funding of all functions and services listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme are delegated to the Inverclyde Integration Joint Board, and that the Council and this Panel has no decision-making powers in relation to those integrated functions and services, power is delegated to the Social Work & Social Care Scrutiny Panel:

- (a) To scrutinise the Council’s relationship with the Inverclyde Integration Joint Board;
- (b) To scrutinise the Council’s compliance with Directions issued to it by the Inverclyde Integration Joint Board, and the effective deployment of Council resources to support (i) the strategic priorities of the Inverclyde Integration Joint Board, and (ii) the discharge of the above-mentioned functions and services and relevant matters relating thereto;
- (c) To scrutinise the Council’s responsibilities in relation to homelessness services and, within the statutory framework, to contribute to reports on homelessness and rented residential accommodation to the Scottish Housing Regulator;
- (d) To scrutinise Directions issued to the Council by the Inverclyde Integration Joint Board; and
- (e) To consider relevant reports on the progress of the development of proposals around the introduction of a national care service, which said reports might also be submitted to meetings of Inverclyde Council and the Policy & Resources Committee.”

Current remit of Local Police & Fire Scrutiny Committee

“Power is delegated to the Local Police and Fire Scrutiny Committee:

- (a) To consider and recommend improvements in local Police and Fire and Rescue services;
- (b) To recommend priorities and objectives for the policing of the local area;

- (c) To recommend priorities and objectives for Fire and Rescue services in the local area;
- (d) To agree the Police and Fire and Rescue local plans;
- (e) To scrutinise and review the outcomes, priorities and objectives set out in the Police and Fire and Rescue local plans;

- (f) To provide comments in response to consultations on Police and Fire and Rescue services;

- (g) To promote engagement with all interested parties including community planning partners and neighbourhood partnerships;

- (h) To make representations to the national authorities, as required, in relation to wider scrutiny issues and concerns;
- (i) To consider Council reports on matters which affect local Police and Fire and Rescue services in Inverclyde providing that, where necessary, these will be remitted to the appropriate Service Committee for decision.”

Proposed remit of Local Police & Fire Scrutiny Panel

“Power is delegated to the Local Police and Fire Scrutiny Panel:

- (a) To consider and recommend improvements in local Police and Fire and Rescue services;
- (b) To recommend priorities and objectives for the policing of the local area;
- (c) To recommend priorities and objectives for Fire and Rescue services in the local area;
- (d) To agree the Police and Fire and Rescue local plans;
- (e) To scrutinise and review the outcomes, priorities and objectives set out in the Police and Fire and Rescue local plans;
- (f) To provide comments in response to consultations on matters directly relating to Police and Fire and Rescue services;
- (g) To promote engagement with all interested parties including community planning partners and neighbourhood partnerships;
- (h) To make representations to the national authorities, as required, in relation to wider scrutiny issues and concerns around the local provision of Police and Fire and Rescue Services;
- (i) To consider Council reports on matters which affect local Police and Fire and Rescue services in Inverclyde providing that, where necessary, these will be remitted to the appropriate strategic Committee for decision.”

STRATEGIC LEADERSHIP FORUM

DRAFT TERMS OF REFERENCE

Introduction and Membership

1. The Strategic Leadership Forum (SLF) has been established by the Council for some time. . The SLF is an internal, Members' Working Group and is an informal forum for cross-party sharing of significant and/or high profile matters in respect of which officers believe senior elected member awareness and/or input would be beneficial.
2. The SLF is comprised of the following Elected Members, namely (i) the Leader of each political party represented on the Council, (ii) the Depute Leader of the Council and (iii) a representative of those Members not representing a particular political party, and supplemented by additional Members to reflect as far as practicable the political representation on the Council and to assist in openness, transparency and inclusiveness. The SLF may unanimously decide to invite other persons as it considers appropriate to attend its meetings but any such decision will not confer membership of the SLF.
3. The Chair of the SLF will be the Leader of the Council or their Depute.
4. The Chief Executive and such members of the Corporate Management Team as are relevant will attend the meetings of the SLF to provide information and advice and to provide such secretariat support as may be required.

Role and Purpose

5. The meetings of the SLF enable open and frank discussion which shall seek to achieve consensus insofar as possible in respect of significant and/or high profile matters which officers believe senior elected member awareness and/or input would be beneficial.
6. The SLF does not carry out responsibilities on behalf of the Council or its committees and does not seek to duplicate the role of the Council's committee structure and the Standing Orders and Scheme of Administration.
7. The SLF allows significant and/or high profile matters to be considered informally on a non-political basis outwith the Council's committee process with a view to discussing any areas of possible consensus prior to any relevant, formal reports subsequently being presented to Committee. The SLF will engage with Officers in respect of relevant information and advice and will have broad discussions seeking to arrive at consensus, when possible.
8. The SLF will engage on these issues on a private and non-attributable basis and its discussions and views expressed in those discussions will not be ascribed to any of its Members during subsequent political process and challenge. The aim of the SLF is to strive for consensus in the best interests of the Council, its staff and the public of Inverclyde and to secure provision of critical services to the community but it is recognised that different political dimensions will exist. These divergent views will be respected and it is the aim of the SLF to focus on the key issues of challenge. Within the course of its meetings, contentious issues will be debated in full but privacy and the principle of non-attribution will apply during the course of these meetings. The SLF will seek to be inclusive whilst respecting the different political objectives.
9. The role of Officers will be respected and open, impartial advice on all issues will be given and the same respect for different views maintained and observed by all persons attending.
10. The SLF will review any relevant consultations and responses which are received from stakeholders within Inverclyde.

Accountability

11. Each member of the SLF will have an equal say.
12. The SLF is not a decision making body as its purpose is to identify, where possible, consensus in respect of those significant and/or high profile matters that are considered by it.
13. It is not intended that the SLF will operate on a basis of majority voting: the opinions of each member of the SLF will contribute to any identification of consensus or way forward.
14. Meetings of the SLF will commence with an oral update from the Chief Executive and/or from the relevant member of the Corporate Management Team on key issues for discussion.
15. Any papers or reports that are shared with Members of the SLF are done so on a confidential basis: these are internal, working group papers or reports that will not necessarily be reported to committees. However, Members of the SLF may share these papers or reports on the same internal and confidential basis with members of their respective Groups. These said papers or reports may be accessible under Freedom of Information (FOI) requests and only relevant exemptions may permit withholding of such items. The Council is committed to open and accountable local government and it is only in the case of relevant exemption that minutes will be withheld from an FOI request.
16. The frequency of meetings will be agreed after consideration of management capacity to effectively support the SLF and complete officer action points.

Agreed TBC 2022

MEMBER BUDGET WORKING GROUP

TERMS OF REFERENCE

Introduction and Membership

17. The Member Budget Working Group (MBWG) was established by the Council in 2014 meeting. The MBWG is an internal, Members' Working Group and is an informal forum for cross-party scrutiny, consideration and developing of the Council's budget proposals in the light of the severe financial pressures the Council is under.
18. The MBWG is comprised of the Members of the Strategic Leadership Forum and supplemented by additional Members to reflect as far as practicable the political representation on the Council and to assist in openness, transparency and inclusiveness, all in terms of the Council's decision, above. The MBWG may unanimously decide to invite other persons as it considers appropriate to attend its meetings but any such decision will not confer membership of the MBWG.
19. The Chair of the MBWG will be the Leader of the Council or their Depute.
20. The Chief Executive and such members of the Corporate Management Team as are relevant will attend the meetings of the MBWG to provide information and advice and to provide such secretariat support as may be required.

Role and Purpose

21. The meetings of the MBWG enable open and frank discussion which shall seek to achieve consensus insofar as possible in the developing of the Council's future budget proposals.
22. The MBWG enables the political leadership to engage in an informal basis with a view to developing sustainable budget proposals to minimise the impact on the provision of Council Services and for the interests of the community of Inverclyde.
23. The MBWG does not carry out responsibilities on behalf of the Council or its committees and does not seek to duplicate the role of the Council's committee structure and the Standing Orders and Scheme of Administration.
24. The MBWG allows significant and sensitive issues to be considered informally on a non-political basis outwith the Council's committee process with a view to discussing any areas of possible consensus prior to any relevant, formal reports subsequently being presented to Committee. The MBWG will focus on the key budget challenges facing the Council and on the outcome and progress of any budget consultations. The MBWG will engage with Officers in respect of relevant information and advice and will have broad discussions seeking to arrive at consensus, when possible.
25. The MBWG will engage on these issues on a private and non-attributable basis and its discussions and views expressed in those discussions will not be ascribed to any of its Members during subsequent political process and challenge. The aim of the MBWG is to strive for consensus in the best interests of the Council, its staff and the public of Inverclyde and to secure provision of critical services to the community but it is recognised that different political dimensions will exist. These divergent views will be respected and it is the aim of the MBWG to focus on the key issues of challenge and to implement an effective and sustainable response to future financial pressures in the best interests of all. Within the course of its meetings, contentious issues will be debated in full but privacy and the principle of non-attribution will apply during the course of these meetings. The MBWG will seek to be inclusive whilst respecting the different political objectives.
26. The role of Officers will be respected and open, impartial advice on all issues will be given and the same respect for different views maintained and observed by all persons attending.

