



# *Standing Orders*

*Revised: 1<sup>st</sup> August 2019*

**STANDING ORDERS FOR MEETINGS**  
**Contents**

**PART I**

<b>Standing Order</b>	<b>Description of Standing Order</b>	<b>Page No.</b>
1.	Statutory Meeting of Council	5
2.	Ordinary Meetings of Council	5
3.	Special Meetings of Council	6
4.	Calling of a Meeting	6
5.	Quorum of Council and Committees	6
6.	Open Forum	7
7.	Order of Business for the Ordinary Meeting of Council	8
8.	Matters of Urgency	9
9.	Notices of Motion	9
10.	Declaration of Interest	10
11	Disclosure of Information	10
12.	Recording of Proceedings	11
13	Questions	11
14	Admission of Press and Public	12
15.	Powers, Authority and Duties of Convener and Vice-Convener	12
16	Suspension of Members	13
17	Adjournment	13
18	Deputation	14
19	Motions and Amendments	14
20	Alteration, Deletion and Rescission of Decisions of Council	15
21	Order of Debate	16
22	No Secunder for Motions or Amendments	18
23	Alteration/Withdrawal of Motion or Amendment	18
24	Voting	18
25	Recording of Vote	18
26	Method of Voting	19
27	Casting Vote	19

28	Suspension, Deletion or Amendment of Standing Orders	19
29	Powers Reserved by Council	19

## **PART II**

30	Proceedings of Committees and Sub-Committees	21
31	Approval and Signing of Minutes	22
32	Creation and Membership of Committees and Sub-Committees	23
33	Other Constituted Bodies	23
34	Working Groups	26

## **PART III**

35	Officers Delegated Powers	27
----	---------------------------	----

## **PART IV**

36	Contract	29
37	Cancellation	30
38	Assignment	30
39	Tendering Procedures	30
40	Exception to Tendering Requirement	30
41	Specifications	31
42	Work and Accounts	32

## **PART V**

43	Definitions	33
----	-------------	----

## APPENDICES

<b>Appendix 1</b>	<b>Procedures for the Open Forum</b>	36
<b>Appendix 2</b>	<b>Membership, Remit, Delegated Powers and Arrangements for Meetings of the Council Committees:</b>	
	(a) Appeals Committee	38
	(b) Audit Committee	39
	(c) Cultural Committee	41
	(d) Corporate Services Committee	43
	(e) Educational Services Committee	48
	(f) Housing and Communities Committee	53
	(g) Infrastructure, Regeneration and Economic Development Committee	56
	(h) Licensing Committee	59
	(i) Planning Committee	60
	(j) Local Review Body	62
	(k) Recruitment and Individual Performance Management Committee	63
	(l) Tendering Committee	65
	(m) Alexander Cross Cameron Bequest Committee	66
	(n) Dumbarton Trust Committee	67
	(o) Vale of Leven Fund Committee	68
<b>Appendix 3</b>	<b>Guidance on Conduct in Chambers or Committees (Standards Commission for Scotland)</b>	69

# Standing Orders for Meetings

## PART I

---

### 1. Statutory Meeting of Council

---

- (a) The Chief Executive will decide the date, time and venue of the first or Statutory Meeting of Council. At the Statutory Meeting, the Council will elect a Convener, Depute Convener, Leader of the Council and a Depute Leader of the Council from amongst its members. In addition the Council may elect the Committees, Conveners and Service Spokespersons and appoint representatives to composite and outside bodies.
- (b) Once elected the Convener and Depute Convener of the Council will hold the title of Provost and Depute Provost respectively and will remain in office until the next ordinary election, subject to the right of Council by resolution to remove either the Convener or Depute Convener or both from office provided written notice to that effect has been given in accordance with Standing Order 9 and said resolution is supported by at least two-thirds of Members present and voting.

---

### 2. Ordinary Meetings of Council

---

- (a) The Ordinary Meetings of the Council will be held eight times per annum, unless otherwise determined by Council, and will meet according to a timetable determined by Council from time to time. Council meetings will normally commence at 2.00 p.m. or as decided by the Council from time to time.
- (b) If for any reason the Convener and Depute Convener is absent, the Council will elect another Member to chair that meeting. Any reference in these Standing Orders to Convener will be deemed to refer to the Depute Convener, or another Member who is elected to chair the meeting in the absence of the Convener.
- (c) It will be competent for the majority of those Members present at any meeting to resolve that the next Ordinary Meeting (s) will be held at a different date or time.

---

### **3. Special Meetings of Council**

---

Special meetings of Council may be convened under the following circumstances:-

(a) Urgent Items

The Convener may convene Special Meetings if it appears to him/her that there are items of urgent business or matters of controversy to be considered. Such meetings will be held at a time, date and venue as determined by the Convener. If the office of Convener is vacant, or if the Convener is unable to act for any reason, the Depute-Convener of the Council may at any time call such a meeting. If the Offices of Convener and Depute Convener are both vacant or if neither the Convener nor the Depute Convener are able to act for any reason the Leader of the Council, in consultation with the Leader of the Opposition may call such a meeting.

(b) By Requisition

A Special Meeting can be called by the Convener providing he/she has received a written requisition which specifies the purpose of the business proposed to be transacted at the meeting and is signed by at least one quarter of the Members of the Council (i.e. - 6). No requisition shall be unreasonably refused. The date, time and venue of the meeting will be as determined by the Convener but must be within fourteen days of receipt of the requisition. Once made a requisition request can only be withdrawn with the consent of all Members signing the request. Where Members are part of a party group such consent may be given by the group leader on behalf of his/her party members provided the group leader signed the requisition request.

---

### **4. Calling of Meeting**

---

Except in the case of urgency, all meetings of the Council will be called by Circular containing the agenda of the meeting issued by the Chief Executive not less than ten clear working days before the date of the meeting.

---

### **5. Quorum of the Council**

---

(a) The quorum of the Council will be six Members.

(b) If during, or at the scheduled time of commencement of, any meeting of the Council, the Convener finds that there is less than a quorum of Members present, he/she will, after a lapse of ten minutes, cause the roll to be called and, if inquorate, the meeting will be terminated or not take place as appropriate.

- (c) The quorum of other Committees and Sub-Committees of the Council will be dealt with in Appendix 2 of these Standing Orders. However, where no specific reference is made to a quorum, it will be one quarter of the membership of the Committee or Sub-Committee, subject to a minimum requirement of three Members.
- (d) If the Convener and the Depute Convener are absent from a Council meeting and the Council fails to elect another Member to chair that meeting, the meeting will not be convened and no minutes will be taken of the meeting.
- (e) The consideration of all business which is on the agenda of a meeting which is not convened or inquorate shall be postponed to the next meeting of the Council, whether ordinary or special.

---

## **6. Open Forum**

---

- (a) An 'Open Forum' session will be held at every Ordinary Meeting of the Council and Committee meeting. It will last up to a maximum of 15 minutes, subject to the discretion of the Convener, whereby members of the public will be given the opportunity to ask relevant questions of the relevant office holder or raise issues. There will be a maximum of 5 questions allowed on the agenda per meeting.
  - Such questions must be submitted in writing to the Chief Executive twelve clear working days before the relevant meeting.
  - Where the Chief Executive receives a written question, the Chief Executive will ensure that the question is transmitted to the appropriate Service Spokesperson or Convener of the appropriate Committee or Officer and that it is recorded in a register of questions to be maintained in the Committee Administration office.
  - A formal response to the question will be made at the meeting by the Leader of the Council, Convener or appropriate Service Spokesperson, and the person who put the written question will have the right to ask no more than one supplementary question orally at the meeting in relation to the response.
  - There shall be no motions, amendments or debate during an 'Open Forum' session.
- (b) The Procedure to be adopted during the Open Forum session is as detailed in Appendix 1 to these Standing Orders.

---

## **7. Order of Business for the Ordinary Meeting of the Council**

---

- (a) The order of business of the Council at all ordinary meetings shall be as follows, unless the Convener directs otherwise:-
- (i) The chair shall be taken in accordance with the provisions of these Standing Orders;
  - (ii) The sederunt shall be taken;
  - (iii) Any apologies shall be tendered;
  - (iv) Any declaration of interest shall be tendered;
  - (v) The chair shall indicate and inform Council of any urgent motions he/she has received in accordance with standing order 9, and will indicate whether such business has been accepted for inclusion on the agenda;
  - (vi) Approval of the accuracy of Minutes of Council Meetings and approval of the decisions of advisory committees which do not have delegated powers. There shall be no motions, amendments or debate on items from advisory committees which are reported for information only;
  - (vii) Presentations;
  - (viii) The Open Forum;
  - (ix) Business expressly required by statute to be done at the meeting;
  - (x) Business (if any) remaining from the last meeting;
  - (xi) Reports submitted for consideration;
  - (xii) Any correspondence, communications or other business specially brought forward by direction of the Convener;
  - (xiii) Questions from Elected Members due notice of which has been given and which comply with Standing Order 13; and
  - (xiv) Motions from Elected Members due notice of which has been given and which comply with Standing Order 9;
- (b) An item will not be removed from the agenda unless with the agreement of all Members present.
- (c) No business, except business which requires to be dealt with by law or by these standing orders, shall be introduced after 9.30 p.m. If items of business have not been introduced by 9.30 p.m., subject to there being no earlier motion under Standing Order 17(b) the Convener will reconvene the meeting within fourteen days.

