

# Report

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Report to:	<b>South Lanarkshire Council</b>
Date of Meeting:	<b>18 May 2017</b>
Report by:	<b>Chief Executive</b>

Subject:	<b>Establishment of Council's Decision-making Arrangements and Procedures</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ allow consideration to be given to and obtain approval for the decision-making arrangements, procedures and associated supporting documentation as set out in this report

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that the Standing Orders on Procedures, Standing Orders on Contracts, Scheme of Delegation and Financial Regulations, as detailed in the supporting documentation pack issued to members, be approved;
- (2) that the following standing committees be established:
  - ◆ Cambuslang and Rutherglen Area
  - ◆ Clydesdale Area
  - ◆ Community and Enterprise Resources
  - ◆ Conference Allocation
  - ◆ East Kilbride Area
  - ◆ Education Resources
  - ◆ Executive
  - ◆ Finance and Corporate Resources
  - ◆ Hamilton Area
  - ◆ Housing and Technical Resources
  - ◆ Licensing
  - ◆ Planning
  - ◆ Planning Local Review Body
  - ◆ Recruitment
  - ◆ Social Work Resources
- (3) that the committee membership details (number of members on each committee and political composition) as outlined in paragraph 6.2 of the report and as detailed in Appendix 2 be approved and that authority be delegated to the Chief Executive, in consultation with the Leaders of the political and independent groups, to finalise membership of Committees and member

forums on the basis of the number of members and associated political composition approved by the Council;

- (4) that the facility for individual groups to substitute up to a maximum of 4 members in terms of representation on the main Resource Committees and on the Licensing and Planning Committees be approved and that appropriate notification be given to Committee officers in advance of the meeting taking place;
- (5) that nominations for the position of Chair and Depute Chair(s) for each committee be considered and approved;
- (6) that consideration be given to the appointment of up to 19 positions of Senior Councillor as outlined in paragraph 6.6 of this report;
- (7) that the member forums as detailed below be established:-
  - ◆ Roads Safety Forum
  - ◆ Employee Issues Forum
  - ◆ Equal Opportunities Forum
  - ◆ Joint Consultative Forum
  - ◆ Risk and Audit Scrutiny Forum
  - ◆ Financial Resources Scrutiny Forum
  - ◆ Performance and Review Scrutiny Forum
  - ◆ Standards and Procedures Advisory Forum
  - ◆ Rural Task Force
  - ◆ Sustainable Development Member/Officer Working Group
- (8) that the Community Planning Advisory Forum be discontinued;
- (9) that Forum membership details, as outlined in paragraph 7.2 of the report be approved and authority delegated to the Chief Executive, in consultation with the Leaders of the political and independent groups, to finalise membership of Committees and member forums on the basis of the number of members and associated political composition approved by the Council;
- (10) that the facility for individual groups to substitute up to a maximum of 2 members in terms of representation on the main Forums be approved and that appropriate notification be given to Committee officers in advance of the meeting taking place;
- (11) that the Terms of Reference for the Council, Committees and associated Forums, as detailed in the supporting documentation pack, be approved;
- (12) that that the following are appointed as ex officio members for the purpose of 'signing off' delegated contracts and for urgent items of business, all in line with the approved Standing Orders:-
  - ◆ Leader of the Council
  - ◆ Depute Leader of the Council
  - ◆ Ruling Group Business Manager
- (13) that the cycle of meetings and proposed recess periods as detailed in Appendix 3 be approved including the condensed meeting arrangements prior to the summer recess;

- (14) that Council give consideration to its position in relation to rejoining COSLA;
- (15) that member nominations be made by the Council to those bodies detailed in Appendix 4;
- (16) that the South Lanarkshire Cycling Partnership be discontinued and its remit subsumed within the Sustainability Partnership;
- (17) that representation on those organisations detailed in Appendix 5 be approved and that the proposed representation on those organisations be reported to a meeting of the Council's Executive Committee for consideration and approval;
- (18) that the member role profiles, as detailed in Appendix 6, be approved;
- (19) that the advice on operation of multi-member wards, as detailed in Appendix 7, be approved.