27. The MBWG will review and consider any current or proposed budget consultation processes and any consultation feedback or observations, including from members of the public, relevant stakeholders and/or from Members of Parliament, Members of the Scottish Parliament and any other stakeholders or persons on significant and cross-party policy issues in order to secure a sound budget response for the Council.
28. The MBWG will be active in bringing to the attention of the Council or its Committees those issues which its Members agree are likely to be of major significance or controversy in the setting of the Council's budget strategy.

Accountability

29. Each member of the MBWG will have an equal say.
30. The MBWG is not a decision making body as its purpose is to identify, where possible, consensus in the developing of a budget response to future financial pressures.
31. It is not intended that the MBWG will operate on a basis of majority voting: the opinions of each member of the MBWG will contribute to any identification of consensus or way forward.
32. The members of the MBWG will have complete access to the latest and most up-to-date data on the budget setting process, with the agenda and papers being submitted by officers in advance of the meeting.
33. At the conclusion of the MBWG's meetings, the Interim Director – Finance & Corporate Governance will arrange for a note of the meeting to be prepared, which shall be shared with the MBWG prior to the next meeting. .
34. Any papers or reports that are shared with Members of the MBWG are done so on a confidential basis: these are internal, working group papers or reports that will not necessarily be reported to committees. However, Members of the MBWG may share these papers or reports on the same internal and confidential basis with members of their respective Groups. These said papers or reports may be accessible under Freedom of Information (FOI) requests and only relevant exemptions may permit withholding of such items. The Council is committed to open and accountable local government and it is only in the case of relevant exemption that minutes will be withheld from an FOI request.
35. The MBWG will act as a cross-party forum to discuss topics related to the implementation of the Council's approach to future budgets.
36. The frequency of meetings will be agreed after consideration of management capacity to effectively support the MBWG and complete officer action points.

Agreed TBC 2022

Appendix 5

Note: Tracked changes included to show proposed amendments.

Standing Orders and Scheme of Administration



Inverclyde Council

Standing Orders
and
Scheme of Administration

Approved - ~~30~~ June 20~~22~~~~18~~

~~Updated - 5 December 2019, 18 February 2021 and
17 February 2022~~

INVERCLYDE COUNCIL

STANDING ORDERS AND SCHEME OF ADMINISTRATION

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Commented [IS1]: To be updated following Council meeting

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STANDING ORDERS OF INVERCLYDE COUNCIL

Definitions

1. In these Standing Orders, unless the context otherwise requires, the following words and expressions shall have the following meanings:

the 1973 Act means the Local Government (Scotland) Act 1973;

the 1994 Act means the Local Government etc. (Scotland) Act 1994;

the 2004 Act means the Local Governance (Scotland) Act 2004;

Administration Group means that group of Members which forms the ruling Administration of the Council;

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the Council means The Inverclyde Council incorporated in terms of the 1994 Act;

Statutory Meeting means the meeting which, in terms of the relevant legislation, the Council is required to hold within 21 days of the date of the election in an ordinary election year;

Provost means the Convener of the Council elected under Section 4 of the 1994 Act;

Chair means the person at any time presiding at a meeting of the Council or a Committee;

Convener and **Vice Convener** of a Committee mean the Members appointed to those offices by the Council;

Member means a Councillor for the Council elected in accordance with the 2004 Act;

Proper Officer means the person designated as such and for the purpose specified by the Council in the Council's Scheme of Delegation;

clear days shall be interpreted to not include the day of receipt of any relevant notice and the day of the meeting;

written request and **in writing** mean a letter signed by the author(s) delivered to the Proper Officer or a scanned copy of that letter delivered to the Proper Officer by electronic means;

any reference to a **Committee** shall, unless the context otherwise requires, include reference to a Sub-Committee, Board, the Local Review Body and any Committees acting in a *quasi-judicial* capacity;

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unless the context otherwise requires, words imparting the singular shall include the plural and vice versa.

Meetings of the Council

2. The Council shall meet at 4 p.m. on the following days:

- (a) A Statutory Meeting of the Council shall be held in the year of the elections to the Council under the relevant legislation within 21 days from the date of that election;
 - (b) Ordinary Meetings shall be held on the Thursday of the final week of each cycle of meetings set by the Council and, in any event, at intervals of no more than 16 weeks between each meeting, unless otherwise agreed in terms of **Standing Order 3**.
3. Special Meetings may be called at any time by the Proper Officer on being required to do so by (a) the Provost, or (b) a written request for that purpose, signed by at least 7 Members or (c) at the request of the Chief Executive or Monitoring Officer, which meeting shall be held within 7 clear days. The request shall specify the business proposed to be transacted at the meeting.
4. All meetings of the Council shall be held within the Municipal Buildings, Greenock, or such other place as the Council or the Proper Officer in consultation with the Provost may specify, it being declared that a virtual/remote or hybrid meeting arranged by the Council shall satisfy this requirement.

~~Subject to prior agreement by the Provost, any Member who cannot reasonably attend a meeting in person may request that provision be made within alternative, suitable Council premises for video conferencing participation in the meeting, if practicable with regard to advance notice, technical feasibility and cost, provided that the Proper Officer is satisfied as to the necessary arrangements securing any required propriety and confidentiality of Council business.~~

5. Subject to the terms of Sections 50A and 50E of the 1973 Act, all meetings of the Council shall be open to the public.
6. No Member or member of the public may photograph, broadcast, transmit or record any Council meeting without prior written approval from the Council. The use of mobile electronic devices by Members during meetings is permitted only to ensure the expeditious progress of the meeting, for access to Council agendas, notes or diary entries and not for any external purpose.

Notice of Meetings

7. Notice of all Council meetings is published on the Council's website.
8. All meetings of the Council shall be convened by:
 - (a) a Notice being published by the Proper Officer at least 3 clear days before the meeting which shall specify the date, time and place of the meeting; and
 - (b) a summons to attend the meeting specifying the business to be transacted being sent by post to the usual place of residence of every Member, or to such other address as any Member may notify, not later than 3 clear days before the date of the meeting.
9. If a meeting is convened at shorter notice than 3 clear days by reason of urgency, the Notice and summons referred to above shall be published and posted as soon as the meeting is convened.

10. Want of service of a summons on any Member shall not affect the validity of a meeting of the Council, only if good reason is shown for failure to send such a summons as may be decided upon by the Provost.

Quorum

11. The quorum for the Council is 7. No business may be transacted at any meeting unless a quorum is present.
 - (a) If, 10 minutes after the time stated in the summons to attend a meeting, a quorum is not present, the meeting shall stand adjourned until such time and date as may be determined by the Proper Officer in consultation with the Provost. The Proper Officer shall minute the reason for the adjournment of the meeting.
 - (b) If after a meeting has started, the number of Members present falls below the quorum and after a period of 5 minutes (during which time no business shall be considered or transacted), a quorum cannot be found, the meeting shall be adjourned until such time and date as may be determined by the Proper Officer in consultation with the Provost. The Proper Officer shall minute the reason for the adjournment of the meeting.
 - (c) Any Member who has declared an interest in an item of business at the meeting and who leaves the meeting for that purpose may not be counted in the quorum for that item of business. If less than a quorum of the Council results from the Member leaving the meeting, then that item of business cannot be considered at the meeting.

Sederunt and Apologies

12. The names of the Members present at a meeting of the Council shall be recorded by the Proper Officer. Members who intimate to the Proper Officer apologies for non-attendance at a meeting of the Council shall have their apologies recorded in the Minute.

Failure to Attend Meetings

13. Subject to the provisions of Section 35 of the 1973 Act, if a Member fails throughout a period of 6 consecutive months to attend any meetings of the Council or a Committee, he or she shall, unless the failure was due to some reason approved by the Council, cease to be a Member.

