

North Lanarkshire Council

Report

North Lanarkshire Council



approval



noting

Ref: AR/EH

Date: 3 October 2019

Amendments to Standing Orders

From: Archie Aitken, Head of Legal and Democratic Solutions

Email: RoseAn@northlan.gov.uk

Telephone: 01698 302287

Executive Summary

This report seeks approval of a number of proposed amendments to the Council's Standing Orders with a view to streamlining, and making more efficient, the business of Council and Committee meetings.

Recommendations

The Council is recommended to approve:-

1. Option 1 – Proposal for the Volume of Minutes;
2. Option 2 – Proposal for the Consideration of Minutes;
3. Option 3 – Proposal for Order of Business;
4. Option 4 – Proposal for Substitute Members;
5. Option 5 – Proposal for Procedure for Submission of Amendments to Notices of Motion;
6. Option 6 – Proposal to Retitle Term "Clear Day" to "Clear Working Day", and
7. Option 7 – Proposal for the Delivery of Meeting Papers

as detailed at Appendix 1 to this report and that, if approved, these amendments to Standing Orders to take effect from 4 October 2019.

The Plan for North Lanarkshire

Priority Improve North Lanarkshire's Resource Base.

Ambition Statement Review and Design Services Around People, Communities and Shared Resources.

1. **Background**

- 1.1. Standing Orders were last reviewed during 2018 and approved by Council at its meeting on 4 October 2018.
- 1.2. Standing Orders are kept under continual review to ensure that they remain fit for purpose and permit the Council's decision making process to develop and operate efficiently.

2. **Report**

- 2.1. In order to consider what, if any, amendments could be made to Standing Orders, representatives of political groups and the Independent Members of the Council discussed a number of options. Officers were then tasked to consider, should these options be implemented, how Standing Orders would require to be amended to reflect such changes

Options for Amendment to Standing Orders

- 2.2. A number of options were considered and detail on each is provided below:-

Option 1 – Volume of Minutes

- 2.2.1. The Council has four scheduled meetings per year, and at each it is asked to approve the Minute of each meeting of Committees, Sub-Committees and Panels held during the corresponding 12 week Committee cycle. To facilitate this business, a "Volume of Minutes" is produced which includes one Minute for each meeting which has taken place in that Committee cycle.

The Volume is a lengthy document, and, by way of illustration, for the Council meeting of 12 June 2019, amounted to 296 pages. For each meeting, 182 copies of each Volume are printed and provided to Elected Members, Officers of the Council and other persons. It is therefore proposed that going forward, no hard copies of the Volume of Minutes are produced but rather, a digital copy is made available via the Council's website and in the Committee Papers folder on the Council's internal network drive to which all Elected Members have access. It is acknowledged, however, that this would require Elected Members to ensure that they had the means, by use of the Council issued laptop/tablet, to access the digital file at Council meetings.

It should be noted that, presently, hard copies of the Volume are distributed to libraries for public access. Should this proposal be implemented, Members of the public would require, in future, to access the Council's website to view the Volume.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

Option 2 – Consideration of Minutes at Council Meetings

- 2.2.2. As detailed at paragraph 2.2.1 above, the Council is required to approve, if appropriate, the Minute of each meeting of Committees and Sub-Committees held during the corresponding 12 week Committee cycle. To accomplish this, each individual Minute requires to be moved and seconded, separately and, thereafter, approved.

It is proposed that all Minutes requiring to be considered by the Council be taken en masse as a single item of business, with no requirement for an Elected Member to move them.

Should an Elected Member wish to raise a point relating to a specific Minute, they may do so by either (a) notifying Committee Services, in advance, who will ensure that the Provost, or other person chairing the meeting, is made aware so that they can call upon the Member to address the Council, or (b) the Member may indicate at the meeting, by show of hand or otherwise, that they wish to raise a matter.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

Option 3 – Order of Business

- 2.2.3. Currently, the Order of Business at Council meetings is prescribed in Standing Order 16(2). Essentially, following the consideration of Minutes of meetings, there is a requirement to next consider Notices of Motion on the agenda which are then followed by matters of business.

It is proposed to place the consideration of Notices of Motion towards the end of the agenda to permit business and administrative matters to be dealt with initially and thereby permitting any persons with an interest in those matters to leave the meeting before the Council considers Notices of Motion which, as a general rule, generate considerable debate and can be time consuming.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

Option 4 – Substitute Members

- 2.2.4. One of the outcomes of the 2018 Review of Standing Orders was, for the first time, the permissible use of Substitute Members who could attend Committee meetings in place of another Elected Member who may be unable to attend. However, each political group was restricted to three Substitute Members each, per Committee.