### **3. Background**

- 3.1. The Council has well established decision-making and procedural arrangements in place. Whilst it is considered that those arrangements remain fit for purpose, it is appropriate that, following the local government elections on 4 May 2017, the first Council considers those arrangements and approves its decision-making arrangements.
- 3.2. As well as considering the necessary procedural documentation (Standing Orders on Procedures, Standing Orders on Contracts, Scheme of Delegation, Financial Regulations and Terms of Reference – all of which regulate the work and operation of the Council), there is a need to consider the Council's decision-making framework, membership of committees and forums and committee timetable as well as representation on statutory joint boards and joint committees, Scottish Local Government Partnership and other external organisations.

### **4. Procedural Documentation and Confirmation of Procedural Issues**

- 4.1. A separately circulated procedures document pack details in full the Standing Orders on Procedures, Standing Orders on Contracts, Scheme of Delegation and Financial Regulations.
- 4.2. In line with normal practice, those documents have been reviewed by officers and are now presented for approval by the Council. In the main, amendments have been made to reflect legislative requirements and organisational reviews/arrangements within the Council.
- 4.3. In terms of the mechanism for dealing with urgent business and delegated contracts, it is proposed that the following are appointed as ex officio members for the purpose of 'signing off' delegated contracts and for urgent items of business, all in line with the approved Standing Orders:-
  - ◆ Leader of the Council
  - ◆ Depute Leader of the Council
  - ◆ Ruling Group Business Manager

- 4.4. Urgent items of business will continue to be reported to the next appropriate Committee for noting and 'signed off' reports circulated to Opposition Group leaders within the Council. The contracts information will continue to be reported to the appropriate Committees for information in line with the Standing Orders on Contracts.

## **5. Standing Committees**

- 5.1. The Council has in place a number of standing committees and those are listed in paragraph 2.1 (2) for approval. Those standing committees remain broadly the same as in the previous Council with the exception of the merger of Community Services Committee and Enterprise Services Committee to Community and Enterprise Resources Committee.

- 5.2. Appendix 1 shows the proposed framework for the Council's decision-making arrangements.

## **6. Membership and Composition of Committees**

- 6.1. The proposed membership arrangements for each standing committee are set out in Appendix 2 for approval.

- 6.2. It is proposed that the number of councillors on Resource Committees, Planning and Licensing Committees be retained at 26 members, with the Executive Committee remaining at 28. The proposed membership reflects the political balance of the Council, including the Council Leader on Executive, Resource, Planning and Licensing committees as an ex officio member with full voting rights, and also includes the facility for individual groups to substitute up to a maximum of 4 members in terms of representation on the Executive and Resource Committees and on the Licensing and Planning Committees. To ensure that this process works effectively and is as transparent as possible, Group Business Managers will be asked to put in place a process to notify the relevant Committee officers of any substitutions in advance of meetings taking place. Substitutes will be in place for the duration of the meeting for which they are acting as substitutes and the fact that they are acting as a particular member's substitute will be recorded in the sederunt for the meeting.

- 6.3. In respect of Area Committees, membership should continue to include all local members for the local area on the following basis:

Cambuslang/Rutherglen (12 members) - Wards 11, 12, 13 and 14

Clydesdale (13 members) - Wards 1, 2, 3 and 4

East Kilbride (18 members) - Wards 5, 6, 7, 8, 9 and 10

Hamilton (21 members) - Wards 15, 16, 17, 18, 19 and 20

- 6.4. It is proposed that each Standing Committee has a Chair and Depute Chair. In the case of the Finance and Corporate Resources Committee, it is proposed that there be 2 Depute Chairs to facilitate the administration of the Appeals and Grievance and Disputes Panels. In relation to the administration of those Panels, recognising the demands that participation on those Panels can place on elected members, it is proposed that membership of the Panels be drawn in rotation from the members of the Finance and Corporate Resources Committee and from an established pool of 15 members not serving on the Finance and Corporate Resources Committee.
- 6.5. The Council is asked to consider and nominate appointments to the Chair and Depute Chair positions.