Convener

14. (a) The Convener of the Council, upon being elected, shall be known as the Provost and shall subject to the provisions of Paragraph 7 of Schedule 2 to the 1994 Act, hold office until the next ordinary election or until ceasing to be a Councillor, whichever is the earlier. Notwithstanding the foregoing, the Council may specify a shorter period for the term of office of Convener at the time of that election;

- (b) At a meeting of the Council, the Provost or, in his or her absence, the Depute Provost shall preside. If the Provost and the Depute Provost are both absent from a meeting, another Member of the Council chosen by the Members present will chair the meeting.
15. Subject to the provisions of **Standing Order 14** the Council may at any time agree to remove the Provost from office with immediate effect provided that:
- (a) a Notice of Motion in terms of **Standing Order 22** to that effect is given at one meeting of the Council and on the basis that the matter is to be considered at the next ordinary meeting of the Council; or
 - (b) where no such prior Notice of Motion is given, not less than two thirds of Members present and entitled to vote at the meeting agree that the early removal from office of the Provost be considered at that meeting.

Role of Provost

16. The Provost shall:
- (a) preserve order and ensure fairness in debate;
 - (b) ensure the agenda of business is properly dealt with and clear decisions are reached;
 - (c) decide on all points of order and matters of competence and relevance;
 - (d) with the assistance of the Proper Officer, ensure that Standing Orders are observed;
 - (e) decide on all questions of procedure for which no express provision is made in Standing Orders; and
 - (f) order the exclusion of any member of the public to prevent or remove disorderly conduct or any other behaviour which disrupts the business of the meeting.
17. The decision of the Provost on all matters within his or her responsibility shall be final and shall not be open to question or discussion.

When the Provost speaks the Member, if any, who is addressing the meeting, shall cease to speak. The Provost shall be entitled, in the event of disorder occurring, to adjourn the meeting to a time he or she may then or thereafter determine.

Restriction on Business

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

Order of Business

19. (a) At the first meeting of the Council after an ordinary election, the Council shall deal with the business in the following order:

note the election of Members;

take the sederunt, noting which Members have executed the declaration of acceptance of office;

elect the Provost;

elect the Depute Provost;

appoint Leader, Depute Leader and Leader of the Minority Group(s);

appoint Members to Committees;

appoint Conveners and Vice-Conveners of Committees;

appoint Members to the Licensing Board;

appoint representatives to outside bodies;

consider arrangements for a timetable of scheduled meetings and any administrative arrangements.

(b) At all other meetings of the Council, business shall be dealt with in the following order:

note apologies for absence;

note the appointment of substitutes by Members;

consider notice of any urgent business;

note declarations of interest;

approve minutes of meetings of the Council and Committees;

ask questions on the minutes;

~~consider reports;~~

Commented [IS2]: To reflect practice

~~consider Members Requests;~~

Commented [IS3]: To reflect inclusion of this in SOs

consider Notices of Motions;

consider other motions on the agenda;

~~consider reports;~~

consider business in the appendix.

(c) The order of business may be altered by the Provost upon his or her discretion.

Minutes

20. Minutes of Council meetings shall be prepared by the Proper Officer. Subject to approval or correction as the case may be, the Minute shall be signed at the next suitable meeting of the Council by the person then presiding.
21. At the Council meeting, the Member presiding at a Committee meeting shall move acceptance of the Minute of that Committee meeting, as a correct record insofar as any such corrections of the Minute do not conflict with the proper exercise of powers delegated to the Committee. In the absence of the Member presiding at the Committee, another Member may move acceptance of the Minute of that meeting as a correct record. Any correction proposed by the presiding Member requires a seconder.

Any item in the Minute subject to referral from a Committee will require to be moved and seconded and subject to debate thereafter.

Procedure for Notice of Motion

22. A Member may submit a Notice of Motion for consideration at any meeting of the Council. Such Notice of Motion shall be in writing and shall be countersigned by at least one other Member and delivered to the Proper Officer at least 7 clear days prior to the meeting of the Council at which the Motion is to be considered. The Notice of Motion shall be printed in the Agenda of the meeting of the Council without prejudice to the right of the Provost to rule as to its competency.
23. A Notice of Motion submitted under **Standing Order 22** may be moved by the Member who submitted the Notice of Motion or by another Member present. If it is not so moved, it shall, unless postponed by decision of the Council, be considered as withdrawn.
24. For the avoidance of doubt, Standing Orders 22 and 23 do not apply to requisitioned meetings, to procedural motions and/or to motions which are moved by Members at a meeting in pursuance of a minute or report.

Procedure for a Member's Request

25. A Member may submit a Member's Request for consideration at any meeting of the Council. Such a Member's Request shall be in writing and delivered to the Proper Officer at least 7 clear days prior to the meeting of the Council at which the Motion is to be considered. A Member's Request does not require to be countersigned by another Member. The Notice of Motion shall be printed in the Agenda of the meeting of the Council without prejudice to the right of the Provost to rule as to its competency.
26. The substantive matter of a Member's Request may not be political in nature, and neither may it seek to commit the Council to any use of funds or other resources, other than those of an insignificant nature which can be accommodated within existing budgets. Whether or not a Member's Request can properly be categorised as such in terms of these Standing Orders will be determined by the Provost, taking officer advice as required.
27. A Member's Request submitted under **Standing Order 25** may be moved by the Member who submitted the Member's Request or by another Member present. If it is

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not so moved, it shall, unless postponed by decision of the Council, be considered as withdrawn.

Motions and Amendments

284. Any Member proposing a motion or amendment relating to any item of business at a meeting shall state precisely the terms of his or her motion or amendment to enable the Provost to rule as to its competency.

295. Before any vote takes place, a motion or amendment must be duly seconded.

3026. Any motion or amendment which is not seconded shall fall and will not be recorded in the Minute.

3127. Only a Member who has not abstained and has taken part in a vote or who has moved a motion or amendment but failed to find a seconder may, if he or she so requests, have his or her dissent to the relevant decision recorded in the Minute.

328. The Provost may require that any motion or amendment shall be put in writing by the Member so proposing or amending. When required by the Provost, the Proper Officer will read any motion or amendment prior to it being put to the meeting.

3329. No Member shall move or second more than one motion or amendment on an item of business. A Member who has moved or seconded a motion or amendment shall be entitled to move or second a new motion or amendment if the original motion or amendment is withdrawn in terms of **Standing Order 340.**

340. A motion or amendment which has been moved and seconded shall not be altered or withdrawn without the consent of the mover and the seconder.

354. A motion or amendment contrary to a decision of the Council shall not be competent within 6 months of that decision unless, in the opinion of the Provost, material information is introduced which had not previously been available or some other material change of circumstances has taken place.

Speeches

362. Except with the permission of the Provost, the mover and seconder of a motion or an amendment shall not speak for more than 15 minutes. Others speaking in the debate shall not speak for more than 10 minutes. No Member other than the mover of a motion shall speak more than once in the same debate unless to call attention to a point of order or, with the permission of the Provost, to make an explanation. The mover of the motion shall have the right to speak for up to 5 minutes in reply to the points raised in the debate and will strictly confine himself or herself to answering previous speakers and will not introduce any new matter. Thereafter, the question shall be put by the Provost.

373. Members shall address the Provost. Each Member shall confine his or her speech to the item being debated.

384. Except with the consent of the Provost, it shall not be competent for any Member to read a written or printed speech to the meeting but a Member shall be entitled to refer to notes.

Points of Order

395. Any Member may raise a point of order at any time during a meeting. Any Member who is addressing the meeting when a point of order is raised will resume his or her seat until the point of order has been decided upon by the Provost. No other Member may speak to the point of order unless with the permission of the Provost. The decision of the Provost will be final and cannot be debated.

Closure of Debate

4036. At the conclusion of any speech, a Member who has not spoken on the item being debated may move "that the question be now put". If such a motion is moved and seconded and the Provost is of the opinion that the item has been sufficiently debated, there shall be no further debate and the vote shall be taken immediately "for" or "against" the motion "that the question be now put." If the motion "that the question be now put" is agreed, the mover of the substantive motion shall have the right to speak for not more than 5 minutes in reply to the points raised in the debate and will confine himself or herself to answering previous speakers and will not introduce any new matter. Thereafter, a vote shall be taken immediately on the substantive motion.