---

## **8. Matters of Urgency**

---

At all ordinary, special and statutory meetings of the Council, no business other than that on the agenda shall be discussed or adopted in terms of Section 50B of the Local Government (Scotland) Act, 1973, (hereinafter referred to as the 1973 Act) except where by reason of special circumstances which shall be specified in the Minutes, the Convener is of the opinion that the item should be considered at the meeting as a matter of urgency. Any request for urgent business must be intimated to the Convener and Monitoring Officer, no later than 2 hours before the scheduled start of the meeting. The Convener will advise Council of the terms of any request at this stage. If the Convener agrees to the request being considered the Convener will determine where in the order of business the item will be heard.

---

## **9. Notices of Motion**

---

The following procedure allowing for notices of motion shall only apply to ordinary Council and Committee meetings.

- (a) No Member shall be entitled to propose a motion other than one directly arising out of a matter regularly before the meeting, unless notice of such motion has been given at a previous meeting or has been received by the Chief Executive in writing at least eleven clear working days before the date of such meeting and no later than 4.00 p.m. on the last day for receipt.
- (b) Where the Monitoring Officer believes a suspension of Standing Orders is required to consider an item or the item breaches Standing Order 9(f) in its submitted form, the member may reword the members' motion within 24 hours of the deadline in Standing Order 9(a), always providing that no new matters may be added to the motion.
- (c) In accordance with Standing Order 7(a)(xiv), Council will consider written notices of motion at every Meeting.
- (d) Where a Member wishes to convey the honour of freeman of West Dunbartonshire the Member will seek the consent of the Provost and if the Provost agrees, officers shall prepare a report for a subsequent Council meeting on the request.
- (e) In the absence of a Member who has given notice of a motion, any Member may move the motion.
- (f) If notice is given of any motion that, in the opinion of the Legal Officer, if agreed is likely to give rise to a contravention by the Council of any enactment or rule of law or of any code of practice made or approved by or under any enactment, the Legal Officer shall immediately submit such notice of motion to the Convener and it shall not be accepted and placed on the agenda without his/her sanction. This will only be used when there is clear illegality. In the event of non-acceptance the Legal Officer shall so inform the Member who submitted the notice of motion.

---

## **10. Declaration of Interest**

---

- (a) If any Member of the Council has a financial or non-financial interest in any contract or any other matter as defined by section 5 of the Councillor's Code of Conduct and is present at any meeting at which the matter is to be considered, he/she must, as soon as practical, after the meeting starts, disclose that he/she has an interest and the nature of that interest. The Member must leave the meeting unless the interest is covered by one of the exclusions in the Councillors' Code of Conduct, or is so remote or insignificant that a member of the public, knowing all the relevant facts, would not reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's discussion or decision making.
- (b) Where any member wishing to declare an interest neglects to do so at the agenda item for declaring interests, they must do so as soon as the relevant item is called by the Convener.
- (c) Where a Member declares an interest and leaves the meeting in terms of this Standing Order the facts will be recorded in the minutes of the meeting.
- (d) All Members of the Council must observe the Councillors' Code of Conduct and any guidance issued by the Standards Commission for Scotland.

---

## **11. Disclosure of Information**

---

- (a) No Member or Officer shall disclose to any person any information which falls into the following categories:-
- Confidential information within the meaning of Section 50 A (2) of the Local Government (Scotland) Act 1973.
  - The full or any part of any document marked "not for publication by virtue of the appropriate paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.
  - Any information regarding proceedings of the Council from which the Public have been excluded unless or until disclosure has been authorised by the Council or the information has been made available to the Press or to the Public under Section 2 of the Local Government (Access to Information) Act 1985.

- (b) Without prejudice to the foregoing no Member shall use or disclose to any person any confidential and/or exempt information coming to his/her knowledge by virtue of his/her office as a Member where such disclosure would be to the advantage of the Member or of anyone known to him/her or which would be to the disadvantage of the Council.

---

## **12. Recording of Proceedings**

---

No sound, film, video tape, digital or photographic recording of the proceedings of any meeting shall be made without the prior written approval of the Council.

---

## **13. Questions**

---

- (a) Except when in debate any Member may put a question to the Convener of the Council or Committee, Leader of the Council or any Service Spokesperson, or the Leader of the Opposition, or any Senior Officer at any such meeting of the Council concerning any relevant and competent business arising upon the agenda. Questions must relate to the item of business or documents referred to in the associate report as background papers, or associated material in the public domain. Questions should not relate to other documents that Members or officers may not have sight of.
- (b) Any Member may also put a question to any office holder, including the Leader of the Opposition at any meeting of the ordinary Council and Committee meetings concerning any relevant and competent business not arising upon the agenda, provided he/she will have given notice in writing to the Chief Executive, which notice will be received by the Chief Executive at least eleven clear working days before the date of such meeting and by 4.00 p.m. on the last day for receipt. No discussion will be allowed on the questions so put. It will be competent for any Member of the Council at an ordinary meeting of the Council or Committee to ask a question of which the requisite notice has been given. This Standing Order will only apply to ordinary Council and Committee meetings.
- (c) Questions contravening legislation. If notice is given of any question that, in the opinion of the Monitoring Officer, is likely to be defamatory or in breach of Data Protection principles the Monitoring Officer shall immediately submit such notice of question to the Convener and it shall not be accepted and placed on the agenda without his/her sanction. This will only be used when there is clear illegality. In the event of non-acceptance the Monitoring Officer shall so inform the Member who submitted the notice of question

- (d) A question of order shall relate only to an alleged breach of a specified Standing Order and the way in which the Member raising it considers that it has been broken. Any Member indicating a desire to raise a question of order shall state at the outset the number or terms of the Standing Order considered to be infringed. When a question of order is raised at a Council meeting, the Member then addressing the meeting will resume his/her seat until the decision of the question. No Member other than the Member who raised the question of order will speak to that question, except with the permission of the Convener. The decision of the Convener on a question of order will be final.
- (e) After a question of order is decided, the Member who was addressing the meeting at the time when it was raised will be entitled to proceed with the discussion giving effect to the Convener's ruling.

---

#### **14. Admission of Press and Public**

---

- (a) Subject to the extent of the accommodation available and subject to the terms of Sections 50A and 50E of the Local Government (Scotland) Act 1973, meetings of the Council and meetings of any Committees, and Sub- Committees shall be open to the public. The Chief Executive shall be responsible for giving public notice of the time and place of each meeting of the Council by posting it within all Public Libraries and public areas of certain other Council premises, specifically Aurora House, Clydebank Town Hall, the main Dumbarton Office, Church St, Dumbarton Municipal Building and all One Stop Shops not less than three clear days before the date of each meeting and in the case of meeting of Committees and Sub-Committees held at premises other than the offices of the Council, such public notice may be posted at the premises where the meeting is to be held.
- (b) Every meeting of the Council shall be open to the public but these provisions shall be without prejudice to the Council's powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting. The Convener may exclude or eject from a meeting a Member or Members of the Press and Public whose presence or conduct is impeding the work or proceedings of the Council.

---

#### **15. Powers, Authority and Duties of Convener and Vice-Convener**

---

The Convener will ensure, with the assistance of the Legal Officer present, that Standing Orders are observed. Deference shall at all times be paid to the authority of the Convener. When he/she speaks the Convener shall be heard without interruption and no Member shall speak until the Convener concludes speaking. The decision of the Convener on all matters within his/her jurisdiction is final. The Convener shall:-

- (a) Preserve order and ensure that every Member of the Council shall have a fair hearing.
- (b) Decide on matters of relevancy, competency and order, and whether to have a recess during a meeting, having taken into account any advice offered by the Legal Officer present at the meeting.
- (c) Determine the order in which speakers can be heard.
- (d) Ensure that due and sufficient opportunity is given to Members of the Council who wish to speak to express their views on any subject under discussion.
- (e) Require that any motion or amendment shall be stated and/or reduced to writing providing that the Convener shall allow sufficient time for this to be done.
- (f) Maintain order and at his/her discretion, order the exclusion of any member of the public who is deemed to have caused disorder or misbehaved.

---

## **16. Suspension of Members**

---

Appendix 3 of these Standing Orders records the part of the Standards Commission for Scotland's guidance on the code of conduct that deals with conduct of meetings. Members of Committees including members who are not Councillors are expected to adhere to the guidance. In the event of any Member of the Council disregarding the order or authority of the Convener at any meeting, or being guilty of obstructive or offensive conduct at any meeting, and the Convener calling the attention of the meeting to the same, the Council may, on the motion of any Member, duly seconded and supported by the vote of a majority of the Members present and voting, suspend such Member so offending for the remainder of the sitting. No debate will be allowed on such a motion. The Convener may be entitled to call for such assistance as he/she deems necessary to enforce a decision to suspend taken in terms of these Standing Orders.

---

## **17. Adjournment**

---

- (a) At any time, including in the event of disorder, the Convener may adjourn the meeting to a time he/she may then fix or at a later date, and the quitting of the Chair by the Convener will be the signal that the meeting is adjourned.
- (b) The Council may, at any of its meetings, adjourn the same to such time as it may then fix, failing which, the Convener will set the time.

- (c) A motion for adjournment of the meeting may be made at any time (not being in the course of a speech) and will have precedence over all other motions. It will be moved and seconded without discussion and will immediately be put to the meeting.
- (d) When an adjourned meeting is resumed, the proceedings will, subject to the terms of Standing Order 7, commence at the point at which they were broken off at the adjournment.

