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## NORTH AYRSHIRE COUNCIL

7 November 2018

### North Ayrshire Council

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**Title:** Governance Options – Ayrshire Regional Economic Partnership/Ayrshire Growth Deal

**Purpose:** To present governance proposals for approval.

**Recommendation:** It is recommended that Council:

- a) Agrees to the creation of an Ayrshire Regional Economic Joint Committee with a remit and membership set out in Appendix 1; and
- b) Agrees to the creation by the Ayrshire Regional Economic Joint Committee of a sub-committee, the Ayrshire Regional Economic Partnership, with a remit and membership as set out in Appendix 2.

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## 1. Executive Summary

1.1 On 19 September 2018, Council noted updates on the progress of establishing an Ayrshire Regional Economic Partnership and agreed to a further report on governance options. This report presents proposals for the governance of the Ayrshire Regional Economic Partnership and the Ayrshire Growth Deal (AGD).

## 2. Background

2.1 At its meeting on 27 June 2018, Council agreed to :-,

- (a) to establish a Regional Ayrshire Partnership for Inclusive Economic Growth as set out in Section 4 and Appendix 5 of the Detailed Business Case;
- (b) to establish an Ayrshire Delivery Vehicle between East, North and South Ayrshire Councils and other stakeholders from 1 April 2019 and this includes integrated delivery of the Ayrshire Growth Deal, Economic Growth Services and Tourism
- (c) to continue negotiations with the Scottish Government, its agencies, and regional partners to secure commitments to the new partnership model;
- (d) to remit to the Chief Executive to finalise the new management structure in conjunction with the other two Chief Executives, taking account of the remit and scope of the services and the overall financial envelope, to be populated as quickly as possible and well in advance of April 2019 with final proposals being presented to Cabinet;
- (e) to establish a range of workstreams including service design, Human Resources, finance, legal, governance;

(f) that the host authority be North Ayrshire Council, tasked with the oversight of day to day operational issues in relation to the Partnership;

(g) to transfer employees from East and South Ayrshire Councils (where agreed by their respective authorities) to the host authority on 1 April 2019 under TUPE regulations; and

(h) to establish an Ayrshire Economic Development Sub-Committee of the Ayrshire Shared Services Committee for the purpose of developing an Ayrshire Regional Inclusive Economic Growth Strategy and associated implementation plan, with appropriate support and input from an Ayrshire Economic Delivery Vehicle team.

- 2.2 As noted during Council's consideration of the report on 27 June 2018, and in the subsequent update report to Council on 19 September 2018, the corresponding report being submitted to South Ayrshire Council did not commit to the same degree of integrated service delivery. On 28 June 2018, South Ayrshire Council, agreed to the establishment of an Ayrshire Regional Partnership (ARP) for Economic Development, but not to the creation of an Ayrshire Delivery Vehicle with a host authority and TUPE transfer of all staff. This report presents revised proposals for the governance of the Ayrshire Regional Economic Partnership and the Ayrshire Growth Deal (AGD), without the previous proposal for an integrated Ayrshire Delivery Vehicle. At its meeting on 25 November 2018, East Ayrshire Council agreed these proposals and it is understood that South Ayrshire Council will consider these at its meeting on 6 November. As the new proposals inevitably differ from those agreed by Council at its meeting on 27 June 2018 it will be necessary to suspend standing orders in order to consider this report.
- 2.3 Agreement of robust pan-Ayrshire governance is required in order to achieve sign-off of the Ayrshire Growth Deal. As noted in the report to Council on 19 September 2018, the critical first step is to develop a single economic development strategy for Ayrshire which will inform regional priorities to support inclusive growth of our economy and will act as the overarching strategic framework for the economic growth of the region. In order to develop this, the three Councils are working collaboratively with others to develop a clear vision for the area, alongside an Action Plan and Measurement Framework co-produced with national agencies, businesses, communities and wider regional partners. North Ayrshire Council are leading the strategy development work and have set aside dedicated resource to facilitate this over the next 6 months.
- 2.4 The Partnership will provide a strong and unified voice for Ayrshire ensuring that it is heard in national debates, making the case for investment and influencing national, regional and local priorities and decision making. The new joint strategy will inform these conversations and provide a robust framework to guide and inform strategic development. It will also ensure a single point of influence for business.
- 2.5 In developing governance proposals the following principles have been adopted:
- Form needs to follow function. In other words, the governance structure needs to promote the main drivers for the Regional Economic Partnership, namely:-
    - To promote and deliver regional economic and inclusive growth on an Ayrshire-wide basis, in line with the Scottish Government's aim of having a Regional Economic Partnership for every region of Scotland;
    - To provide the robust shared governance which will enable the Scottish and UK Governments and other funding sources to dispense monies on an Ayrshire basis;
  - To encourage the meaningful involvement of public sector partners as well as the private sector;