Adjournment

4137. At the conclusion of any speech, any Member may move that the meeting be adjourned. If such a motion is moved and seconded there will be no further debate and the vote shall be taken immediately to "adjourn" or "not adjourn". If the motion to adjourn is agreed then, unless the time is specified in the motion, the adjournment shall take effect immediately and the meeting shall be adjourned until such time as decided by the Provost. If the motion to adjourn is not agreed, it shall not be competent to repeat such a motion for a further 30 minutes, unless moved by the Provost.

4238. A motion to adjourn shall take precedence over all other motions.

Voting

439. Except where otherwise provided by these Standing Orders, when a motion and amendment are considered by the Council, the proposal receiving the support of the majority of the Members present and voting will be declared to be the decision of the Council.

440. Voting shall be taken by calling the roll. For purposes of accountability, the names of all Members voting or abstaining relative to any motion or amendment shall be recorded in the Minute.

454. In addition to a deliberative vote, in the case of an equality of votes, the Provost, should he or she so wish, shall have a casting vote except where the matter relates to the appointment of a Member to any particular office or Committee in which case the decision shall be by lot. The Provost shall, however, have a casting vote, should he or she so wish, where the matter relates to the appointment of a Member to (but not to an outside body)ies), in which case the decision shall be by lot.

462. When a motion and 2 or more amendments have been moved and seconded, the vote shall be taken in the first instance between the amendment last proposed and the

amendment second last proposed. The successful proposal from that vote shall be taken against the amendment third last proposed and so on until there remains only one amendment to be taken against the motion and whichever of those is carried shall be the decision of the Council.

473. When a vote has been taken and the accuracy of the count is immediately challenged, it shall be at the discretion of the Provost to call for a recount.

Disregarding the Authority of the Provost

484. If any Member disregards the authority of the Provost or behaves obstructively or offensively, a motion may then be moved and seconded to suspend the Member for the rest or any part of the meeting. The motion shall be put without discussion. If it is carried, the Council Officer shall act on any orders given by the Provost to carry out such a decision.

Questions and Agenda Items

495. (a) Any Member may put a question to the Provost or to any Convener at any meeting of the Council concerning relevant and competent business on the Agenda. If the Provost or Convener decides that the question is relevant and competent, the Provost or Convener shall answer it or direct that it shall be answered;
- (b) If any Member wishes to give formal notice of a detailed question arising from the business on the Agenda, that Member can submit that question in writing to the Proper Officer by 10am on the day preceding the Council meeting. The Proper Officer shall liaise with the Provost or Convener on this at the earliest opportunity;
- (c) Any Member may submit in writing to the Proper Officer an item of business for consideration at any meeting of the Council not less than 7 clear days preceding the meeting. The Proper Officer shall place the item on the Agenda notwithstanding the entitlement of the Provost or Convener to rule on its competency.

If the Member considers the item to be urgent, the reasons for this must be specified by the Member in the written submission. In such circumstances, the Proper Officer may place the item on the Agenda even though less than 7 clear days' notice has been given, notwithstanding the discretion of the Provost or Convener to decide on its urgency or otherwise and on its competency for the meeting. Failing this, the item shall not be included on the Agenda as it has not been raised within the proper timescale.

Interests of Members

5046. Any Member who has an interest in any matter which, in terms of the Councillors' Code of Conduct issued under the Ethical Standards in Public Life etc. (Scotland) Act 2000, requires to be declared and is available to participate at a meeting at which such a matter is the subject of consideration, shall declare that interest as soon as practicable at the meeting where the interest arises. The declaration shall be sufficient to enable the meeting to understand the nature of the interest and shall be recorded in the Minute.

If, in terms of the Code, the nature of the interest means that the Member cannot participate in discussion and voting on the matter, the Member shall retire from the meeting and leave the meeting room until the business concerning that matter is concluded.

Suspension of Standing Orders

5147. On a motion made at any time during a meeting, the Council shall be entitled to suspend one or more of these Standing Orders so far as regards any business, but only if two-thirds of the Members present and voting for that purpose shall so decide. There shall be no discussion on such a motion.

Variation and Revocation of Standing Orders

5248. The Council may vary or revoke any of these Standing Orders. Any such decision will, if voted upon, be approved by a majority of Members present and voting.

Decisions of the Council

5349. No decision made by the Council shall be subject to review by any Committee unless such review is specifically authorised by the Council.

549. Without prejudice to any decision taken by a Committee, in exercise of delegated powers, the Council may at any time deal with any matter included in a delegation to a Committee, notwithstanding that no report from such Committee is before it. The Council may deal with any item of business included in the delegation to a Committee even if there is no report from that Committee on the item.

Contracts and Delegation

554. The Council shall have Standing Orders Relating to Contracts, a Scheme of Delegation to Officers and Financial Regulations.

Committees

562. The Council shall establish such Committees, Sub-Committees and Boards as may be considered necessary from time to time and shall have a Scheme of Administration on the terms of reference and delegations to Committees, Sub-Committees and Boards for the purpose of arranging for the discharge of the functions of the Council.

573. The Council shall appoint Conveners, Vice-Conveners and Members to such Committees, Sub-Committees and Boards as it establishes in terms of **Standing Order 562** at the statutory meeting of the Council and otherwise as it considers necessary from time to time.

COMMITTEES

Committee Business

584. In making appointments to Committees and outside bodies (but in the latter instance only where more than 2 representatives of the Council to an outside body are required), the Council shall ensure that such appointments reflect, as far as practicable, the balance of political representation on the Council.

595. Any business requiring consideration by the Council shall, unless considerations of time otherwise dictate, be placed before the appropriate Committee.

560. Committees shall meet as the Council may from time to time set. Special meetings may be convened as follows:-

- (a) by the Committee at any ordinary meeting; or
- (b) by a written request from the Convener submitted to the Proper Officer and specifying the business proposed to be transacted at the meeting; or
- (c) by a written request signed by at least one quarter of the Members of the Committee submitted to the Proper Officer specifying the business proposed to be transacted at the meeting.

If the Proper Officer receives a request as set out in (b) or (c) above, such meeting shall be held within 14 clear days of receipt.

6157. At any time prior to the issue of a notice calling a meeting of a Committee, the Proper Officer, after consultation with the Convener, may determine that such meeting be cancelled or postponed to such date and time as the Convener shall determine. In which event, the Proper Officer shall, forthwith, issue a notice intimating the cancellation or adjournment of the meeting.

6258. All meetings of a Committee shall be convened by:

- (a) a Notice being published by the Proper Officer at least 3 clear days before the meeting which shall specify the date, time and place of the meeting; and

- (b) a summons to attend the meeting specifying the business to be transacted being sent by post to the usual place of residence of every Member, or to such other address as any Member may notify, not later than 3 clear days before the date of the meeting.

Application of Standing Orders to Committees

~~6359~~. The following Standing Orders of the Council shall not apply to Committees:

Standing Order 2	-	Meetings of the Council
Standing Order 3	-	Special Meetings
Standing Order 8	-	Notice of Meetings
Standing Order 11	-	Quorum
Standing Order 20	-	Approval of Committee Minutes
Standing Order 295	-	Need for Secunder for Motions and Amendments
Standing Order 362	-	Speeches

For Committees the following Standing Orders shall be amended to the extent detailed below:

Standing Order 4

All meetings of Committees shall be held at the Municipal Buildings, Greenock or such other place as the Committee or Proper Officer in consultation with the Convener may determine, it being declared that a virtual/remote or hybrid meeting arranged by the Council shall satisfy this requirement.

Standing Order 14

- (a) At a meeting of a Committee, the Convener, if present, shall preside;
- (b) If the Convener is absent from a meeting, the Vice-Convener shall preside; and
- (c) If the Convener and the Vice-Convener are absent from a meeting, another Member of the Committee, chosen by the Members present, shall preside.

Standing Order 19(b)

There is no requirement to approve minutes or ask questions thereon.

Standing Order ~~4036~~

When any item is the subject of debate at a Committee, at any point in that debate, if the Convener is of the opinion that the item has been sufficiently debated, the Convener shall be entitled to close the debate and to decide that the question be now put to the Committee for decision. There shall be no further debate on the item and the Committee shall proceed to decide, whether by vote or otherwise, on the item.