---

## **18. Deputation**

---

- (a) Except as provided for in paragraph (b) hereof no deputation will be received by the Council unless an application for admission setting forth the subject on which the deputation seeks to be heard will have been lodged with the Chief Executive by 4pm at least eleven clear working days before the meeting. Notice of any such deputation will be entered in the circular calling the meeting and at such meeting the Council may agree to decline to receive a deputation.
- (b) If the deputation directly relates to an item on the agenda, community councils, West Dunbartonshire Tenants' & Residents' Organisation (WDTRO) and other recognised tenants' and residents' groups will be entitled to make an application under Standing Order 18(a) hereof up to five clear working days before the meeting and by 4pm on that final date. Notice of any such deputation will be entered in a supplementary circular and at such meeting the Council may agree to decline to receive the deputation.
- (c) Save when determining policy matters, no deputation shall be received in relation to any regulatory or quasi-judicial function of the Council.
- (d) When a deputation is received, it will be competent for Members of the Council to put to the deputation any questions pertinent to the subject on which they had sought to be heard, but no Member will express an opinion upon, or discuss the subject until the deputation has withdrawn.
- (e) No deputation will consist of more than five people, two of whom may address the Council for a total together of not more than ten minutes.

---

## **19. Motions and Amendments**

---

It will be competent for any Member of the Council at a meeting of the Council to move:-

- (i) a motion directly arising out of the business before the meeting; or
- (ii) a motion of which the requisite notice has been given and which appears on the programme of business, subject to the terms of Standing Order 9.

---

## **20. Alteration, Deletion and Rescission of Decisions of Council**

---

- (a) A Decision of Council made within the last six months may only be altered, deleted or rescinded where:-
- (i) In the opinion of the Legal Officer not doing so would, either lead to a material breach of any legislative provision, or any determination of a court having jurisdiction or any other legal obligation to a third party, or would be likely to lead to a failure by the Council to meet its Best Value Duty in terms of the Local Government in Scotland Act 2003; or
  - (ii) The original Council decision cannot be implemented due to reasons out with the control of the Council; or
  - (iii) Where, as a matter of urgency, having regard to the potential loss of life, risk of substantial economic loss to the Council or any third party, (including potential loss or material underutilisation of funds or resources not available at the time of the decision of Council), it is deemed by the Chief Executive that the matter ought to be reconsidered by the Council.
- (b) In determining whether a motion seeks to alter, delete or rescind a decision of Council, the test shall be whether the wording of the original decision requires to be altered, deleted or rescinded.
- (c) The Council's Monitoring Officer is authorised to vary these Standing Orders but only in the following circumstances:
- (i) to reflect changes in job titles, reorganisations of services and vacancies in posts; or
  - (ii) to change references to any piece of legislation where the legislation is repealed and to insert references to new pieces of legislation where the new pieces of legislation largely re-enact the provisions of repealed legislation; or
  - (iii) to correct references to any documents where the document has been superseded or replaced.
  - (iv) to replace Appendix 3 in the event of updated guidance being received from the Standards Commission for Scotland.

- (d) After every ordinary local government election there shall be a period of nine months during which standing orders may be reviewed following a report by the Monitoring Officer. Out with that period no motion to alter, delete or rescind any provision of standing orders will be competent unless a decision is made prior to consideration of the matter to suspend this standing order in terms of Standing Order 28 and allow consideration. The only exception will be where the Chief Executive, on the advice of the Legal Officer, brings a report to Council advising changes to Standing Orders due to special circumstances and in such a case the Council will be allowed to change Standing Orders, excluding this Standing Order and Standing Order 1(b) by a majority vote.

---

## **21. Order of Debate**

---

- (a) There should be no debate on a motion unless there is an amendment.
- (b) The mover of a motion or an amendment will not speak for more than ten minutes, except with the consent of the Convener. Each succeeding speaker will not speak for more than five minutes. When the mover of a motion or amendment has spoken for the allotted time he/she will be obliged to finalise speaking, otherwise the Convener will direct the Member to cease speaking and to resume his or her seat.
- (c) Every Member of the Council who speaks at any meeting of the Council will stand or identify themselves and address the Convener and direct his/her speech to any relevant issue as provided for in these Standing Orders.
- (d) No Member, with the exception of the mover of the motion or amendment, will speak supporting the motion or amendment until the same has been seconded.
- (e) Subject to the right of the mover of a motion, and the mover of an amendment, to reply, no Member will speak more than once on the same question at any meeting of the Council, except:-
- on a question of order;
  - with the permission of the Convener, or
  - in explanation or to clear up a misunderstanding in regard to some material part of his/her speech.
- (f) Where a Member moves a motion or amendment that is not seconded, the Member may still speak in the debate.
- (g) In all of the above cases in Standing Order 21(e) no new matter will be introduced.
- (h) A seconder of a motion or amendment must reserve their right to speak if they intend to speak at a later period in the debate.

- (i) The mover of an amendment and thereafter the mover of the original motion will have a right of reply for a period of not more than 5 minutes. He/she will introduce no new matter and once a reply is commenced, no other Member will speak on the subject of debate, except as provided for in Standing Order 21(e). Once these movers have replied, the discussion will be held closed and the Convener will call for the vote to be taken.
- (j) No Member shall move or second more than one motion or amendment upon a particular issue, although a Member who has moved or seconded a motion or amendment shall not be precluded from moving or seconding a fresh amendment if the original motion or amendment is not seconded or is withdrawn in terms of Standing Order 23.
- (k) It will be competent for any Member who has not already spoken in a debate to move the closure of such debate. On such motion being seconded, the vote will be taken, and if a majority of the Members present vote for the motion, the debate will be closed. However, closure is subject to the right of the mover of the motion and of the amendment(s) to reply. Thereafter, a vote will be taken immediately on the subject of the debate.
- (l) Any Member may indicate his/her desire to ask a question or offer information immediately after a speech by another Member and it will be the option of the Member to whom the question would be directed or information offered to decline or accept the question or offer of information.
- (m) When a motion is under debate, no other motion or amendment will be moved except in the following circumstances:-
- to suspend a Member in terms of Standing Order 16;
  - to adjourn the meeting in terms of Standing Order 17; or
  - to close the debate in terms of Standing Order 21(k).
- (n) Officers present at the meeting, with the exception of Statutory Officers and the Legal Officer will not be allowed to address the Council once the Council is in debate, except:-
- where the Officer has been asked a direct question by the Convener;
  - where a question of legal or financial propriety requires to be addressed or clarified;
  - where the Officer is asked to address an issue for clarification by the Convener; and
  - where the Convener decides that the Officer's advice is required.

It should be noted that Officers should be treated in accordance with the Protocol for Member/Officer relations.

---

**22. No Secorder for Motions or Amendments**

---

Motions and amendments made but not seconded shall not be recorded in the minutes.

---

**23. Alteration/Withdrawal of Motion or Amendment**

---

A motion or amendment once moved and seconded cannot be altered or withdrawn unless with the consent of the proposer and seconder and the majority of those present.

---

**24. Voting**

---

- (a) All business of the Council will be decided by a majority vote of those Members present and voting, except in those circumstances where these Standing Orders specify that a two-thirds majority is required in terms of Standing Orders 1(b) and 28.
- (b) Where a motion and one amendment only are before the meeting the amendment will be taken against the motion with the amendment being voted on first. If there are more amendments than one, the amendment last proposed will be put against that immediately preceding and the amendment then carried against the next preceding and so on until there remains only one amendment, between which and the original motion the vote will be taken.
- (c) Where a Member has moved a motion and has failed to find a seconder that Member will be entitled to have his/her dissent recorded in the minutes.
- (d) If a Member wishes his/her abstention to be recorded in the minutes, he/she must immediately declare so to the meeting when the vote has been taken.

---

**25. Recording of Vote**

---

After the Convener has announced the question on which the vote is to be taken, no Member will be permitted to offer an opinion, ask a question or otherwise interrupt the proceedings, nor will any Member be entitled to have his/her vote recorded after he/she has failed to vote.

---

## **26. Method of Voting**

---

The votes will be taken by show of hands except:-

- (i) where the Council agrees that voting will be by way of roll call. If two members move the contrary then the issue of whether there will be a roll call vote will be resolved by a vote under 24(a) hereof; or
- (ii) where on advice from the Legal Officer the matter involves the potential illegality or breach of any code, it is deemed necessary that a roll call vote be held.

---

## **27. Casting Vote**

---

In addition to his/her deliberative vote, the Convener will have a casting vote in cases of equality of voting, except in the case of appointment of a Member of the Council to any particular Office or Committee, in which case the decision will be by lot.

---

## **28. Suspension, Deletion or Amendment of Standing Orders**

---

Any one or more of the Standing Orders upon motion may be suspended, amended or deleted at any meeting so far as regards any business at such meeting provided that two thirds of the Members of the Council present and voting shall so decide. Any motion to suspend standing orders shall state the number or terms of the standing order(s) to be suspended.

---

## **29. Powers reserved by the Council**

---

The Council reserves to itself the following powers:-

- (a) All functions and remits which are in terms of Statute or other legal requirement bound to be undertaken by the Council itself and not delegated to Committees or other individuals or bodies.
- (b) The setting of rents for houses held in the Council's Housing Revenue Account.
- (c) The approval, revision and or alteration of the annual Estimates of Capital and Revenue Expenditure.
- (d) The approval of all policy initiatives relating to the business of the Council except where the power has been delegated to a Committee or Sub- Committee.