- The structure should be as simple as possible, but be capable of adaptation as required; and
- To recognise that if the majority of the funding is being delivered through Councils, that democratic accountability will be required for key investment decisions.

2.6 Other potential structures were examined, such as a Joint Board, company, Limited Liability Partnership etc. These other models have their own legal status, but also remove democratic control from Councils. For that reason, City/Growth Deals have to date used the Joint Committee model.

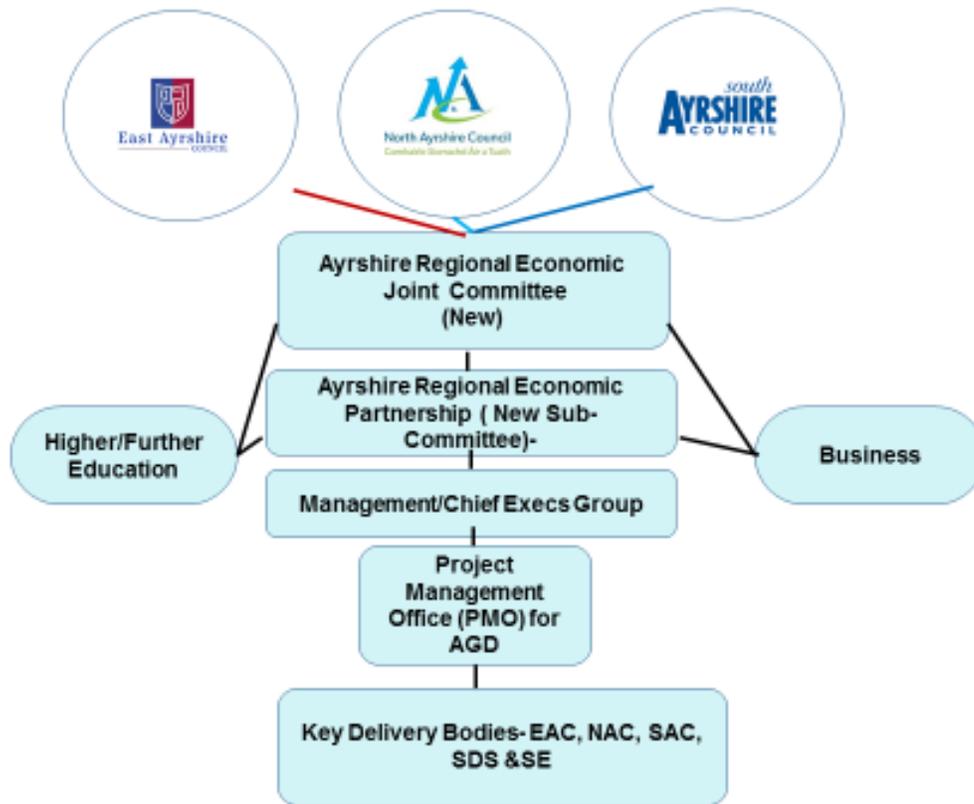
2.7 In proposing a structure, a key issue is the balance to be struck between private and partner involvement and democratic accountability. It is clear that any Regional Economic Partnership and Growth Deal must involve meaningful engagement of both private sector and partners. This ensures that decisions by councillors are well informed by the needs and requirements of partners and business and helps drive a strategic approach. On the other hand, if the majority of the funding is being delivered through Councils, they need to retain ultimate control over key strategy and investment decisions.

2.8 What is proposed is a structure which has a new Joint Committee with ultimate control over key strategic and investment decisions. This would largely comprise of Councillors from the three authorities with some representation (less than one third, to comply with statutory restrictions) from partners and business. Below this is a Sub-Committee which would progress the day to day business of both the Regional Economic Partnership and Growth Deal. This Sub-committee would comprise Councillors from the Joint Committee, as well as more extensive representation from public partners and business.