The following additional Standing Orders shall apply to Committees:

Participation of Members not on a Committee

649. (a) Any Member who is not a Member of a Committee and who wishes to have an item considered at that Committee shall give written intimation to the Proper Officer of that item. Such intimation shall be referred to the Convener of the relevant Committee and Corporate Director. That Corporate Director shall be responsible for responding to the Member. In the event that the Member is not satisfied with the response, the Member shall be entitled to have the item considered by the Committee by giving written intimation to the Proper Officer to that effect at least 14 clear days prior to the date of the next ordinary meeting. On receipt of such written intimation, the item shall be placed on the agenda for the Committee, without prejudice to the entitlement of the Convener to rule as to its competency, it being understood that if the subject matter is within the remit of the Committee and has been raised within the time limits, it shall be deemed competent;
- (b) Any Member who is not a Member of a Committee who submits an item in terms of (a) above, shall be entitled to attend the meeting of that Committee at which that item is being considered. That Member shall be entitled to participate in the debate on that item but shall not be entitled to vote;
- (c) A Member who is not a Member of a Committee shall be entitled to attend a meeting of that Committee while there is under consideration any item in which the Member has a specific ward-based interest as a Member. Except where a Committee is considering items in its *quasi-judicial* capacity, the Member shall, with the consent of the Convener, be entitled to participate in the debate of the item but shall not be entitled to vote. Where the consideration of an item is of a *quasi-judicial* nature, a Member who is not a Member of the Committee shall not be entitled to participate in debate on the item and shall not be entitled to vote;
- (d) Any Member who is not a Member of a Committee who wishes to ask a specific question in relation to an item on the Agenda of that Committee, shall give at least 2 clear days' written notice to the Proper Officer, specifying the question. The Proper Officer shall liaise with the Convener on this at the earliest opportunity. If the Member so notifies the Proper Officer, that Member shall be entitled to attend the meeting of that Committee to ask that question on that item but shall not be entitled to ask any supplementary questions, participate in any debate or to vote thereon. This is without prejudice to the Convener's entitlement to rule on the competency of the question.

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Scheme of Administration

654. (a) The arrangements for meetings of Committees and their functions shall be regulated in accordance with the Scheme of Administration;
- (b) Where a Committee makes a decision within its delegated powers, it shall be competent for at least 4 of the Members present and voting at a Committee and 2 of the Members present and voting at a Sub-Committee to require that the delegated power be not exercised and that the decision be referred for determination to the Council. This referral procedure cannot be used if the Committee is considering an item in its *quasi-judicial* capacity, in which case the decision taken shall be final;

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Any referral must specify an alternative to the proposal so referred.

- (c) In addition to the detailed provisions of the Scheme of Administration:
- (i) the Council may delegate on an *ad hoc* basis to a Committee the discharge of any function; and
 - (ii) a Committee may delegate on an *ad hoc* basis to a Sub-Committee the discharge of any function in respect of which that Committee has delegated powers.

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Quorum of Committees, Sub-Committees, Boards and Local Review Body

662. (a) The quorum of all Committees (except the Petitions Committee), the General Purposes Board and the Planning Board shall be 6;
- (b) The quorum of the Local Review Body shall be 4 and the quorum of the Petitions Committee shall be 4;
- (c) The quorum of all Sub-Committees except the Housing (Landlord Registration) Sub-Committee shall be 4, or the membership of the Sub-Committee whichever is the lesser;
- (d) The quorum of the Human Resources Appeals Board and the Housing (Landlord Registration) Sub-Committee shall be 3.

Committees Acting in *Quasi-Judicial* Capacity

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673. Where a Committee is dealing with an item of business in a *quasi-judicial* capacity, a Member shall not be entitled to take part in debate, move a motion or amendment or vote on a motion or amendment unless that Member has been present throughout consideration of that item of business, any continuation of that item of business or any site visits.

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Petitions Committee Protocol

684. The Petitions Committee shall from time to time consider and approve its protocol and procedures for submitting petitions and determining its actions, which shall include provisions for persons or deputations making representation to that Committee.

Remits Between Committees

695. Any decision by a Committee to remit consideration of a matter to another Committee shall, where practicable, be considered at the next meeting of the Committee.

INVERCLYDE COUNCIL

1. SCHEME OF ADMINISTRATION

1.1 This Scheme of Administration is within the Council's Standing Orders.

2. PURPOSE OF SCHEME

2.1 These terms of reference and delegated functions (Scheme of Administration) set out the powers delegated by the Council to its Committees, Sub-Committees and Boards in terms of the Local Government (Scotland) Act 1973 and shall regulate:

- (a) the allocation of the functions of the Council to the Committees, Sub-Committees and Boards of the Council; and
- (b) the delegation to Committees, Sub-Committees and Boards, where appropriate, of authority to exercise the functions of the Council.

2.2 The Scheme of Administration is to be read with the Council's Standing Orders, Standing Orders Relating to Contracts and Financial Regulations.

3. PROVISIONS APPLICABLE TO ALL COMMITTEES

3.1 Committees shall consider only matters within their terms of reference.

3.2 Where the Council has delegated any class of functions to a Committee, it shall retain the power to delegate any one of those functions to another Committee on a particular occasion when, by reason of the nature of the matter, in the opinion of the Council, it ought to be so referred.

3.3 All functions listed as delegated functions and any further additional such functions which may be delegated by the Council are also delegated to the respective Committee.

4. DELEGATED FUNCTIONS

4.1 The following functions shall be delegated to Committees:

(a) The powers required to carry out their functions provided that the decisions made by any Committee shall comply with the terms of policy and budget approved by the Council.

(b) All Boards and the Local Review Body, being *quasi-judicial* bodies, shall have full powers and no decisions taken shall be referred to the Council except in the case of the Planning Board relative to those applications for major and national developments which are statutorily subject to pre-determination hearings.

5. GENERAL PROVISIONS

5.1 The following general provisions shall apply:

(a) A Committee may further delegate authority to an officer of the Council to undertake or discharge any function which is delegated to that Committee. The

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Local Review Body may delegate authority to an officer of the Council to undertake or discharge any function delegated to it, where it is so enabled by the Town and Country Planning (Schemes of Delegation and Local Review Bodies) (Scotland) Regulations 2013;

- (b) Any decision proposed to be taken by a Committee under delegated powers which conflicts with or potentially conflicts with a decision of another Committee shall be referred to the Council.

5.2 There shall be the following Committees, Sub-Committees and Boards:

Committees

Policy and Resources Committee	(11 Members)
Audit Committee	(11 Members)
Environment and Regeneration Committee	(11 Members)
Education and Communities Committee	(11 Council Members)
Health and Social <u>Work & Social Care Scrutiny</u> Panel Committee	(11 Members)
Local Police and Fire Scrutiny Committee <u>Panel</u>	(11 Members)
Petitions Committee	(6 Members)

Sub-Committees

Policy and Resources Executive Sub-Committee	(6 Members)
Grants Sub-Committee	(6 Members)
Housing (Landlord Registration) Sub-Committee	(5 Members)

Boards

General Purposes Board	(11 Members)
Human Resources Appeals Board	(5 Members)
Planning Board	(11 Members)

Local Review Body (7 Members)

Appointments Panels (Membership per Scheme)

- 5.3 With the exception of the Petitions Committee, all Committees as set out in paragraph 5.2 above shall have the power to establish a Sub-Committee but for a specific purpose only and shall appoint Members, Conveners and Vice-Conveners thereof. The establishing of any such Sub-Committee shall be subject to review by the Committee at least every 12 months.

- 5.4 The selection process for the Chief Executive and the selection and appointment processes for all other Chief Officers shall be dealt with by formal Committees set up as Appointment Panels according to Schemes approved by the Council.

- 5.5(a) Where a Member of any Committee is unable to attend a meeting, that Member may make arrangements with another Member who is not a Member of that Committee to attend that meeting as his or her substitute with powers to act in his or her stead and shall ensure that the substitute has or will receive the appropriate meeting papers;

5.5(b) The Member who is unable to attend and who is appointing a substitute must inform the Proper Officer as soon as possible of the appointment of the substitute. When a substitute attends, the substitution applies throughout the duration of the meeting including any adjournment to a time later the same day or such other later date and time as may be agreed and the appointing Member shall not be entitled to revoke the substitution or vote at the meeting or its same day adjournment. Only the substitute intimated by the appointing Member to the Proper Officer prior to the commencement of the meeting is entitled to attend and vote. The appointment of a substitute can be revoked by the appointing Member only prior to the commencement of the meeting. Where there is a substitute at any meeting and an item of business has been continued the substitution will continue to apply in relation to that particular item of business.