- 6.6. In addition to the positions of Civic Head and the Leader of the Council, The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 enable the Council to appoint up to 19 Senior Councillors. The Council is asked to give consideration to those positions.

## **7. Member Forums**

- 7.1. It is proposed to establish Member Forums as listed in paragraph 2.1 (7). These, in the main, were operational in the previous Council and are considered to remain fit for purpose. As matters relating to Community Planning are considered by the South Lanarkshire Partnership and the Executive Committee, as appropriate, and those arrangements are well established, it is proposed that there is no longer a requirement for the Community Planning Advisory Forum and that it be discontinued.
- 7.2. It is further proposed that Forum memberships continue to comprise 10 councillors on the basis of political balance within the Council, ie Scottish National Party – 4 members; Labour – 3 members; Conservative – 2 members; Independent/Liberal Democrat – 1 member and also include the facility for individual groups to substitute up to a maximum of 2 members in terms of representation. To reflect Audit Scotland requirements, it should be noted that membership of the Financial Resources Scrutiny Forum and the Risk and Audit Scrutiny Forum is drawn from members not on the Executive Committee, with the exception of the Chair who will be an Opposition councillor.

## **8. Terms of Reference**

- 8.1. The Council is asked to approve the Terms of Reference for the Council, its Committees and associated Forums as detailed in the supporting documentation pack which has been circulated to members separately. The Terms of Reference sets out the powers and responsibilities, membership and meeting arrangements, and practice of the Council's main committees and forums.
- 8.2. In view of legislative changes, the Social Work (Complaints Review) Sub-Committee will be discontinued as, with effect from 1 April 2017, the final stage of social work complaints will be considered by the Scottish Public Services Ombudsman. There will, however, be a requirement to deal with complaints received prior to 1 April 2017 under the previous system.

## **9. Cycle of Meetings and Recess Periods**

- 9.1. The Council has an established 8 weekly committee cycle and the new Council is asked to agree the cycle as set out in Appendix 3. This includes recess periods of 4 weeks in the summer, 3 weeks at Christmas/New Year, 2 weeks at Easter and 1 week at October.
- 9.2. It is further proposed that condensed meeting arrangements are put in place prior to this summer's recess. This would commence with a meeting being held in the week beginning 12 June. The opportunity would also be taken in the period up to the summer recess to hold specific member sessions on key areas such as Resource briefings, planning, licensing, personnel appeals, education appeals and local government finance.

## **10. Representation on Statutory Bodies and Other External Organisations**

- 10.1. In February 2014, the Council gave notice of its intention to terminate its membership of the Convention of Scottish Local Authorities (COSLA) with effect from 1 April 2015. Since then, the Council has been a member of the Scottish Local Government Partnership. Prior to the Local Government Elections, COSLA wrote to the 4 member councils of the Scottish Local Government Partnership in the event that they wished to rejoin COSLA in the post-election period. The Council is, therefore, asked to consider its position in relation to rejoining COSLA. In terms of COSLA's constitution, the Council would be entitled to nominate 6 elected members. Those nominated members would require to reflect the political composition of the Council, ie 3 SNP; 2 Labour and 1 Conservative.
- 10.2. The Council is required and invited to be represented on various external organisations ranging from statutory joint boards and joint committees to a number of local and national voluntary organisations. The Council is the lead organisation for some of those.
- 10.3. In advance of the new Council, the list has been reviewed by the lead organisations. In terms of the South Lanarkshire Cycling Partnership, it is proposed that it be discontinued and its remit incorporated into that for the Sustainability Partnership. The Council is asked, as a matter of priority, to approve nominations to the joint committees/boards, statutory and partnership bodies detailed in Appendix 4. These are necessary to enable the respective organisations to formally re-establish themselves following the local government elections.
- 10.4. In addition, the Council is asked to agree that it be represented on the organisations listed in Appendix 5 and that a report on members' representation on those organisations be presented for consideration and approval to the Council's Executive Committee.