2.9 The advantages of this structure are:-

- Involvement of the business sector and partner agencies in developing strategy and supporting AGD. In turn this ensures the Joint Committee is fully sighted on pan-Ayrshire economic issues;
- More external representatives can be on the sub-committee (while a Joint Committee can legally have up to one-third non-Councillor membership, there is no such limit on external membership of a Sub Committee);
- The Sub-committee can involve participation by expertise;
- Unlike a Business Forum or other Working Group, decision making powers can be given to a Sub-Committee, enabling meaningful involvement of public sector partners and the private sector; and
- If there was only a Joint Committee, external members may have to be excluded from voting on certain items, giving rise to perceptions of second class participation.

2.10 The proposed governance structure is as follows:-



2.11 The membership, remits and powers of both the Ayrshire Regional Economic Joint Committee and the Ayrshire Regional Economic Partnership are set out in Appendices 1 and 2. Standing Orders for their meetings are set out in Appendix 3. Key components of this are:-

2.12 An Ayrshire Regional Economic Joint Committee responsible for strategy and policy. This would comprise 13 members, being three from each Council, one from Scottish Enterprise (SE), one from Skills Development Scotland (SDS) one from the business sector and one from the education sector. The local authority Chair would rotate on an annual basis. Its core functions are:

- Ayrshire Economic Strategy – final agreement of the strategy;
- Approval of major funding decisions including approval of the Business Cases for the AGD; and
- Coordination and alignment of Council and partner resources/strategy to ensure they support the most efficient delivery of the Ayrshire Economic Strategy and AGD.

2.13 An Ayrshire Regional Economic Partnership Sub-Committee (“the Partnership”). This would comprise 3 nominees from each Council, (who could include Members and an officer), three representatives of the business sector, three representatives of the Higher or further Education sector and one representative from each of Scottish Enterprise, Highlands and Islands Enterprise (HIE), Skills Development Scotland, and Visit Scotland. There could also be provision to co-opt an additional 3 members either from other organisations or on the basis of experience or skills. In legal terms this has to be a sub-

committee as it comprises more than one-third membership who are not councillors. The Sub-committee would have delegated powers, but major strategic and funding decisions would require to be remitted for approval to the Joint Committee. In broad terms, the functions of this Sub-Committee are:-

- Development of the Ayrshire Economic Strategy and overseeing delivery of its Action Plan; and
- Support for AGD, its projects and the Project Management Office (PMO).

2.14 There would require to be a Programme Management Office (PMO) for the AGD. In turn, this would be supported by a Management/Chief Executives Group comprised of senior officers from the three Councils, SE, HIE and SDS. The PMO would report through that Group to the Joint Committee or Partnership as appropriate.

2.15 The structure below this level has not yet been developed. For example, and depending on the linkage between agreed Growth Deal projects, there could be Themed Boards sitting underneath the PMO. In turn, individual City Deal projects might fall under each theme. This allows more specialist involvement on such boards and helps ensure a coordinated approach is taken to projects within the same theme. Depending on the linkage between different AGD projects, or the need for a focussed multi-agency Board to support work on a particular strand, this could be a useful model for the Joint Committee to develop.

2.16 In turn, individual AGD projects may require a different governance structure, perhaps involving a Joint Venture Company or Limited Liability Partnership involving a private sector partner. Lead authorities may also be required for individual pan-Ayrshire AGD projects. The proposed governance structure allows for any such body to be set up, as required.

2.17 Other matters which may require early decision by either Council or the Joint Committee include confirmation of the financial, staffing and support arrangements for the PMO.

### **3. Proposals**

3.1 It is recommended that Council:

- a) Agree to the creation of an Ayrshire Regional Economic Joint Committee with a remit and membership set out in Appendix 1; and
- b) Agree to the creation by the Ayrshire Regional Economic Joint Committee of a sub-committee, the Ayrshire Regional Economic Partnership, with a remit and membership as set out in Appendix 2.