It is proposed that the restriction on the number of Substitute Members be removed. A consequence of such a change would be that reference to political groups would be removed and, accordingly, Members not allied to a political group would be permitted to appoint a Substitute Member if they so wished.

It should be noted that, if this proposal were implemented, there would be a responsibility upon Elected Members to clearly identify at meetings that they were in attendance as a Substitute as there is a risk that there could be confusion between those Members present in a voting Substitute capacity and those in a non-voting observational capacity.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

Option 5 – Amendments to Notices of Motion

- 2.2.5. Currently, Standing Orders do not provide a mechanism for the competency of an amendment to be considered prior to being considered by the Council. Accordingly, there have been a number of instances in the recent past where debate has taken place in meetings of the Council on the matter of competency of an amendment.

It is proposed that a mechanism be introduced to permit competency to be determined prior to the meeting, in the same way in which Notices of Motion are so determined under Standing Order 23.

It should be highlighted that this proposal does not eliminate the ability of a Member to propose an amendment, from the floor, during debate. However, it should be made clear that the time available for the consideration and competency of amendments is short and that there will be pressure upon the Provost to make a timeous determination.

In parallel, an opportunity has been taken to redefine the deadline for the receipt of all amendments by the Chief Executive, and it is proposed that this be changed from eight clear days to mid-day on the sixth clear day before the date of the meeting.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

Other Proposed Amendments to Standing Orders

- 2.3. The opportunity is being taken to present to Council other options for consideration which may provide clarity and efficiency to the decision making process of the Council. These are detailed below:-

Option 6 – Definition of “Clear Day”

- 2.3.1. In the period leading up to the meeting of the Council on 3 October 2019, it was identified that there may be different understandings of the term “clear days” when used in the context of Standing Orders. For the avoidance of doubt a clear day does not include the day of the respective meeting, the day of issue of the respective meeting papers, weekends and public holidays. Accordingly, it is proposed that where the term “clear day” appears in Standing Orders, this be amended to read “clear working days”.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

Option 7 – Delivery of Meeting Papers

- 2.3.2. At present, any Elected Member, who so wishes, may have the papers for any meeting delivered to their home address by a Council Officer. For information, 35 out of 77 Elected Members currently avail themselves of this service.

Such an arrangement clearly has disadvantages for the organisation, especially in relation to the carbon footprint of a vehicle being used to deliver to such a number of individual addresses, on numerous occasions each week. There are also resource implications as these deliveries can take a considerable amount of time for the driver.

It is therefore proposed that the delivery of meeting papers to individual addresses cease and instead, Elected Members may access digital versions of the meeting papers via either the Council's website or the Committee Papers folder on the Council's internal network drive to which all Elected Members have access. Printed copies of meeting papers will continue to be provided for any Member who so wishes, and these may be collected from Member Services at the Civic Centre at a time convenient to them, or they may choose to receive a delivery via Royal Mail.

To facilitate this proposal, Standing Orders would require to be amended as detailed at Appendix 1.

3. Equality and Diversity

3.1. Fairer Scotland Duty

N/A

3.2. Equality Impact Assessment

N/A

4. **Implications**

4.1. **Financial Impact**

Although not significant, there are costs associated with the requirement to print the volume of Minutes and using a vehicle to deliver printed meeting papers to the home address of individual Elected Members. Implementation of the options listed would remove these costs. At present, it costs £1,332.32 to produce the papers for a single Council meeting, however this figure also includes the actual agenda document as well as the Volume of Meetings.

4.2. **HR/Policy/Legislative Impact**

There is no impact.

4.3. **Environmental Impact**

Implementation of all of the options listed would reduce the Council's consumption of paper due to no longer having a requirement to print the Volume of Minutes and would reduce the carbon footprint due to no longer using a vehicle to deliver printed meeting papers to the home addresses of individual Elected Members.

4.4. **Risk Impact**

If the options listed are implemented in respect of the digital delivery of information, there is a risk that Members who are unable to access an electronic device at a meeting may be restricted in their ability to participate in debate.

5. **Measures of Success**

- 5.1. The decision making process of the Council operates in an efficient and streamlined manner.

6. **Supporting Documents**

- 6.1. Appendix 1 – Required Amendments to Standing Orders to Facilitate Implementation Options.



Head of Legal and Democratic Solutions