- (e) Council may call for an explanation and a written report of a particular course of action of a Council department or officer, when such a course of action was taken under delegated powers.
- (f) Council may refer any matter to any Committee for consideration and determination as appropriate.
- (g) Upon receipt of a report or on receipt of such an explanation as referred to at Standing Order 29(e), Council may either note the report, or require reconsideration of the matter by the appropriate Committee, Sub-Committee or Working Group.
- (h) The power to amend or delete Standing Orders in accordance with Standing Order 28.
- (i) The determination as to the most appropriate way to deal with any new duty, power or remit which may from time to time be assumed, where the same is not obviously associated with any Committee, body or individual.
- (j) The approval of reasons for the non-attendance of Members at meetings in accordance with Section 35 of the Local Government (Scotland) Act 1973.
- (k) To revoke, delete, amend or remove any delegated authority given to any Committee.
- (l) To appoint and remove Members and nominate and remove Conveners of any Committee or body as well as to appoint to Committees persons who are not Members of the Council. All subject to where any appointed or nominated Member is a Member of a political group within the Council any changes to memberships of committees, the Deputy Leader of the Council, Conveners, Deputy Conveners and nominations to bodies may be made by the political group notifying the Council's Senior Legal Officer in writing of the change. At least eleven clear working days' notice is required before the change is implemented.
- (m) Consideration of all affiliation requests.

## PART II

---

### 30. Proceedings of Committees and Sub-Committees

---

- (a) The foregoing Standing Orders for meetings shall as far as applicable be the rules and regulations for the proceedings of Committees and Sub-Committees and therefore reference to the term 'Council' in the said Standing Orders should be interpreted accordingly. The term 'Convener' shall also be deemed to include the Convener or Chairperson of any Committee or Sub-Committee but only in relation to such Committees or Sub-Committees. The Chairperson of any Sub-Committee must be a member of the Parent Committee.
- (b) The business of the Committees or Sub-Committees will be conducted as follows:-
  - (i) The business of the Committee or Sub-Committee will be conducted in accordance with the provisions of Standing Orders and any Statutory or Regulatory provisions in respect of such business.
  - (ii) Such business will proceed primarily on the basis of reports submitted by Officers or referrals by Council, other Committees or other relevant bodies.
  - (iii) Notwithstanding the foregoing, Council may, if it considers it appropriate for the proper conduct of the business of the Council, instruct a report on, or consider any matter as it is referred to in the remits of any Committee or Sub-Committee.
- (c) The Ordinary Meetings of Committees will commence at times as may be determined by the Council and will meet according to a timetable determined by the Council from time to time. Without prejudice to the foregoing, the Convener of a Committee or Sub-Committee will have power where the circular calling the meeting has not been issued to rearrange the date, time and place of a Committee or Sub-Committee in cases of urgency, subject to obtaining the agreement of the Council Leader and the Leader of the Opposition.
- (d) A Convener of a Committee or Sub-Committee may at any time give instructions for the calling of a special meeting, but the notice will state the special purpose for which it is called. Such meeting will be held at the time, date and venue as determined by the Convener.
- (e) The exercise of delegated authority by a Committee or Sub-Committee is discretionary and a Committee or Sub-Committee may determine not to exercise its delegated powers.

- (f) The consideration of all Committee business which has not been completed before the meeting is brought to an end shall be postponed to the next meeting of the Committee, whether Ordinary or Special.
- (g) Committees and Sub-Committees shall appoint their own Conveners or Vice- Conveners if Council has failed to do so. In the absence of the Convener or Vice-Convener the Committee will be required to elect a member from those present to chair the meeting.
- (h) In the event that an issue arises which falls within the remit of more than one Committee, the Conveners of said Committees will determine which Committee shall deal with the issue. Where the Conveners cannot agree, the Leader of the Council shall make the determination.
- (i) There will be no temporary substitution of Members of Committees and Sub- Committees unless specific provision is made for the temporary substitution of Members of a particular Committee or Sub-Committee within these Standing Orders or in any relevant Minute of Agreement, Constitution or similar document.

---

### **31. Approval and Signing of Minutes**

---

- (a) Minutes of Meetings of Committees with delegated powers shall be submitted to the next ordinary meeting of that Committee for approval and thereafter signed by the Convener of that Committee. It should be noted that Officers may implement any decision made within the delegated powers of such Committees immediately after the meeting.
- (b) Minutes of Meetings of Committees, which do not have delegated powers, will be submitted to Council for approval of the decisions contained therein. Following approval by Council, Officers will be able to implement any decisions contained within the Minutes.
- (c) No discussion shall take place upon the minutes, except upon their accuracy and any question on their accuracy shall be raised by motion. Members will be entitled to ask the Convener to provide an update on the implementation progress of any decision taken by a Committee with delegated powers. However no Member shall be entitled to propose a motion arising therefrom except if eleven clear working days' notice thereof has been given in terms of Standing Order 9.
- (d) If amended by Council or Committees, the Minutes will be changed to reflect such amendment and annotated accordingly. The annotated version will be stored on CMIS and collated with the final Volume of Minutes which is archived.

---

## **32. Creation and Membership of Committees**

---

- (a) Council has established the following Committees and Sub-Committees:-
- Appeals Committee
  - Adult Protection Committee
  - Audit Committee
  - Communities, Museums and Culture Development
  - Corporate Services Committee
  - Educational Services Committee
  - Housing and Communities Committee
  - Infrastructure, Regeneration and Economic Development Committee
  - Licensing Committee
  - Local Review Body
  - Planning Committee
  - Recruitment and Individual Performance Management Committee
  - Tendering Committee
- (b) The memberships, remits, delegated powers and arrangements for meetings of the above Committees or Sub-Committees will be as detailed in Appendix 2 of these Standing Orders.
- (c) Council will create such other Committees or Sub-Committees from time to time as it considers appropriate.

---

## **33. Other Constituted Bodies**

---

(a) **Community Alliance**

- (i) Membership/Arrangements for Meetings
- The membership of the Community Alliance is composed of 3 Members of the Council and representatives of local community based organisations. Community representation is by means of:-West Dunbartonshire Access Panel - 1 member.
  - West Dunbartonshire Community Council Forum – 2 members.
  - West Dunbartonshire Community Care Forum (Health) – 1 member.
  - West Dunbartonshire Minority Ethnic Association – 1 member.
  - West Dunbartonshire Seniors' Association – 1 member.
  - Tenants & Residents Associations – 2 members (Currently Dalmuir Multi Storey Flats Tenants and Residents Group - 1 place currently vacant for the Dumbarton/Vale of Level Area).
  - West Dunbartonshire Citizens Advice Service (Money Advice/Poverty) - 1 member.

- Gingerbread Scotland (Lone Parents) - 1 member.
- Neighbourhood Forums – 2 members (Currently Bellsmyre and Faifley)
- Community Forums (Clydebank, Dumbarton and Vale of Leven – 1 place each) – 3 places.
- 2 places are available on a rotational basis for additional individual groups which express an interest in involvement. These places are rotated by ballot every 2 years.

The quorum of the Community Alliance will be one quarter of the Community Alliance membership, which must include one elected member.

In addition to the power to establish Sub-Committees, the Community Alliance will have the power to establish Working Groups to examine and report on specific issues.

Community members of the Alliance can request that appropriate items are placed on the agenda of the Alliance for consideration. In addition, agendas will include an Open Forum which will provide the opportunity for members of the public to raise issues for consideration by the Alliance.

(a)(ii) Role and Remit

The Alliance is a central forum where the community can make its views known and influence both the Community Planning Partnership agenda and Council decision making. Recommendations of the Community Alliance will normally make representations to the Community Planning Partnership Board but where appropriate may make representations to the appropriate committee of the Council.

The general remit of the Community Alliance will be:-

- To ensure that the Council maintains appropriate mechanisms to encourage and support the development of local community based organisations.
- To provide a forum for obtaining the views of community based organisations.
- To co-ordinate discussion and action on issues raised by community groups and forums.
- To consider comments and suggestions from community based organisations about Council services.
- To consider, promote, and monitor Council consultation arrangements, participation structures and policies and also wider public involvement structures and community engagement arrangements.
- To encourage Social Inclusion and Equality.
- To encourage Health Improvement.

- To co-ordinate community involvement in the ongoing development and review of the Council's Decentralisation Scheme – 'Involving Communities' - (in terms of the Local Government Etc. (Scotland) Act 1994, to monitor the progress of the Scheme, and to make recommendations to Council on the nature of decentralisation in West Dunbartonshire and on any delegation of power.
- To promote community involvement in partnership working and to consider matters relating to community involvement in partnership working in West Dunbartonshire.
- To consider matters relating to Community Councils.
- To consider matters relating to the Voluntary Sector.
- To receive information about Council services, policies and associated business.

(a)(iii) **Specific Issues Referred by Services**

The Community Alliance will have a role in the consideration of some specific issues referred by the Chief Executive and Strategic Directors responsible for the development and management of specific services. Such issues could include:

- Public facilities and events.
- Proposals for new or amended services.
- Equalities in all Council services.

Nevertheless, the Committees directly responsible for services will also be required to ensure there are opportunities for direct contact with the relevant service users. This will be the first responsibility, and appropriate arrangements may or may not include the Community Alliance. (It is recognised that the Community Alliance does not have the capacity to provide comment on every issue requiring comment from service users.)