#### 4. Implications

<b>Financial:</b>	The proposed governance structure enables Councils to retain ultimate control of major strategic financial decisions through a Joint Committee.
<b>Human Resources:</b>	A separate report deals with the resourcing of the PMO.
<b>Legal:</b>	The proposed governance structures accord with legal requirements and have been developed by the Legal Heads of Service of the three Councils.
<b>Equality:</b> <b>Children and Young People:</b>	A key aim of both the Ayrshire Economic Strategy and the AGD is to take a coordinated pan-Ayrshire approach to promote inclusive growth. This should have benefits in terms of equality groups.
<b>Environmental &amp; Sustainability:</b>	Similarly, a coordinated pan-Ayrshire approach to inclusive growth should help protect the environment by ensuring that environmental issues are considered in a strategic context. This will also help promote sustainability
<b>Key Priorities:</b>	The report supports corporate and economic strategies of the Council, specifically: <ul style="list-style-type: none"><li>• Growing our Economy, increasing employment and regenerating our towns;</li><li>• Working together to develop stronger communities; and</li><li>• Ensuring people have the right skills for learning, life and work.</li></ul>
<b>Community Benefits:</b>	There are no Community Benefit implications arising from this report.

#### 5. Consultation

- 5.1 Following discussions between the Chief Executives of the three Ayrshire Councils, the proposals have been developed by the Legal Heads of Service of the three Ayrshire Councils, having regard to governance proposals of other City/Growth Deals, and in consultation with the three Council Chief Executives. They were approved by East Ayrshire Council at its meeting on 25 October 2018.



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For further information please contact **Karen Yeomans** on **01294 324030** or **Andrew Fraser, Head of Democratic Services** on **01294 324125**.

**Background Papers**

Appendix 1: Ayrshire Economic Joint Committee: Membership, Remit and Powers

Appendix 2: Ayrshire Regional Economic Partnership, Membership, Remit and Powers

Appendix 3: Standing Orders of Meetings for the Joint Committee and Partnership

## **Appendix 1: AYRSHIRE ECONOMIC JOINT COMMITTEE**

### **Constitution**

A maximum of thirteen Members, comprising up to three members each nominated by East, North and South Ayrshire Councils, one from Scottish Enterprise, one from Skills Development Scotland, one from the business sector and one from the education sector. Named substitutes are permitted to attend in place of any nominated Member

### **Chair**

The Chair of the Committee will rotate annually from a Member appointed by East Ayrshire Council to North Ayrshire Council, and to South Ayrshire Council and so on, with each Chair taking up his or her position on 1 September.

### **Quorum**

A quorum of the Joint Committee shall be four members, with at least one member from each Council present.

### **Standing Orders and Meetings**

The Standing Orders for the Joint Committee shall be as detailed in Appendix C. The Committee shall determine its timetable of meetings but shall meet at least two times per annum.

### **Delegated Powers**

The Joint Committee has delegated powers to implement its functions, except as otherwise provided herein. The Joint Committee shall have power to create an Ayrshire Economic Partnership Sub-committee whose membership, powers and remit shall be as detailed in Appendix B.

### **Functions Referred**

The following functions of the Council will stand referred to the Joint Committee: -

Acting in the interests of Ayrshire as a whole:-

1. To approve the Ayrshire Economic Strategy
2. To make recommendations to the UK and Scottish Governments, the Ayrshire Councils, public sector partners and business to promote collaborative working and to ensure their priorities, policies and service delivery are aligned with the Ayrshire Economic Strategy and the Ayrshire Growth Deal
3. To approve the business cases of individual Ayrshire Growth Deal Projects

4. To receive reports on the effectiveness of the implementation of the Ayrshire Economic Strategy and the Ayrshire Growth Deal and to identify potential improvements and make recommendations to the Constituent Authorities
5. To make recommendations to the Constituent Authorities in respect of the Ayrshire Growth Deal funding arrangements.
6. To make recommendations to the Constituent Authorities on the setting of budgets for the Ayrshire Growth Deal
7. To approve operational expenditure within agreed with Ayrshire Growth Deal Joint Committee budgets allocated by the Constituent Authorities in order to further the aims of the Ayrshire Growth Deal.

## **Appendix 2: AYRSHIRE ECONOMIC PARTNERSHIP**

### **Constitution**

The Ayrshire Economic Partnership ('the Partnership') is a sub-committee in terms of section 56(1) of the Local Government (Scotland) Act 1973. It shall comprise a maximum of 22 members, being:-

- Three representatives nominated by each of East, North and South Ayrshire Councils;
- three representatives of the business sector selected by the Partnership;
- three representatives of the Higher or further Education sector, selected by the Partnership ;
- One representative nominated by each of Scottish Enterprise, Highlands and Islands Enterprise, Skills Development Scotland, and Visit Scotland.