## **11. Member Role Profiles**

- 11.1. The Council has previously approved member role profiles and details of those are attached as Appendix 6. The new Council is asked to endorse those profiles.

## **12. Advice on Operation of Multi-Member Wards**

- 12.1. The Council has previously approved a protocol in relation to the operation of Multi-Member Wards. In line with normal practice, this document has been reviewed by officers and a revised copy, reflecting changes following the Local Government Boundary Review and organisational arrangements, is attached as Appendix 7. The new Council is asked to endorse the protocol.

## **13. Employee Implications**

- 13.1. None.

## **14. Financial Implications**

- 14.1. If the Council should rejoin COSLA, there would be an associated fee which can be met from existing budgets.
- 14.2. Any training costs incurred in ensuring that members are equipped to undertake their roles on the committees, forums established will be contained within the existing budget identified for this purpose.

## **15. Other Implications**

- 15.1. None.

## **16. Equality Impact Assessment and Consultation Arrangements**

- 16.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.
- 16.2 Consultation has taken place with all Resources on the proposals and documentation presented in this report.

**Lindsay Freeland**  
**Chief Executive**

10 May 2017

### **Link(s) to Council Objectives/Values**

- ◆ Accountable, Effective and Efficient

### **Previous References**

None

### **List of Background Papers**

Decision-making Arrangements and Procedures – Supporting Documentation Pack

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Geraldine McCann, Head of Administration and Legal Services

Ext: 4658 (Tel: 01698 454658)