5.6 The Convener of the Audit Committee shall be a Member who does not form part of the Administration Group.

6. FUNCTIONS RETAINED BY THE COUNCIL

6.1 The Council has overall responsibility for the Council Budget, the Chief Officer Management Structure and oversight of all political decision-making processes.

6.2 The following are reserved to the Council:

- (a) All functions reserved by law to the Council;
- (b) The determination of the strategic objectives of the Council;
- (c) The annual review of the revenue budget and the fixing of Council Tax;
- (d) The annual review of the Capital Programme and the approval of annual budgets of capital and revenue expenditure;
- (e) Approval of the Annual Treasury Strategy and Annual Report;
- (f) The consideration of the Annual Report to Members by the Council's External Auditors;
- (g) The making of Standing Orders and a Scheme of Administration, Standing Orders Relating to Contracts, a Scheme of Delegation to Officers and Financial Regulations;
- (h) The making of an order for the compulsory acquisition of any land or interest in land;
- (i) The making of any formal resolution to co-operate or combine with other local authorities in the provision of services;
- (j) The appointment of the Provost and Depute Provost of the Council;
- (k) The establishment of Committees of the Council and their terms of reference and the delegations of function thereto;
- (l) The appointment of Members to Committees and the appointment of Conveners and Vice-Conveners;

- (m) The appointment of Members of the Council to Joint Committees, Joint Boards and outside bodies;
- (n) The approval of Schemes for the establishment of Community Councils;
- (o) The approval of Polling Schemes for elections and referendums;
- (p) The promoting or the opposing of the making of private legislation;
- (q) The promotion of byelaws, management rules and any necessary orders;
- (r) The appointment of the Chief Executive and all matters relating to disciplinary procedures for the Chief Executive;
- (s) The making of resolutions for Housing Renewal Areas;
- (t) The consideration of Members' remuneration;
- (u) The formal adoption of the Local Development Plan;
- (v) The determination of an application for planning permission for a development of a class specified in Section 38A(1) of the Town & Country Planning (Scotland) Act 1997 (being applications that require a Pre-Determination Hearing);

(w) The consideration of the Chief Social Worker's Annual Report.

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7. FUNCTIONS DELEGATED TO COMMITTEES

7.1 POLICY AND RESOURCES COMMITTEE

7.1.1 Power is delegated to the Policy and Resources Committee:

- (a) To advise the Council on outcomes, strategic objectives and key priorities;
- (b) To develop and approve Council policies, including community planning and partnership working;
- (c) To adopt and implement the management framework for planning, implementing, reporting and reviewing corporate service delivery;
- (d) To ensure the Council meets its statutory responsibilities in terms of Best Value;
- (e) To monitor implementation of the Council's Corporate Plan;
- (f) To facilitate and encourage any public consultation, engagement and participation with the community, partners and key stakeholders;
- (g) To 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;
- (h) To determine any reviews under S 86 of the Community Empowerment (-Scotland-) Act 2015 of decisions on asset transfer requests;
- (i) To take all decisions which are not reserved to the Council or otherwise delegated (such as those delegated -to another Committee of the Council or an officer), which

includes any decisions the Council requires to take in respect of those functions and services delegated to the Inverclyde Integration Joint Board and listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme (other than in respect of homelessness services where the taking of any such decision is delegated to the Environment & Regeneration Committee);

- (j) To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:
 - Chief Executive's Office
 - Finance
 - Organisational Development Policy and Communications
 - Legal and Democratic Services
- (k) To guide the Council in the formulation of its policy objectives and priorities, to consider the broad social and economic needs of the Council and matters of importance to its area, to advise the Council generally as to its financial and economic policies, to monitor and control the Council's Revenue Budgets and Capital Programme;
- (l) To consider new policies or changes in policy formulated by Committees where those policies or changes in policy may have significant impact upon the existing policies or the resources of the Council and to consider new policies not falling within the terms of reference of any other Committee;
- (m) To consider all aspects of the Council's Public Reporting Framework;
- (n) To ensure that the organisational and management processes of the Council are designed to make the most effective contribution to the achievement of the Council's objectives;
- (o) To keep organisation and management processes under review and make recommendations as necessary for any change in the structure of Committees or Services or the allocation of functions and responsibilities;
- (p) To appoint the Returning Officer;
- (q) To be responsible for formulation and delivery of the Council's Procurement Strategy;
- (r) To have overall responsibility for information governance and to arrange for compliance with the provisions of the Data Protection and Freedom of Information legislation.
- (s) To approve formulation and implementation of the Anti-Poverty policy.

7.1.2 The Committee has service responsibilities as follows:

Finance

- (a) To regulate and manage the proper administration of the Council's financial affairs and oversee external organisational governance arrangements;
- (b) To deal with the administration of the levy, collection, payment and recovery of all income to the Council;
- (c) To arrange for all borrowing, lending and investing of money by the Council;
- (d) To keep accounts and proper records of all transactions of the Council;

- (e) To oversee banking arrangements;
- (f) To oversee insurances;
- (g) To be responsible for the administration of all matters relating to Housing Benefits;
- (h) To be responsible for the formulation and delivery of the Council's Customer Services Strategy;
- (i) To ensure effective provision of all information technology and communication services, ICT and digital access strategy;
- (j) To exercise the powers and duties of the Council relative to registration of births, marriages and deaths.

Organisational Development, Policy & Communications

- (a) To advise on the overall planning required to ensure the most effective, efficient and economic use of the Council's human resources;
- (b) To oversee all matters relating to:
 - (i) Council policies and practices in relation to Council employees including the recruitment, training, salaries, wages and conditions of service of all employees of the Council;
 - (ii) service structures, establishments and job evaluation gradings;
 - (iii) the training and development, health, safety and welfare of all Council employees;
 - (iv) the ongoing maintenance of job evaluation, organisational development, strategy, planning and other such related matters;
 - (v) negotiations with the Trades Unions on matters affecting employees;
 - (vi) securing the development and effective implementation of the Council's Equal Opportunities in Employment policies;
 - (vii) co-ordinating the performance of the Council's responsibilities as an employer under the appropriate equalities legislation;
 - (viii) the promotion of good employment relations between the Council and its employees;
 - (ix) the formulation and delivery of the Council's Corporate Communications Strategy;
 - (x) to be responsible for the effective delivery of performance management, and customer consultation.
 - (xi) to oversee superannuation and pensions.

Legal and Democratic Services

- (a) To ensure effective provision of legal services;
- (b) To ensure effective administrative support for Members and Committees;

- (c) To ensure effective provision and support for elections and referendums;
- (d) To ensure effective provision of internal audit services.

To exercise all of the functions delegated to the Policy and Resources Committee or other Committees in any circumstances of urgency or where a decision is required outwith the ordinary cycle of meetings subject to consultation with the Convener and Vice-Convener of the relevant Committee, where appropriate.

7.1.3 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Inverclyde Alliance
- Scotland Excel
- Renfrewshire Valuation Joint Board

7.2 POLICY AND RESOURCES EXECUTIVE SUB-COMMITTEE

7.2.1 Power is delegated to the Policy and Resources Executive Sub-Committee to exercise all of the functions delegated to the Policy and Resources Committee or the Thematic Committees in any circumstances of urgency or where a decision is required outwith the ordinary cycle of meetings subject to consultation with the Convener and Vice-Convener of the affected Thematic Committee where appropriate.

7.3 AUDIT COMMITTEE

7.3.1 Power is delegated to the Audit Committee:

- (a) To consider reports on the Council's audit plan and on arrangements for implementing best value;
- (b) To consider reports relating to Annual Accounts, subject to the Council's approval thereof, and Financial Accounting issues;
- (c) To monitor the financial governance arrangements within the Council, 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;
- (d) To review the adequacy of internal control systems and policies;
- (e) To review all reports from the Council's External Auditors;
- (f) To monitor the Annual Audit Plan and review all Council audit and inspection work against that Plan;
- (g) To oversee the performance of the Council's Internal Audit function;
- (h) To approve changes in Accounting Policies;
- (i) To review the Council's Risk Management Policy;

- (j) To monitor and review action taken on recommendations arising from internal and external audits;
- (k) To oversee the performance of the Council with respect to the Corporate Governance Framework;
- (l) To scrutinise and comment on the Council's Financial Regulations, Standing Orders relating to Contracts.