The Partnership may also co-opt up to three additional members on the basis of experience or skills, whether from existing members, from other organisations or individuals. Named substitutes are permitted to attend in place of any nominated Member.

### **Chair**

The Chair shall be appointed by the Joint Committee

### **Quorum**

A quorum of the Partnership shall be six, with at least one nominee from each of the Ayrshire Councils present.

### **Standing Orders and Meetings**

The Standing Orders of the Partnership shall be as detailed in Appendix C. The Partnership shall determine its timetable of meetings but shall meet at least six times per annum.

### **Delegated Powers**

The Partnership has delegated powers to implement its functions, except as otherwise provided herein.

### **Functions Referred**

The following functions of the Ayrshire Economic Joint Committee will stand referred to the Partnership: -

Acting in the interests of Ayrshire as a whole, to:-

8. To oversee the development of the Ayrshire Economic Strategy and to make recommendations to the Ayrshire Economic Joint Committee regarding its approval.
9. To provide strategic oversight for the delivery of the strategic priorities and actions contained within the Ayrshire Economic Strategy and any Action Plan forming part of such Strategy;

10. To drive forward the growth of the Ayrshire economy,;
11. To prioritise inclusive growth and provide an annual report in line with the Scottish Government's Inclusive Growth Monitoring Framework;
12. To drive increased collaboration and partnership between the Ayrshire Councils, the Scottish & UK Governments and their agencies and the private sector, focussed towards delivery of the Ayrshire economic priorities;
13. To make recommendations to the Ayrshire Economic Joint Committee, the Ayrshire Councils, public sector partners and business to promote collaborative working and to ensure their priorities, policies and service delivery are aligned with the Ayrshire Economic Strategy and the Ayrshire Growth Deal
14. Undertake periodic reviews of the Ayrshire Economic Strategy and any Action Plan forming part of the Strategy to ensure that it is consistent with the emerging ambitions of Ayrshire and collaboration with partners
15. To oversee the development of the business cases of individual Ayrshire Growth Deal Projects and to make recommendations to the Ayrshire Economic Joint Committee regarding their approval.
16. To oversee the implementation of the Ayrshire Economic Strategy and the Ayrshire Growth Deal, to monitor the performance of the Programme Management Office (PMO), to identify potential improvements and make recommendations to the PMO or the Ayrshire Economic Joint Committee.
17. To make recommendations to the Ayrshire Economic Joint Committee in respect of the Ayrshire Growth Deal funding arrangements.
18. To ensure that an effective monitoring and evaluation framework is in place at both a project and programme level, and that each Member Authority is delivering upon its requirements needed to successfully pass the Growth Deal Gateway Review Process.
19. To provide strategic direction and manage the input of any Thematic or other Working Groups.

**Appendix C: THE AYRSHIRE REGIONAL ECONOMIC JOINT COMMITTEE &  
THE AYRSHIRE REGIONAL ECONOMIC PARTNERSHIP SUB-COMMITTEE**

**STANDING ORDERS FOR THE CONDUCT OF MEETINGS**

**PRELIMINARY**

**COMMENCEMENT**

These standing orders will apply and have effect from the date approved by the Joint Committee.

**DEFINITIONS**

In these Standing Orders the following words and expressions have the following meaning as shown below:-

“The Joint Committee” shall mean the Ayrshire Regional Economic Joint Committee, formed under Sections 56 and 57 of the Local Government (Scotland) Act 1973 and Section 15 of the Local Government in Scotland Act 2003 for the purposes of regulating the shared discharge of the functions of the Constituent Authorities,

“Constituent Authority” means any of the East, North or South Ayrshire Councils.