(b) **Joint Consultative Forum**

The Joint Consultative Forum will report to the Corporate Services Committee.. The remit operation and other membership of the Forum will be as stated in its constitution until the Council determines otherwise.

(c) **Local Negotiating Committee for Teachers**

The remit, membership and operation of the Local Negotiating Committee for Teachers will be as previously determined by Council as stated within its Minute of Agreement until Council determines otherwise, with the exception of the reporting procedure whereby it will report to the Educational Services Committee.

---

**34. Working Groups**

---

- (a) The Council and its Committees may establish any working group as may be required from time to time but each working group will have a limited time span as may be determined by Council or the parent Committee.
- (b) The membership, chairperson and quorum of working groups will be determined by Council or the parent Committee, which membership will comprise Elected Members and, where appropriate, officers from this Council and/or representatives from community groups/partner agencies.
- (c) A working group is not a committee or sub-committee of the Council and will not have any delegated powers to implement its findings but will prepare a report for consideration by Council or the parent Committee.
- (d) Where a working group is unable to make a decision by consensus, the matter shall be determined by a vote by those Elected Members present and voting, in accordance with the rules of voting as previously described within these Standing Orders.
- (e) Agendas and Reports for consideration at Working Groups will be issued by electronic means to all members no later than two days (not including Saturday and Sunday) prior to the start of the meeting.

## PART III

---

### 35. Officers Delegated Powers

---

The Council has a Scheme of Delegation to Officers which is kept under review. All delegations referred to in the Scheme are subject to the principles in this Standing Order.

- (a) The undernoted powers are delegated to Officers of the Council:-
- (i) The Chief Executive or appropriate Chief Officer will have delegated responsibility for all matters in respect of the operation, development and implementation of policy for the service area assigned to them unless specifically reserved to the Council or other Committees or contrary to the principles listed in paragraph (b) below, together with such Statutory Duties as may have been specifically and personally assigned to them.
  - (ii) The Chief Executive and/or the relevant Strategic Directors will be responsible for the appointment of all posts below the level of Strategic Director. However the Leader of Council and the Leader of the Opposition will be invited on to the interview panel for the appointment of Statutory Officers (subject to the agreement of the NHS Greater Glasgow & Clyde Health Board in respect of the Chief Social Work Officer). The Convener of the Educational Services Committee will be invited onto the interview panels for the recruitment of Head Teachers.
  - (iii) Such delegations are at all times to be exercised with due care and attention and in accordance with all relevant law, and the Council's Standing Orders, Financial Regulations, policies and procedures.
  - (iv) Notwithstanding these standing orders, decisions on non-operational matters should, where practical and legal, be taken in consultation with the Leader of the Council and relevant Spokesperson or by elected members at Council or Committee.
  - (v) Where clarification is required, the Chief Executive, in consultation with the Monitoring Officer and Leader of the Council will determine which matters are operational or otherwise.
- (b) Officers will exercise those powers referred to above in accordance with the following scheme:-
- (i) The Chief Executive and other such officers as aforesaid may, except insofar as the function is by law required to be exercised personally by a named or designated officer, authorise other officers to exercise such functions.

- (ii) Delegated powers should generally not be exercised where any decision by an authorised officer would represent a departure from Council policy or procedure or would be contrary to a standing instruction of Council (or Committee), or would itself represent a significant development of policy or procedure.
- (iii) Such decisions will be referred to Council, or the appropriate Committee, except in the case of urgency, where the officer may, after consultation with the relevant Service Spokesperson or Convener of the appropriate Committee, exercise such delegated powers.
- (iv) Should such powers be exercised in urgent circumstances, a report will be submitted to the next appropriate Committee for noting.
- (v) If any decision proposed under delegated powers might lead to a budget being exceeded, the officer must consult with the relevant Service Spokesperson or Convener of the appropriate Committee, as appropriate, and the Chief Executive, before exercising the delegated power.
- (vi) Chief Officers must ensure that the relevant Service Spokespersons, as appropriate, are consulted on matters of a controversial nature.
- (vii) Where appropriate, such matters should be referred to Council or the appropriate Committee for decision.
- (viii) In particular and without prejudice to the foregoing, Chief Officers will exercise particular care in determining whether a matter is to be regarded as controversial in the following circumstances:-
  - Where determination of the issue may involve a decision contrary to local or national policy or the determination may lead to a breach of a relevant Code of Guidance.
  - Where it is proposed that any issue be determined contrary to significant objections or the strong recommendation of Statutory Consultees.
  - The Officer proposes to determine the matter, or act in a manner, contrary to the recommendation of other officers whom he/she is obliged to, or has chosen to, consult with.
  - There are perceived public safety or significant public policy issues dependent on the determination (save in the case of urgency as aforesaid).
  - Standing Orders, National or International regulation requires determination otherwise.
  - There are questions of legality or financial advisability/probity involved.

## PART IV

---

### 36. Contract

---

1. Part IV of the Standing Orders is made under Section 81 of the Local Government (Scotland) Act, 1973 and applies to all contracts for the supply of goods or materials or for the execution of works or for the provision of services (after referred to as Supplies, Works and Services). Where such contracts are regulated by any legislation or any Directive of the European Union and there is a conflict between the terms of that legislation or that Directive and the terms of this Standing Order, the terms of the legislation or Directive will prevail.
2. No tender will be invited or contract entered into unless the estimated expenditure has been previously approved by the Council, which will in the case of tenders or contracts falling within the limits delegated to Strategic Directors be deemed to be satisfied provided the sums to be expended have been provided for and approved as part of the Revenue Estimates for the year in question, or in the case of capital expenditure, either specifically approved in a report to Members, or included with other items under a generic heading and so approved. Where such expenditure is likely to be greater than the limits of the Strategic Director's delegated authority, a report specifically requesting consent to expend the sums involved will require to have been approved by Members.
3. Part IV of the Standing Orders will be read in conjunction with the Financial Regulations, and in particular Section Q – Procurement Financial Regulations.
4. The provision of Supplies, Works or Services will be regulated by these Standing Orders except where there is an emergency involving danger to life or property or where the estimated expenditure, inclusive of all consequential costs over the period of the contract, is less than £50,000. In either of those cases the Strategic Director concerned may authorise the expenditure immediately.
5. The Council may invite tenders in one of the methods specified in the Procurement Financial Regulations, to ensure appropriate competition and the delivery of Best Value.

---

### **37. Cancellation**

---

Every contract will contain a clause entitling the Council to terminate the contract and to recover from the contractor the amount of any loss resulting from such termination if the contractor or his/her representative (whether with or without the knowledge of the contractor) will have practiced collusion in tendering for the contract or any other contract with the Council or will have employed any corrupt or illegal practices either in the obtaining or execution of the contract or any other contract with the Council.

---

### **38. Assignment**

---

Except where otherwise provided in the contract a contractor will not assign or sub-let a contract or any part thereof without the prior written consent of Council.

---

### **39. Tendering Procedures**

---

- (a) The Council will not be obliged to accept the lowest or any other tender, and may where it has indicated its intention to do so in the tender documentation, award on the basis of the Most Economically Advantageous Tender for the Council.
- (b) The detailed procedures specified in the Procurement Financial Regulations will apply to all Tenders received.
- (c) The Strategic Director will, if previously required by the committee authorising the expenditure, prepare and submit to the Tendering Committee a written report in respect of all tenders received and containing a specific recommendation as to the acceptance or otherwise for each tender and the reasons therefor.

---

### **40. Exception to Tender Requirements**

---

Tenders will not be required in the following situations:-

- (a) Where the detailed provisions of the Procurement Financial Regulations permit the award of a contract without a Tender.
- (b) Where the Supplies, Works and Services are provided by one part of the Council to itself and there is no legal requirement to Tender.

- (c) Where the contract is certified by the Chief Executive to be required so urgently as not to permit the invitation of tenders or to require a relaxation in the term within which they are invited, subject to a full report being submitted to the next appropriate meeting of Council or the relevant Committee.

---

## **41. Specifications**

---

All Specifications issued by and all contracts made with the Council will contain provisions and conditions to the following effect:-

- (a) The contractor will recognise the freedom of all his/her workpeople employees to be members of trade unions.
- (b) Unless the relevant Strategic Director specifies to the contrary, all contracts in writing with the Council shall require a clause to be added requiring contractors to confirm that they are and will comply with all relevant equal opportunities law but the omission of any such clause shall not thereby cause any such contract to be reduced on that basis.
- (c) The contractor will at all time during the continuance of a contract display for the information of his/her workpeople/employees in every factory, workshop or place occupied or used by him/her for the execution of the contracts, a copy of this Order.
- (d) The contractor will be prohibited from transferring or assigning or sub-letting directly or indirectly, to any person or persons whatever, any portion of his/her contract without the written permission of the Council. The contractor will be responsible for the observance of this clause by any approved sub- contractor.
- (e) The contractor will keep proper wages books and time sheets, showing the wages paid and (so far as practicable) the time worked by the workpeople in his/her employ in and about the execution of the contract, and such wages books and time sheets will be produced, whenever required, for the inspection of any officer authorised by the Council.
- (f) The contractor will in respect of all persons employed by him/her (whether in execution of the contract or otherwise) in every factory, workshop or place occupied or used by him/her for the execution of the contract comply with the general conditions required by this Order.
- (g) In the event of any question arising as to whether the requirements of this clause are being observed, the question will, if not otherwise disposed of, be referred to an independent arbiter for decision.