7.3.2 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Audit Scotland
- The Accounts Commission
- The Council's External Auditors

7.4 ~~HEALTH AND SOCIAL WORK CARE & SOCIAL CARE SCRUTINY PANEL COMMITTEE~~

7.4.1 ~~Noting that decisions regarding the strategic direction and funding of all functions and services listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme are delegated to the Inverclyde Integration Joint Board, and that the Council and this Panel has no decision-making powers in relation to those integrated functions and services, Power is delegated to the Health and Social Work & Social Care Scrutiny Care Panel Committee:~~

- ~~(a) To scrutinise the Council's relationship with the Inverclyde Integration Joint Board;~~
- ~~(b) To scrutinise the Council's compliance with Directions issued to it by the Inverclyde Integration Joint Board, and the effective deployment of Council resources to support (i) the strategic priorities of the Inverclyde Integration Joint Board, and (ii) the discharge of the above-mentioned functions and services and relevant matters relating thereto;~~
- ~~(c) To scrutinise the Council's responsibilities in relation to homelessness services and, within the statutory framework, to contribute to reports on homelessness and rented residential accommodation to the Scottish Housing Regulator;~~
- ~~(d) To scrutinise Directions issued to the Council by the Inverclyde Integration Joint Board; and~~
- ~~(e) To consider relevant reports on the progress of the development of proposals around the introduction of a national care service, which said reports might also be submitted to meetings of Inverclyde Council and the Policy & Resources Committee To oversee the Council's relationship with the Inverclyde Integration Joint Board;~~

~~(b) To oversee the effective deployment of Council resources to support the strategic priorities of the Inverclyde Integration Joint Board;~~

~~(c) To oversee the Council's responsibilities in relation to homelessness services and, within the statutory framework, to contribute to reports on homelessness and rented residential accommodation to the Scottish Housing Regulator.~~

7.5 ENVIRONMENT AND REGENERATION COMMITTEE

7.5.1 Power is delegated to the Environment and Regeneration Committee:

To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:

- Regeneration and Planning
- Asset Management and Property Estates
- Environmental and Public Protection Services
- Strategic Housing
- Emergency Planning
- Private Sector Housing
- Environmental Health and Trading Standards

7.5.2 The Committee has service responsibilities as follows:

Regeneration, Planning and Net Zero

- (a) To promote the economic development and urban regeneration of Inverclyde;
- (b) To promote competitiveness, employment growth, the physical environment and planning and quality of life;
- (c) To promote marketing and inward investment, business development and support schemes, training initiatives and processes to support young people in their transition from compulsory education, labour market activities, the marketing, management and development of industrial and commercial property and to participate and engage in effective partnership activities to support all of the above;
- (d) To encourage and stimulate economic development by the exercise of the Council's powers through providing assistance to third parties by way of services, suitable premises or financial assistance (including grants, loans and purchase of share and loan capital);
- (e) To carry out the strategic spatial planning functions of the Council;
- (f) To develop and review procedures in respect of development control and building standards, conservation and landscaping;
- (g) To develop and review effective policies in connection with strategic planning and land use issues.
- (h) To oversee delivery of the Council's Net Zero strategy.
- (i) To undertake and discharge the building standards functions of the Council as Buildings Authority and as Verifier and Enforcer in terms of the relevant legislation.

Organisational Development, Policy & Communications

- (a) To promote tourism and related activities

Property Services and Procurement

- (a) To ensure effective provision of all estate and property management services, technical services, and building services;
- (b) To acquire, dispose and market property;
- (c) To manage the repair and maintenance, improvement and preservation of all property assets within the Council's ownership or management.
- (d) To determine applications for Asset Transfer in terms of the Community Empowerment (Scotland) Act 2015.
- (e) To determine the Council's procurement strategy.

Environmental and Public Protection Services

- (a) To develop and review strategies in respect of:
 - burial grounds
 - street cleansing
 - refuse collection, recycling and disposal
 - sanitation services
 - protection of the environment
 - public conveniences

- (b) To discharge all powers and duties of the Council for the maintenance of the following:
- open spaces
 - parks
 - horticultural nurseries
 - golf courses
 - playgrounds
 - playing fields
 - allotments
 - war memorials
- (c) To be the Roads Authority and deal with all roads and lighting in the Council's control;
- (d) To develop and review effective policies for all matters relating to the relevant legislation for public transport;
- (e) To consider and determine Traffic Management Orders and Traffic Regulation Orders where there are maintained objections;
- (f) To deal with all matters arising from the Council's membership of Strathclyde Partnership for Transport with the exception of the Concessionary Travel Fares Scheme;
- (g) To carry out the functions of the Waste Disposal Authority.

Strategic Housing

To be responsible for the overall strategy for the provision of housing within Inverclyde whether within the public or the private sectors, including the assessment of housing need but excluding the discharge of the Council's statutory responsibility in providing support and services to dealing with homeless persons. Notwithstanding the foregoing, the Committee is also responsible for taking any decisions the Council requires to take (save to the extent delegated to officers or otherwise) in respect of functions and services related to homelessness services which have been delegated to the Inverclyde Integration Joint Board and listed in Annex 2 to the Inverclyde Health & Social Care Partnership Integration Scheme.

Private Sector Housing

- (a) To be responsible for assessing and maintaining the condition and supply of housing within the private sector;
- (b) To be responsible for
- (i) the administration of grant and loan assistance to owners of housing within the private sector; and
 - (ii) the promotion and development of improvements in the overall condition of the private sector housing stock with the use of the Council's powers as housing authority, where such use is considered appropriate.

Environmental Health and Trading Standards

- (a) To exercise the powers and duties of the Council relative to food safety, food standards and labelling, health and safety at work, public health, pollution and environmental protection legislation;
- (b) To undertake and discharge the requirements of all legislation which imposes administrative duties and which confers enforcement powers upon the Council and its officers for Consumer Protection and Trading Standards;
- (c) To undertake and discharge the requirements of all legislation, whether of a civil law nature or of a criminal nature, which affects the work of the Consumer Protection and Trading Standards Service; and

Public Protection and Emergency Planning

- (a) To carry out the emergency planning function of the Council; and
- (b) To deal with all aspects of anti-social behaviour including CCTV, anti-social behaviour noise investigations and community wardens.

7.5.3 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Scottish Enterprise
- Riverside Inverclyde
- Strathclyde Partnership for Transport
- Glasgow City Region ~~City Deal~~
- River Clyde Homes

7.6 EDUCATION AND COMMUNITIES COMMITTEE

7.6.1 Power is delegated to the Education and Communities Committee:

- (a) To have the corporate responsibility for:
 - Equalities
 - Learning Estate Strategy
- (b) To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:
 - Schools
 - Early Learning, Childcare and Specialist Education Services
 - Community learning and development and lifelong Learning
 - Education Support and Development
 - Safer Communities

7.6.2 The Committee has service responsibilities as follows:

General Functions

- (a) To undertake and discharge all the functions of the Council as an Education Authority in terms of the relevant legislation;

- (b) To undertake and discharge all of the functions of the Council relative to Early Learning and Childcare Services and provision therefor in terms of the relevant legislation.

Management of Education Services

- (a) To consider and approve catchment areas for schools and make provision for schools sufficient to meet the needs of pupils;
- (b) To oversee curriculum development and continued professional learning;
- (c) To oversee the quality of educational provision provided by schools;
- (d) To oversee the Council's input to supporting sustained and positive destinations for pupils;
- (e) To oversee the Council's policy on, Education Maintenance Allowances;
- (f) To oversee the development of the Young Workforce in regard to employability skills and lifelong learning;
- (g) To discharge the power to determine appeals relating to Further Education, Education Maintenance Allowances, grants and similar support;
- (h) To manage arrangements for the programme of learning estate asset management planning;
- (i) To ensure the provision of adequate health and wellbeing services in all educational establishments;
- (j) To co-ordinate control of the specification of tenders, assess and authorise acceptance of such tenders, co-ordinate and monitor performance of contracts and authorise the termination of any contracts for the provision of a school meals service;
- (k) To co-ordinate control of the specification of tenders, assess and authorise acceptance of such tenders, co-ordinate and monitor performance of contracts and authorise the termination of any contracts for the provision of school transport services for pupils;
- (l) To formulate policy in respect of attendance of pupils at schools.
- (m) After appropriate consultation, and in so far as there is no conflict with the Council's terms and conditions of employment with respect to workforce plans, to approve school holidays.