“The Partnership” shall mean the Ayrshire Regional Economic Partnership, a Sub-committee formed under Sections 56 and 57 of the Local Government (Scotland) Act 1973 and Section 15 of the Local Government in Scotland Act 2003 for the purposes of regulating the shared discharge of the functions of the Constituent Authorities

**MEETING ARRANGEMENTS**

**Dates of Meetings**

1. The Joint Committee shall meet at least twice in each financial year or more often as is required to conduct its business, dates of meetings to be agreed by the Joint Committee. The Partnership shall meet at least six times in each financial year or more often as is required to conduct its business, dates of meetings to be agreed by the Partnership.
2. A special meeting of the Joint Committee or the Partnership may be called at any time:
  - (a) by the incumbent Chair; or
  - (b) if at least one quarter of the total number of members request a meeting in writing specifying the business to be transacted. The requisition shall be submitted to the Chief Executive of the incumbent Chair’s Council (or if the Partnership is not chaired by a Council nominee, by the Chief Executive of the Joint Committee’s incumbent Council), and shall be included in the notice and summons of the meeting. The Chief Executive will determine the time and venue of the meeting, which shall be held within 14 days of the receipt by the Chief Executive of the requisition.

### ***Place, Time and Notice of Meetings***

- 3.1** Except in the case of urgency (when the incumbent Chair may direct accordingly) three clear days at least before a meeting of the Joint Committee or the Partnership;
- i. Notice of the time and place of the intended meeting shall be published by the Chief Executive of the incumbent Chair's Council (or if the Partnership is not chaired by a Council nominee, by the Chief Executive of the Joint Committee's incumbent Council) or an appropriate officer of that council, responsible for the administrative support of the Joint Committee or Partnership, at that Council's principal office and, where practical, at the place where the meeting will be held if the meeting is to be held outwith that Council's principal office; and
  - ii. A summons to attend the meeting, specifying the business to be transacted shall be left at or sent by post to the usual place of residence of every Member of the Joint Committee or Partnership as appropriate, or to such other address as the Member may notify in writing to the Chief Executive of the incumbent Chair's Council.

### **LACK OF NOTICE**

- 4.** Want of service of a summons on any Member of the Joint Committee or Partnership shall not affect the validity of any meeting.

### **QUORUM**

- 5.** The quorum for the Joint Committee shall be four, with at least one nominee from each of the Ayrshire Councils present.

The quorum for the Partnership shall be six, with at least one nominee from each of the Ayrshire Councils present.

No business shall be transacted at any meeting of the Joint Committee or Partnership unless a quorum is present.

If, 10 minutes after the time appointed for a meeting a quorum of Members is not then present, the meeting shall stand adjourned and it shall be minuted that "owing to the want of a quorum, no business was transacted".

## **CHAIR**

6. The Chair of the Joint Committee will rotate annually from a Member appointed by East Ayrshire Council to North Ayrshire Council, and to South Ayrshire Council and so on, with each Chair taking up his or her position on 1 September. The Chair of the Partnership shall be appointed by the Joint Committee

The Chair shall preside. In the event of the incumbent Chair either being absent or withdrawing from a meeting, another member from the Authority of the present Chair, chosen by the members of that Authority present, shall assume the Chair for that meeting or part thereof.

## **POWERS AND DUTIES OF CHAIR**

7. Deference shall at all times be paid to the authority of the Chair. When the Chair indicates a wish to speak, any Member who may be addressing the meeting shall give way. The Chair shall:-
  - (i) preserve order and ensure that every member of the Joint Committee or Partnership shall have a fair hearing;
  - (ii) decide all matters of order, competency and relevancy and the ruling of the Chair shall be final and shall not be open to discussion;
  - (iii) decide between two or more members of the meeting indicating that they wish to speak by calling on the member who has first caught the attention of the Chair;
  - (iv) ensure that due and sufficient opportunity is given to members who wish to speak to express their views on the subject under discussion;
  - (v) be entitled, in the event of disorder arising, to adjourn the meeting to a time he or she may then, or afterwards, fix and his or her leaving the Chair shall indicate the meeting is adjourned; and
  - (vi) the Chair shall, at his or her discretion, determine all questions of procedure for which no express provision is made under these Standing Orders with regard to the regulation of the proceedings and business of the Joint Committee meetings.

## **BUSINESS AT MEETINGS**

8. At a meeting of the Joint Committee or Partnership, no business other than that specified in the summons shall be considered.

## **URGENT BUSINESS**

9. Business which has not been specified in the summons may be considered where the Chair determines that the matter is one of urgency. It shall be at the sole discretion of the Chair to decide whether any business not specified on the agenda for the meeting, by reason of special circumstances, be considered at the meeting as a matter of urgency, and such special circumstances must be specified in the Minute of the meeting.