---

**42. Work and Accounts**

---

No account will be presented for payment unless its accuracy is certified by the Strategic Director or person nominated by the Strategic Director concerned.

## PART V

---

### 43. Definitions

---

- (a) In these Standing Orders the following words and phrases will have the following meanings respectively ascribed to them:-
- (1) Convener will mean the person appointed to Chair the Council, Committee or Sub-Committee.
  - (2) Vice-Convener will mean the person appointed to Chair the Council, Committee or Sub-Committee in the absence of the Convener.
  - (3) Service Spokesperson will mean the member who has been given responsibility for the group of services. The post holder will be a Senior Councillor and will receive appropriate remuneration in terms of the Scheme of Allowances.
  - (4) Chief Executive will mean the Head of Paid Service of the Council as defined in terms of the Local Government and Housing Act 1989 s4(1)(a) or such other person as may be nominated by him/her.
  - (5) The Chief Financial Officer will mean the proper officer so designated by the Council in terms of the Local Government (Scotland) Act 1973 s95 or such other qualified accountant as may be nominated by him/her.
  - (6) The Council will mean West Dunbartonshire Council being a Local Authority constituted under the Local Government Etc. (Scotland) Act 1994 s1 and Schedule 1 thereto.
  - (7) Elected Members and Member will mean, except where the expression will otherwise so require, a Councillor of the Council only, as the word "Councillor" is defined by reference to Local Government Etc. (Scotland) Act 1994 s5.
  - (8) Chief Officer will include the Chief Executive, Strategic Directors and Strategic Leads.
  - (9) Legal Officer will mean the Council's Senior Legal Officer or such other legally qualified person as may be nominated by him/her.

- (10) (a) A Decision of Council will be deemed to have been made where any of the following circumstances occur:-
- (i) A motion or amendment pursuant to Standing Order 19, and otherwise in accordance with the provisions of these Standing Orders, has been passed by the necessary majority.
  - (ii) The exercise by the Chief Executive of the discretion available to them in terms of Standing Order 40(c).
- (b) Such Decision of Council will be deemed to include any necessary actions required to give effect to such decision.
- (c) Where a Decision of Council is subsequently found to be incapable because of a defect or a new supervening factor, then subject to the confirmation of the Chief Executive upon advice taken, the Decision of Council may be given effect to with the removal of such defective element, or its replacement with a suitable and in all respect compatible element, provided always that the likely outcome of the resultant Decision of Council is materially the same or sufficiently similar to the original decision. In such circumstances the Chief Executive will be obliged to report such change to the next appropriate meeting of the Council, and any decision on such report will not require the suspension of Standing Orders in terms of Standing Order 28.
- (11) The Interpretation Act 1978 applies to the interpretation of the Standing Orders as it applies to an Act. Any Act or other legislative provision referred to herein will be any Act or legislative provision as amended or repealed and re-enacted with or without modification as may from time to time occur.
- (12) Office holder will mean any of those Elected Members who for the time being have been appointed to the following positions:- Convener of the Council; Depute Convener of Council; Convener of any Committee of Council, any Service Spokesperson, Leader of the Council; Depute Leader of Council; and Leader of the Opposition.
- (13) Party will mean any grouping of two or more Members.
- (14) Advisory committee will mean a committee appointed by the Council to advise the Council on any matter relating to the discharge of their functions in terms of Section 57 (4) of the Local Government (Scotland) Act 1973.
- (15) Public Holiday will mean any day on which the Council's main offices at Dumbarton and Clydebank are closed.

- (b) For the purpose of these Standing Orders the term “working days” will mean Monday to Saturday inclusive, excluding public holidays.
- (c) In determining the computation of time for the purposes of the Standing Orders where the last day upon which anything is permitted to be done is a Saturday, Sunday, or a Public Holiday or a day appointed for public thanksgiving or mourning the permission will be deemed to relate to the first day thereafter which is not one of the days before mentioned.
- (d) These Standing Orders will mean these Standing Orders in 5 parts. All other documents forming part of the Scheme of Administration will have the same standing as Standing Orders and can only be amended in the same manner as Standing Orders.
- (e) The Scheme of Administration will mean: these Standing Orders the Council’s Financial Regulations; the Scheme of Members’ Allowances; the Schedule of Meetings; any Code of Conduct approved by/for the Council or any particular Committee; the Approved List of Membership of Committees, Joint Boards, Outside Bodies etc.; the Member/Officer Protocol; and other such documents as may from time to time be approved by Council.
- (f) In the event of any dispute or difference as to the interpretation or these Standing Orders and any other document forming part of the Scheme of Administration the Standing Orders will prevail.

**Procedures for Open Forum Questions**

1. There will be a maximum of five questions allowed on the agenda per meeting and such questions will be limited to one per person per meeting. Questions received after the initial five will not be included on the agenda, but will receive a written response.
2. Any member of the public wishing to ask a question or raise an issue at an Open Forum must submit his/her question in writing to the Chief Executive twelve clear working days (i.e. excluding Sundays) before the meeting.
3. The Chief Executive will apply the following criteria to all questions received:-
  - Questions should be a single question and not contain multiple points although an explanatory paragraph is permissible.
  - Questions should not make personal attacks on any individual.
  - Questioners must be resident in or have a business in West Dunbartonshire.
  - Questions should not seek to raise an issue where Council has provided an alternative appeal or other procedure to be followed.
  - Questions must not seek a grant or financial assistance.
  - Questions relating to individual employee issues or employment policies are not competent.
  - Questions to a committee must relate to the remit of the particular committee.
  - Questions must not relate to a matter where there is a process defined by law, such as a licensing application process or planning process.
  - Questions to regulatory committees may only relate to policy matters.
4. Providing the questions meet the above criteria, the questions will be listed on the agenda in the chronological order in which they have been received. If the question does not meet the above criteria, the Chief Executive will write to the questioner to explain why the question has not been allowed.
5. The Chief Executive, in consultation with the Leader of the Council, or the Convener will decide which Elected Member will respond to the question and will pass the question to that Elected Member as soon as possible.
6. All written questions submitted in accordance with the above will be acknowledged in writing and the questioner will be advised of the date, time and location of the meeting when the Open Forum will be held.
7. Before the start of the meeting the questioner should sit in the public gallery and remain there until invited to come forward by the Convener. It would be helpful if the questioner would make his/her presence known to the Clerk prior to the start of the meeting.
8. The Convener will invite each questioner to come forward and address the meeting.

The questioner should briefly introduce him/herself and read out the question.

9. The Convener will then invite the appropriate Elected Member to respond to the question. A written copy of the response will be circulated/ supplied to the questioner either at or as soon as reasonably possible after the meeting.
10. Thereafter, the questioner will be allowed to put one supplementary question to the Elected Member, if he/she so wishes. The supplementary question must arise directly out of the matter under consideration.
11. Following the Elected Member's response to the supplementary question (if any), the questioner will be invited to return to the public gallery. Where possible the supplementary question will be answered at the meeting, but in any event, a written response will be made to the questioner within seven days of the meeting.
12. Please note that, in accordance with Council Standing Orders, the Convener shall amongst other things:-
  - (a) Preserve order and ensure a fair hearing.
  - (b) Decide on matters of relevancy, competency and order.
  - (c) Maintain order and at his/her discretion, order the exclusion of any member of the public who is deemed to have caused disorder or misbehaved.
  - (d) The decision of the Convener on all matters within his/her jurisdiction shall be final.
  - (e) Deference shall, at all times, be paid to the authority of the Convener. When he/she speaks, the Convener shall be heard without interruption and any person standing shall resume their seat and no person shall rise to speak until the Convener is seated.

## Appeals Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Appeals Committee will comprise all members of the council who have undertaken training on appeals within the last 5 years and who wish to be members of the committee, only four of whom shall sit on any individual Committee. Where any Appeals concerns teaching staff, at least one member of the Appeals Committee will also be a member of the Education Committee
- 1.2 The quorum of the Appeals Committee will be three Elected Members.
- 1.3 The Appeals Committee will meet as and when required or in accordance with any timetable approved by the Corporate Services Committee or Council.

### 2. Role and Remit

- 2.1 The remit of the Appeals Committee will be to consider and decide upon Appeals submitted under the Council's Disciplinary and Grievance Procedures for all Council employees and Appeals against dismissals in accordance with other provisions or procedures.

### 3. Delegated Powers

- 3.1 The Appeals Committee has full delegated powers to implement its functions, remit and responsibilities as detailed above save that it does not have the power to reverse any decision taken by Council or any other Committee of the Council.

## Audit Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Audit Committee will comprise 8 Elected Members and 2 lay members. Lay members should not be members of any political party.
- 1.2 The quorum of the Audit Committee will be 3 Elected Members.

### 2. General

2.1 The purpose and remit of Audit Committee is to:

- Monitor, and make recommendations on the development of, the Audit, activity of the Council.
- Scrutinise the monitoring and review activity of the thematic and regulatory committees.

2.2 The Audit Committee will undertake a number of general responsibilities. These include:

- Monitoring and ensuring that the work of the committee, and the activities reported to the committee are responsive to the needs of local people.
- Monitoring and ensuring that the views of local people, employees and other stakeholders are sought on relevant issues.
- Promoting partnership working.