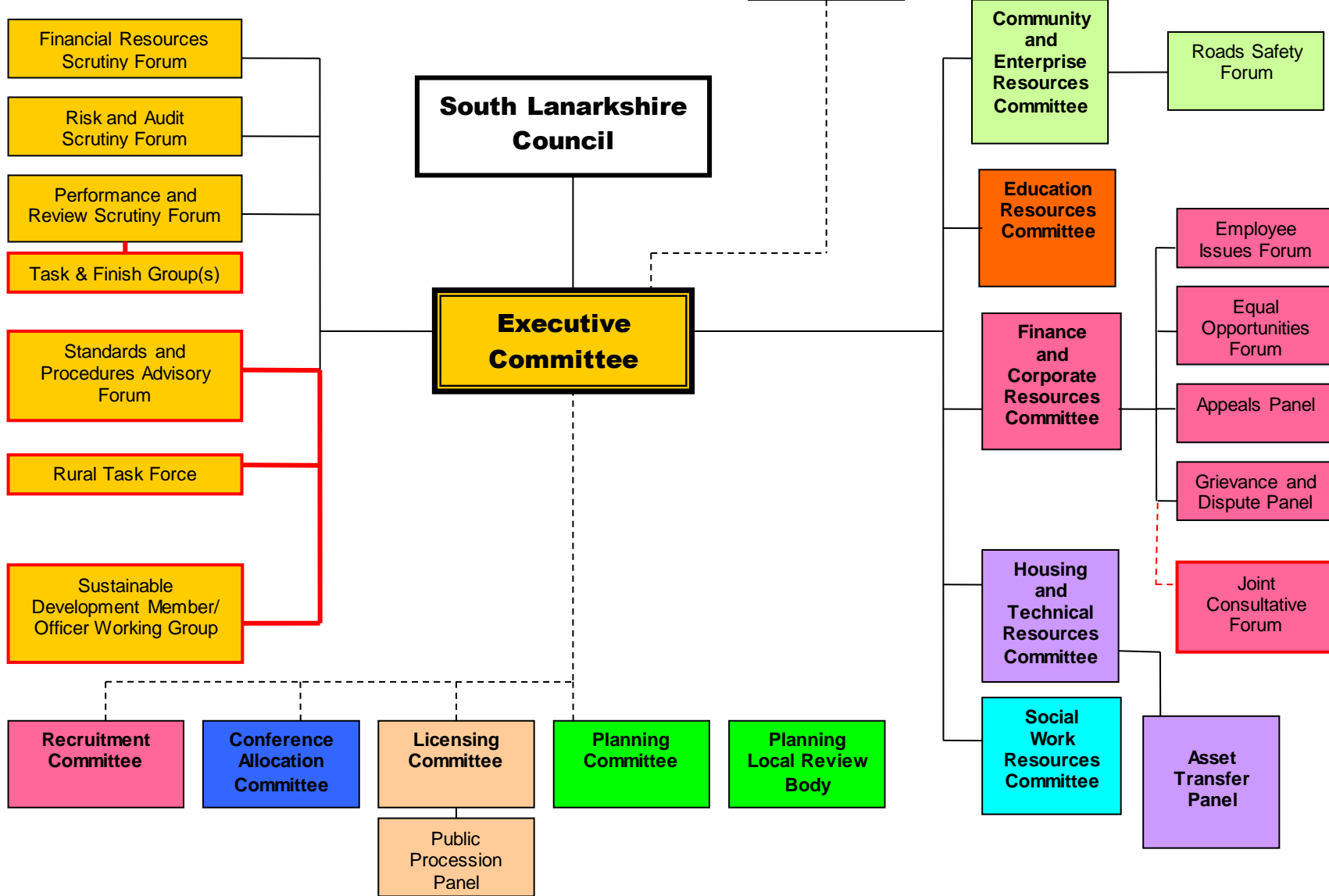
E-mail: [geraldine.mccann@southlanarkshire.gov.uk](mailto:geraldine.mccann@southlanarkshire.gov.uk)

# South Lanarkshire Council Decision-making Process

[Proposed May 2017]

All bodies held in public and subject to Access to Information legislation with the exception of those denoted by **red line**

Area Committees (4 Areas)





**South Lanarkshire Council**  
**Breakdown of Committee Memberships 2017 to 2022 (as at May 2017)**

**Council Breakdown:**

**Scottish National Party 27 (42.18%), Labour 21 (32.81%), Conservative 14 (21.87%), Independent 1 (1.56%) and Liberal Democrat 1 (1.56 %)**

Committee	Total Membership	Leader ex officio	SNP	Labour	Con	Ind	Lib Dem
<b>Resource Committees</b> <b>Planning and Licensing Committees</b> [Provision for up to 4 substitutes from individual groups]	<b>26</b>	1	11	8	5	1	
<b>Executive Committee</b> [Provision for up to 4 substitutes from individual groups]	<b>28</b>	1	11	9	6		1
<b>Cambuslang and Rutherglen Area</b> (All local members - 12)	<b>12</b>	-					
<b>Clydesdale Area</b> (All local members - 13)	<b>13</b>	-					
<b>East Kilbride Area</b> (All local members - 18)	<b>18</b>	-					
<b>Hamilton Area</b> (All local members - 21)	<b>21</b>	-					
<b>Recruitment Committee</b> To be chaired by Leader of the Council (Facility for named substitutes)	<b>6</b>	-	3	2	1		
<b>Planning Local Review Body</b> (Facility for named substitutes)	<b>10</b>	-	4	3	2	1	
<b>Conference Allocation Committee</b> Depute Leader and Business Manager of Ruling Administration + 1 other Ruling Administration Representative; Depute Leader and Business Manager of Majority Opposition Group + 1 other Opposition Group member	<b>6</b>						