## **ORDER OF BUSINESS**

10. The business at any meeting shall (unless as otherwise directed by the Chair who may, at his or her discretion, alter the order of business at any stage) proceed in the following order:-
- (i) the Sederunt shall be taken; the names of the members present at the meeting shall be recorded with the Chair at the head followed by the remaining Members;
  - (ii) Minutes of the previous Joint Committee or Partnership as appropriate shall be submitted, held as read and be formally moved and be held to be approved, unless objection is taken to any portion thereof when so submitted. Any Member may request information on an item within a Minute that is before the meeting; and
  - (iii) Any other competent business detailed in the Agenda or urgent business raised at the discretion of the Chair.

## **ORDER OF DEBATE**

### ***Motions/Amendments***

- 11.1 A member of the Joint Committee or Partnership when speaking shall address the Chair and direct all remarks to the matter before the meeting by proposing, seconding or speaking to the motion or any amendment relative thereto, or to a point of order, or to propose or second a motion to adjourn the proceedings.
- 11.2 Every motion or amendment shall be moved and seconded. The terms of all motions or amendments shall always precede any remarks to be made by their proposers. No member shall speak supporting the motion or any amendment until the same shall be seconded.
- 11.3 The terms of a motion or amendment not seconded or which may be withdrawn or altered after being seconded shall not be recorded in the Minutes of proceedings.
- 11.4 Any member who has moved a motion or amendment and has failed to find a seconder may request that his or her dissent in regard to the decision in question be recorded and that dissent will be recorded in the Minutes.

### ***Procedure on Point of Order***

**11.5** A member may speak upon a matter of order and on doing so shall make a short statement detailing precisely the terms of the point of order. If the Chair decides that the question raised by the speaker is not a 'point of order', the member who raised the point of order shall thereupon accept the decision as final. No other member shall be entitled to speak to that point of order. A member who is addressing the meeting when a question of order is raised shall give way until the question of order has been decided by the Chair.

### ***MOTION FOR ADJOURNMENT OF MEETING***

**12.1** A motion for the adjournment of the meeting for a specified period of time may be put at the conclusion of any speech and shall have precedence over all other motions. It must be moved and seconded without a speech and shall at once be put by the Chair in the form of "For Adjournment" or "Against Adjournment".

**12.2** A second motion for the adjournment of the meeting shall not be made within a period of 30 minutes unless it is moved by the Chair, when it shall be dealt with as in the immediately preceding standing order.

### **VOTING**

#### ***Method of Voting on Motion and Amendment***

**13.** The method of voting on motions and amendments shall be as follows :-

- (i) When a motion and one amendment only are before the meeting, a vote shall be taken between the motion and the amendment;
- (ii) When a motion and two or more amendments are before the meeting, the vote shall be taken upon all the proposals, each member having one vote. If a proposal receives the support of a majority of the members taking part in the vote, it shall be declared to be the decision of the meeting, but, in the event of none of the proposals receiving the support of such a majority, the proposal which has received the least support shall be dropped and the vote shall be taken anew upon the remaining proposals and so on until one proposals has received the support of such a majority whereupon it shall be declared to be the decision of the meeting; and
- (iii) In the event of the votes for two or more proposals being equal the Chair shall decide which of them shall be dropped.

## **DECISIONS OF THE JOINT COMMITTEE**

14. Subject to Standing Orders 19, 20 and 24, all decision before the Joint Committee or Partnership shall be decided by a majority of the Members of the meeting present and voting thereon.

## ***CASTING VOTE***

15. In the case of an equality of votes, the Chair shall have a second or casting vote except where the matter which is the subject of the vote relates to the appointment of a member of the Joint Committee to any particular office, in which case the decision shall be by lot.

## **ATTENDANCE BY ELECTED MEMBERS NOT A MEMBER OF THE JOINT COMMITTEE**

16. Members of the Constituent Authorities who are not members of the Joint Committee may be invited by the Chair of the Joint Committee to attend the meeting of the Joint Committee while there is under discussion any item in which those members have a local or other special interest. Such members shall be entitled to participate in the discussion on that item but shall not be entitled to vote. This provision does not apply to the Partnership.

## **ATTENDANCE BY MEMBERS OF THE PUBLIC**

17. Members of the public may, subject to any limitation on numbers that may be required due to Health and Safety considerations or availability of space or seating in the meeting room, attend any part of the meeting of the Joint Committee or the Partnership except during an item of business where the meeting has resolved, in terms of the Local Government (Scotland) Act 1973 (as amended), that the matter should be discussed in private session.