### 3. Audit

3.1 The Audit Committee will develop and monitor the provision of relevant Audit services. This may include:

- Considering and monitoring Audit Strategies, Policies and Procedures.
- Considering Annual Audit Plans and associated action plans.
- Considering other appropriate Internal Audit matters across the organisation.
- Considering External Audit reports and action plans as appropriate.
- Considering and monitoring the Council's Governance arrangements,
- Considering Internal Financial Control and Efficiency Statements.
- Considering and scrutinising Treasury Strategy and associated plans

- Commissioning and/or considering reports related to External Scrutiny of the Council or Council services, (including the Audit of Best Value and Single Outcome Agreement).

#### **4. Delegated Powers**

- 4.1 In general, the Audit Committee does not have delegated powers. All recommendations of the Audit Committee will be considered by Council, or by the appropriate committee.
- 4.2 As an exception to this, the Audit Committee has delegated powers to establish Sub-Committees and Working Groups to examine and report on specific issues.
- 4.3 The Audit Committee may call upon external experts to participate in specific reviews, (subject to any costs involved being approved by Council).

## Cultural Committee

### 1. **Membership/Arrangements for Meetings**

- 1.1 The membership of the Cultural Committee is composed of 5 Elected Members.
- 1.2 The quorum of the Cultural Committee will be 3 Elected Members.
- 1.3 In addition to the power to establish Sub-Committees, the Committee will have the power to establish working groups to examine and report on specific issues.

### 2. **Role and Remit**

#### 2.1 General

The purpose and remit of the Cultural Committee is to direct and supervise the activities of the Council in respect of Communications, Museums and Cultural Development.

- 2.2 The Cultural Committee will undertake a number of general responsibilities. These include:-

- Ensuring that the Committee retains a primary focus on its responsibilities for delivering on the outcomes which are within its area of responsibility.
- Monitoring the work of the Committee and ensuring that the activities reported to the Committee are responsive to the needs of local people.
- Ensuring that the views of local people, staff and other stakeholders are sought on the development and delivery of services.
- Promoting Social Inclusion and Equalities.
- Promoting Health Improvement in all areas for which the committee has responsibility.
- Considering the findings and recommendations of any working groups relevant to the Committee's areas of activity.

#### 2.3 Best Value

The Cultural Committee will monitor the implementation of Best Value and other continuous improvement initiatives within the scope of its remit.

## 2.4 Communications, Museums and Cultural Development

The Cultural Committee will develop and monitor the provision of the following services/functions:

- Museums
- Culture and Arts
- Cultural activities and council events, excluding civic events which are the responsibility of the Provost's Office.
- Town Twinning
- Corporate Communications
- Town Hall (excludes the main entrance at Dumbarton Road, main staircase and the entire first floor including the Provost's Rooms, Council Chambers and Members' accommodation).

## 2.5 Delegated Powers

The Cultural Committee will have full delegated powers to implement its functions, remit and responsibilities as detailed above. However the capital and revenue budgets for its functions will be monitored by the Corporate Services Committee.

## Corporate Services Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Corporate Services Committee is composed of 12 Elected Members.
- 1.2 The quorum of the Corporate Services Committee will be 4 Elected Members.
- 1.3 In addition to the power to establish Sub-Committees, the Corporate Services Committee will have the power to establish Working groups to examine and report on specific issues.

### 2. Role and Remit

#### 2.1. General

The purpose and remit of Corporate Services Committee is to direct and supervise the activities of the Council under Corporate Services and the Chief Executive's Service and as part of this to:-

- Direct and supervise the activities of the Council under its financial, business support, audit and procurement functions and relevant legislation.
- Direct and supervise the Regulatory functions of the Council i.e. legal, democratic and regulatory, including the implementation of relevant legislation (although licensing issues will be reported through the Licensing Committee and planning issues through the Planning Committee).
- Notwithstanding the separate policy committees for Planning and Licensing, the capital and revenue budgets for those services will be monitored by the Corporate Services Committee.
- Develop and monitor policy and service provision for Strategic Human Resources, Information and Communications Technology, Transactional Support, and Organisational Development and Change (including training and learning) within the Council.
- Monitor the capital and revenue budgets for the areas covered by the Cultural Committee.
- Considering delivery plans and workforce monitoring information for each area of the committee's activity.

The Corporate Services Committee will undertake a number of general responsibilities. These include:-

- Ensuring that the committee retains a primary focus on its responsibilities for delivering on the outcomes which are within its area of responsibility – as set out in both the Local Outcome Improvement Plan for West Dunbartonshire, and the Council's Strategic Plan.
- Monitoring the work of the committee and ensuring that the activities reported to the committee are responsive to the needs of local people.
- Ensuring that the views of local people, employees and other stakeholders are sought on the development and delivery of services.
- Promoting Social Inclusion and Equalities in all areas for which the committee has responsibility.
- Promoting Health Improvement in all areas for which the committee has responsibility.
- Promoting the development of relevant inter agency issues and supporting partnership working.
- Setting performance targets (within the context of the Corporate and Service Planning processes), for the overall standards of service and receiving reports on these.
- Establishing a strategic financial framework to underpin service delivery, continuous improvement and partnership arrangements.
- Monitoring capital expenditure in respect of each area of the committee's activity.
- Monitoring revenue budgets in respect of each area of the committee's activity.
- Considering the findings and recommendations of any working groups relevant to the committee's areas of activity.
- Consideration of reports relating to procurement

## 2.2 Best Value and Performance Review

The Corporate Services Committee will monitor the implementation of Best Value and other continuous improvement initiatives within the scope of its remit. It will scrutinise statutory and other performance information. This may include:-

- Developing and monitoring the Council's approach to the 'Efficient Government agenda and other associated corporate support issues.
- Considering relevant service plans and the setting of targets.
- Scrutinising performance reports on Service Plans.
- Considering reports on Best Value service reviews and other continuous improvement and quality initiatives.

### 2.3. Resources

The Corporate Services Committee will develop and monitor the provision of relevant financial services. This may include:-

- Preparation of the annual service revenue estimates and recommendation to Council.
- Preparation of the annual departmental capital plans and recommendation to Council.
- Monitoring the Council's capital and revenue budgets during the course of each financial year through consideration of regular reports and other information submitted to the Committee.
- Consideration of treasury management/Investment appraisal reports.
- Consideration of reports on revenues collection and related matters.
- Consideration of matters relating to council tax (except setting the annual level of tax) and benefits.
- Consideration of grants (where not otherwise covered by other Committees), to public or voluntary bodies in accordance with any direction or policy determined by the Council.
- Provision of financial services to other bodies, organisations, etc., subject to a charge being made where appropriate.
- Letting of insurance contracts and supervision of the Council's insurance portfolio.
- Monitor and develop provision of Audit and Fraud Service (this does not include scrutiny role as detailed within remit of the Audit Committee).

### 2.4. Regulatory Services

The Corporate Services Committee will develop and monitor the provision of relevant Regulatory Services, with the exception of planning and licensing matters as referred in paragraph 2.1 above. This may include:-

- Legal and Democratic support services to the Council, committees, partnership bodies and Council departments.
- Registration of Births, Deaths and Marriages and Civil Partnerships.
- Administration of Citizenship Ceremonies.
- Administration of Area Support Team (Children's Hearing Scotland) and recruitment of members of the Children's Panel
- Organisation of civic events and civic hospitality.
- Trusts.
- The Environmental Health and Trading Standards functions of the Council including food safety, health and safety, pest control, contaminated land, pollution control, infectious diseases, nuisances, consumer and business advice, fair trading and weights and measures (although Licensing issues will be reported through the Licensing Committee).
- Support services for Elected Members.

- Freedom of Information, Data Protection and Records Management.
- Registration of Investigatory Powers (RIPSA).

## 2.5 People and Technology

The Corporate Services Committee will oversee all employee related matters and organisational structure issues within the strategic areas of the Council.

This may include:

- Strategic area structures.
- All employee/employment matters.
- Pay arrangements, including issues, structures, job evaluation, pay and grading arrangements.
- Employment Policies and procedures.
- Change management, learning and development for employees and Elected Members.
- Matters relating to occupational pension schemes.
- Health and safety in the workplace.
- Employee Recognition arrangements (jointly with Lead for CCC)
- Employee centred performance issues such as attendance, diversity and equalities (jointly with Lead for CCC in equalities)
- Conditions of service for local government employees, craft workers and Chief Officials.
- ICT function and strategy.
- Risk, Health and Safety,
- Organisational Resilience and Business Continuity

## 2.6 Communications, Culture, Communities and Facilities

The Corporate Services Committee will develop and monitor the provision of those relevant Communications, Culture and Communities Services not included within remit of the Cultural Committee. This may include:-

- One Stop Shops
- Contact Centre
- Performance and Policy
- Libraries
- Equalities Act 2010
- Community engagement
- Facilities Management

## 2.7 Leisure Services

Leisure Services and halls operations are delivered by West Dunbartonshire Leisure Trust, who are responsible for operational matters including delivery of services. The committee has a responsibility for strategy and budgetary decisions, and monitoring performance.

## 2.8. Equalities

The Corporate Services Committee will oversee the development and monitoring of policies to address the range of equalities issues as they impact on the population of West Dunbartonshire, employees of the Council and other stakeholders.