Early Learning and Childcare and Specialist Education Services

- (a) To guide the Council in the formulation of its policy objectives and priorities in all appropriate matters relating to pre-school children and their parents;
- (b) To advise and make recommendations to any Committee of the Council on statutory functions relating to pre-school children and their parents;

- (c) To consider recommendations and make decisions relative to the management and development of services which provide activities of a kind suitable for pre-school children;
- (d) To consider recommendations and make decisions relative to training matters (including the arrangements for training staff) relating to establishments which provide activities of a kind suitable for pre-school children;
- (e) To consider recommendations and make decisions relative to the allocation and control of financial resources relating to services to pre-5 children and their parents and, where necessary, to advise and make recommendations in respect thereof to any relevant Committee;
- (f) To promote on the Council's behalf the interests of pre-5 children and their parents with all appropriate agencies on matters affecting these interests;
- (g) To oversee the Council's policy and practice with regard to the provision of out of school care and, in particular, the use of the grants budget;
- (h) To oversee the provision of a psychological service and arrangements to meet additional support needs;

Community Safety

- (a) To deal with all aspects of Community Safety including road safety and violence against women.

Community Learning, Development and Lifelong Learning

To be responsible for the management and delivery of community and lifelong learning services.

Libraries, Museums and Arts Facilities

To assess, monitor and review the need for libraries, museums and arts facilities and cultural services and to provide and manage these facilities and services.

Leisure and Community Support Services

- (a) To discharge all powers and duties of the Council for the provision and management of sporting, leisure, recreational and allied activities, public entertainment, public halls, community centres and swimming pools;
- (b) To discharge all powers and duties of the Council for sports development, community health and fitness, - and play forums;
- (c) To determine policy for the giving of grants to voluntary organisations.

7.6.3 Relationships with Key Partnerships

To oversee the Council's relationships with the following agencies and partnerships:

- Further Education Bodies, in particular West College Scotland;

- Inverclyde Leisure;
- Cultural provision to which the Council awards significant grant funding, such as The Beacon Arts Centre;
- Community Centres to which the Council provides significant grant funding.

7.7 GENERAL PURPOSES BOARD

7.7.1 Power is delegated to the General Purposes Board to undertake and discharge all of the licensing functions of the Council which are not otherwise reserved to the Council or its officers or which are delegated to any other Committee and more specifically as follows:

- (a) To exercise the functions of the Council as licensing authority in terms of the Civic Government (Scotland) Act 1982, provided such civic licensing has not been specifically remitted to any other Committee;
- (b) To determine individual applications for registration and licences under the Civic Government (Scotland) Act 1982 and other statutory provisions which are not delegated to officers, in accordance with approved policies;
- (c) To exercise the functions of the Council in respect of the Explosives Acts 1875-1976;
- (d) To exercise the functions of the Council in respect of the Pharmacy and Poisons Act 1933 and Poisons Act 1972;
- (e) To exercise the functions of the Council in respect of permits in terms of Section 19 of the Transport Act 1985 (minibus permits);
- (f) To exercise the functions of the Council in respect of the Radioactive Substances Act 1993;
- (g) To exercise the functions of the Council in respect of the legislation relating to the control of diseases of animals;
- (h) To exercise the functions of the Council in respect of the safety of sports grounds;
- (i) To approve charges as required by statute and determine licence fees;
- (j) To exercise the Council's functions regarding notification of parades and processions insofar as not delegated to officers.

7.8 HUMAN RESOURCES APPEALS BOARD

7.8.1 Power is delegated to the Human Resources Appeal Board to be the internal Council appeal body for the purposes of the Council's role as an employer, in relation to workforce matters;

- (a) To hear and decide disciplinary appeals and grievances by employees on their conditions of employment and working arrangements;
- (b) To hear and decide appeals from teaching staff in regard to the application and interpretation of Schemes and Conditions of Service for Education staff.

7.9 PLANNING BOARD

7.9.1 Power is delegated to the Planning Board:

To undertake and discharge the development control and spatial planning functions of the Council as Planning Authority in terms of the relevant legislation.

7.10 LOCAL REVIEW BODY

7.10.1 Power is delegated to the Local Review Body:

- (a) To review applications for planning permission or for consent, agreement or approval which have been refused, granted subject to conditions or which have not been determined within the prescribed period by the appointed officer under the Scheme of Delegation prepared in terms of the relevant legislation;
- (b) To carry out all other functions as a Local Review Body, as described in the relevant legislation.

7.11 GRANTS SUB-COMMITTEE

7.11.1 Power is delegated to the Grants Sub-Committee:

To consider applications for funding received from voluntary organisations and to award grants to such organisations from the Grants to Voluntary Organisations Budget.

7.12 LOCAL POLICE AND FIRE ~~SCRUTINY PANEL~~ ~~SCRUTINY COMMITTEE~~

7.12.1 Power is delegated to the Local Police and Fire ~~Scrutiny Panel~~ ~~Scrutiny Committee~~:

- (a) To consider and recommend improvements in local Police and Fire and Rescue services;
- (b) To recommend priorities and objectives for the policing of the local area;
- (c) To recommend priorities and objectives for Fire and Rescue services in the local area;
- (d) To agree the Police and Fire and Rescue local plans;
- (e) To scrutinise and review the outcomes, priorities and objectives set out in the Police and Fire and Rescue local plans;
- (f) To provide comments in response to consultations on matters directly relating to Police and Fire and Rescue services;
- (g) To promote engagement with all interested parties including community planning partners and neighbourhood partnerships;
- (h) To make representations to the national authorities, as required, in relation to wider scrutiny issues and concerns around the local provision of Police and Fire Rescue Services;
- (i) To consider Council reports on matters which affect local Police and Fire and Rescue services in Inverclyde providing that, where necessary, these will be remitted to the appropriate Service-strategic Committee for decision.

7.13 **PETITIONS COMMITTEE**

7.13.1 Power is delegated to the Petitions Committee:

To consider petitions addressed to Inverclyde Council in accordance with the Council’s approved petitions procedure and determine the appropriate action to be taken within the terms of the procedure.

7.13.2 The Petitions Committee is unable to consider petitions that relate to:

- (a) Any planning, licensing or other such matters where objections and appeals against decisions are dealt with by another, existing process;
- (b) Matters already being considered or scheduled to be considered by the Council or one of its Committees;
- (c) Decisions of the Council or one of its Committees during the previous 6 month period;
- (d) Matters that are commercially sensitive, confidential or which could cause personal distress or financial loss in any way;
- (e) Matters that are directed at a specific person or groups of persons with names or details that can be used to identify such persons;
- (f) The same or similar petitions considered within the past 24 months; and
- (g) Matters not within the Council’s power and remit or functional areas of responsibility.

The Council will not accept a petition that contains:

- (a) Any false or potentially defamatory statement as may be considered by the Council;
- (b) Any details that might damage a person’s reputation or which may discriminate against them in any way;
- (c) Offensive or inappropriate language;
- (d) Information protected by a court order or relating to an ongoing court or tribunal or *quasi-judicial* tribunal process or which would otherwise be considered *sub-judice*.

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7.14 **HOUSING (LANDLORD REGISTRATION) SUB-COMMITTEE**

7.14.1 Power is delegated to the Housing (Landlord Registration) Sub-Committee:

- (a) To consider and decide on the refusal or removal of the registration of a private landlord or agent in prescribed circumstances.

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8 STRATEGIC LEADERSHIP FORUM

The Strategic Leadership Forum is not a formal decision-making meeting, but an internal informal forum for cross-party sharing of significant and/or high profile matters in respect of which officers believe senior elected member awareness and/or input would be beneficial. Its membership and meeting arrangements are as set out in its terms of reference, which are included in Appendix 1 to these Standing Orders and Scheme of Administration.

9 MEMBERS BUDGET WORKING GROUP

The Members Budget Working Group is not a formal decision-making meeting, but an internal informal forum for cross-party scrutiny, consideration and developing of the Council’s budget proposals. Its membership and meeting arrangements are as set out in its

terms of reference, which are included in Appendix 2 to these Standing Orders and Scheme of Administration.

10 GLASGOW AND CLYDE VALLEY CITY DEAL CABINET/SHARED SERVICES JOINT COMMITTEE

The Council has established (i) the Shared Services Joint Committee, with West Dunbartonshire Council, and (ii) the Glasgow and Clyde Valley City Deal Cabinet with various other local authorities, these both having been established as joint committees in terms of S.57 of the Local Government (Scotland) Act 1973. Council approved the Shared Services arrangements on 29 September 2016 and the City Deal arrangements on 4 December 2014, including the respective governance arrangements, remits and delegated functions.

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APPENDIX 1

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APPENDIX 2

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