## **DEPUTATIONS**

**18.** Any written request received by the Chief Executive of the incumbent Chair's Council, that a deputation be received by the Joint Committee on a particular matter shall be referred in the first instance to the incumbent Chair. Should the Chair consider that the matter raised by the deputation is one which is competent and relevant to the Joint Committee to determine, the written request shall be placed on the agenda of the first appropriate meeting of the Joint Committee. Thereafter, the Joint Committee may make arrangements for hearing the deputation at a subsequent meeting of the Joint Committee. In the event of the Joint Committee agreeing that arrangements should be made to hear a deputation the following provisions shall apply:

- (a) The deputation shall not exceed 3 in number.
- (b) Representatives of the deputation may speak for a total of no more than 10 minutes, unless the Chair otherwise permits; and
- (c) It shall be competent for members to put to the deputation only questions relevant to the subject of the deputation and no members shall express any opinion upon or discuss the subject until the deputation has withdrawn.

This provision does not apply to the Partnership.

## **VARIATION AND REVOCATION OF STANDING ORDERS**

**19.** Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next meeting of the Joint Committee. No Standing Orders shall be varied or revoked unless two-thirds of the members of the Joint Committee present and voting shall so decide.

## **SUSPENSION OF STANDING ORDERS**

**20.** Any of the Standing Orders, upon a motion made at any time during a meeting, may be suspended so far as regards any business at such meeting provided that two-thirds of the Members of the Joint Committee or Partnership as appropriate present and voting shall so decide.

## **AUTHORISED OFFICER**

**21.1** The respective Chief Executive of the incumbent Chair's Council (or if the Partnership is not chaired by a Council nominee, by the Chief Executive of the Joint Committee's incumbent Council), in consultation with the incumbent Chair, shall be authorised to cancel a meeting of the Joint Committee or Partnership where no business remains to be transacted.

**21.2** The Chief Executive of the incumbent Chair's Council, (or if the Partnership is not chaired by a Council nominee, by the Chief Executive of the Joint Committee's incumbent Council), in consultation with the incumbent Chair shall be authorised to re-schedule any existing calendar meetings previously approved by the Joint Committee or Partnership.

## **CIRCULATION OF REPORTS, PAPERS ETC**

22. The Chief Executive or appropriate Officer providing the administrative support for the Joint Committee or Partnership shall be entitled to mark as 'not for publication' any report or any item of business specified in a summons to attend a meeting or any papers circulated with any such summons if he or she considers that it relates to an item during discussion of which the meeting is likely not to be open to the public in accordance with the Local Government (Scotland) Act 1973 (as amended) and no other member of the Joint Committee or Partnership as appropriate shall thereafter disclose the item or paper without the consent of the Joint Committee or Partnership .

## **THE COUNCILLORS' CODE OF CONDUCT**

23. All Members will at all times comply with the decisions with the Councillors' Code of Conduct. Members of the Joint Committee or Partnership who are not Councillors shall be obliged before taking up office to agree to be bound by the Code of Conduct for Members of Devolved Public Bodies published by the Standards Commission for Scotland.

## **RECONSIDERATION OF A DECISION**

24. No decision of the Joint Committee, may be reconsidered and, except where required by statute, no item of business the same or substantially the same as one previously determined by the Joint Committee, may be discussed by the Joint Committee within six months of the making of the previous decision or determination of the item, except when two-thirds of the Members for the time being present and voting agree otherwise. A motion by a Member in terms of this Standing order proposing that a matter be reconsidered or discussed shall, if seconded, be put by the Chair to the meeting in the form "For the Motion" and "Against the Motion". The same provision shall apply to the Partnership.

## **DECLARATIONS OF INTERESTS BY JOINT COMMITTEE MEMBERS**

25. Any Member who, in terms of the Codes of Conduct established under the Ethical Standards in Public Life Etc (Scotland) Act 2000, has any financial or non-financial interest in any matter under discussion at any meeting shall, having considered the nature of the interest, determine, in accordance with the Code of Conduct whether they require to declare the interest and having considered the objective test, whether they require to withdraw. Disclosures of interest and retrials shall be recorded within the minutes.