## 2.9 Halkett Memorial Trust

The Corporate Services Committee will act as Trustees for the Halkett Memorial Trust (the "Trust") a Charitable Trust administered by the Council in line with the guidance laid down by the Office of the Scottish Charity Regulator (OSCR). The Trustees shall hold and apply all funds and assets as may from time to time be comprised in the Trust Property and that in trust for the advancement of art by supporting painting activities and painting competitions within and amongst primary schools located within the West Dunbartonshire area

## 2.10 Delegated Powers

The Corporate Services Committee will have full delegated powers to implement its functions, remit and responsibilities as detailed above.

## Educational Services Committee

### 1. Membership/Arrangements for Meetings

1.1 The membership of the Educational Services Committee will be as follows:-

- 14 Elected Members to be nominated by Council.
- When the Educational Services Committee considers Education matters (in so far as they relate to the exercise by the Council of its roles and responsibilities as Education authority) the following persons will also be present:-
- Three religious representatives (with voting rights) to be nominated in accordance with the procedures laid down in Section 124 of the Local Government (Scotland) Act 1973.
- Two permanent class teachers (with voting rights), made up of one primary and one secondary teacher.
- Nursery Head (non-voting) delegated by all Nursery heads can be invited on an ad-hoc basis by the Committee to advise where nursery education/childcare matters are on the agenda.
- Primary Head (non-voting) delegated by all Primary heads can be invited on an ad-hoc basis by the Committee to advise where primary matters are on the agenda.
- Secondary Head (non-voting) delegated by all Secondary Heads can be invited on an ad-hoc basis by the Committee to advise where secondary matters are on the agenda.
- Two parent representatives (with voting rights).

1.2 The quorum of the Educational Services Committee will be 5 Members, subject to the provision that when Education matters are being considered at least half of those present must be Elected Members.

1.3 In addition to the power to establish Sub-Committees, the Educational Services Committee will have the power to establish Working Groups to examine and report on specific issues.

### 2. Role and Remit

#### 2.1 General

The purpose and remit of the Educational Services Committee is to:-

- Direct and supervise the discharge of the functions of the Council as an Education Authority under the relevant legislation. This includes early childhood services, psychological services, specialist provision for children with additional support needs, mainstream school provision, sports development & outdoor education and the payment of Educational Maintenance Allowances and grants.

- Develop and monitor policy and service provision for Integrated Children's Services in West Dunbartonshire.
- Direct and supervise the discharge of the functions of the Council in relation to lifelong learning.
- Considering delivery plans and workforce monitoring information for each area of the committee's activity.

The Educational Services Committee will undertake a number of general responsibilities. These include:-

- Ensuring that the committee retains a primary focus on its responsibilities for delivering on the outcomes which are within its area of responsibility – as set out in both the Local Outcome Improvement Plan for West Dunbartonshire, and the Council's Strategic Plan.
- Monitoring the work of the committee and ensuring that the activities reported to the committee are responsive to the needs of local people.
- Ensuring and monitoring that the views of local people, employees and other stakeholders are sought on the development and delivery of services.
- Promoting Social Inclusion and Equalities in all areas for which the committee has responsibility.
- Promoting Health Improvement in all areas for which the committee has responsibility.
- Promoting, developing and monitoring West Dunbartonshire's Strategic Partnership Agreement to secure Better Integration for Children's Services.
- Promoting West Dunbartonshire's vision that all children have the best possible start in life by a shared commitment to improve services through joint planning.
- Providing the key accountability on behalf of the Council as the 'Corporate Parent' for looked after and accommodated children and young people – (note – joint remit with West Dunbartonshire Health and Social Care Partnership).
- Promoting the development of relevant inter agency issues and supporting partnership working.
- Setting performance targets (within the context of the Corporate and Service Planning processes, the Integrated Children's Services Plan, the Local Outcome Improvement Plan, and the NHS Community Health Partnership Annual Plan) for the overall standards of service and to receiving reports on these.
- Establishing a strategic financial framework to underpin service delivery and partnership arrangements.
- Monitoring capital expenditure in respect of each area of the committee's activity.
- Monitoring revenue budgets in respect of each area of the committee's activity.
- Considering the findings and recommendations of any working groups/forums relevant to the Committee's areas of activity.

## 2.2 Best Value and Performance Review

The Educational Services Committee will monitor the implementation of Best Value and other continuous improvement initiatives within the scope of its remit. It will scrutinise statutory and other performance information. This may include:-

- Approving relevant service plans, including the Educational Services and Integrated Children's Services Plan, and setting targets.
- Scrutinising performance reports on Service plans.
- Considering reports on Best Value service reviews and other continuous improvement and quality initiatives.

## 2.3 Schools Education

The Educational Services Committee will develop and monitor the provision of relevant schools education services. This may include:-

- Provision of primary and pre-school education within the area.
- Provision of secondary education within the area.
- The development of the curriculum within the schools, in association with Government policy.
- Provision for pupils with additional support needs within the area
- In partnership with Social Work, provision of specialist support out with the area.
- Provision of outdoor education as appropriate.
- Arrangements for financial contributions to individuals and external bodies under the auspices of Educational Maintenance Allowances, school clothing and footwear grants, and grants to Voluntary Organisations.
- Nomination of an elected member to chair recruitment panels for the appointment of Head Teachers.
- Approval of delineated areas for day schools and provision of day schools sufficient to meet the needs of pupils in the area.
- Curriculum development, staff development and in-service training.
- Provision of a psychological service and arrangements to meet the additional support needs of individual pupils.
- Operation of special and support services as appropriate and, if necessary, in collaboration with other local authorities and/or providers.
- Monitoring of service specification and quality development.
- Provision of appropriate support to educational establishments and services.
- Policy development and monitoring in respect of attendance and exemption from attendance of pupils at day schools.
- Provision of adequate health and welfare services in all educational establishments.
- All relevant aspects of pupil welfare.
- All relevant aspects of resource provision to educational establishments.

#### 2.4 Early Years/Out of School Care Services – (note – joint remit with West Dunbartonshire Health and Social Care Partnership)

The Educational Services Committee will develop and monitor the provision of relevant early years and out of school care services. This may include:-

- Provision of early childhood services for children under 3 in line with national guidance and Council policy.
- Provision of early education and child care for children 3 and over, who have not yet reached statutory school age in line with legislative requirements and Council policy.
- Guidance to the Council in formulation of its policy objectives and priorities in all appropriate matters relating to children who have not yet reached the statutory school age and their parents.
- Direction and supervision of the discharge of the Council's functions with regard to Pre 5 services and relevant Part III of the Children's Act 1989.
- Development of services which provide activities of a kind suitable for pre-school children.
- Co-ordination and monitoring of the Council's policies and practices with regard to the provision of out-of-school care including, the use of the grants budget.

#### 2.5 Lifelong learning

The Educational Services Committee will develop and monitor the provision of relevant Lifelong Learning Services.

#### 2.6 Sports

The Educational Services Committee will develop and monitor the provision of relevant sports activities. This will include:-

- Outdoor Education
- Sports Development
- Active Schools

#### 2.7 School Transport and other services

The Educational Services Committee will develop and monitor the provision of the undernoted services:

- School transport for pupils within the area in accordance with the qualifying criteria contained with the Education (Scotland) Act 1980 and Council policy.

- Educational property matters, including maintenance and repair of building stock, the school buildings strategy and certain health and safety issues.
- Co-ordination and control of the specification of certain tenders, assessment and acceptance of such tenders, co-ordination and monitoring of contract performance and authorisation of termination of any such contracts relative to the provision of educational services.
- The schools PPP contract.

Issues such as the school estate, road safety, cycle training, school crossing, school catering, school cleaning, janitorial services are regarded as part of the maintenance and operation of public infrastructure and may be reported to Infrastructure, Regeneration and Economic Development Committee, but alternatively, may be reported to Educational Services Committee where appropriate.

## 2.8 Delegated Powers

The Educational Services Committee will have full delegated powers to implement its functions, remit and responsibilities as detailed above.

## Housing and Communities Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Housing and Communities Committee will comprise 12 Elected Members.
- 1.2 The quorum of the Housing and Communities Committee will be 4 Elected Members.
- 1.3 In addition to the power to establish Sub-Committees, the Housing and Communities Committee will have the power to establish Working Groups to examine and report on specific issues.

### 2. Role and Remit

#### 2.1 General

The purpose and remit of the Housing and Communities Committee is to:-

- Direct and supervise the activities of the Council in its role as direct provider of housing and as strategic planner of housing provision.
- Direct and supervise the activities of the Council in its responsibilities for Community Safety.
- Considering delivery plans and workforce monitoring information for each area of the committee's activity.

The Housing and Communities Committee will undertake a number of general responsibilities. These include:-

- Ensuring a primary focus on delivering the outcomes which are within its area of responsibility - as set out in both the Local Outcome Improvement Plan for West Dunbartonshire, and the Council's Strategic Plan.
- Setting performance targets (within the context of the Corporate and Service Planning processes), for the overall standards of service and receiving reports on these.
- Establishing a strategic financial framework to underpin service delivery, continuous improvement and partnership arrangements
- Monitoring revenue budgets in respect of each area of the committee's activity.
- Monitoring capital expenditure in respect of each area of the committee's activity.
- Ensuring that the activities reported to the committee are responsive to the needs of local people.

- Promoting the development of relevant inter agency issues and supporting partnership working.
- Ensuring that the views of local people, employees and other stakeholders are sought on the development and delivery of services.
- Promoting Social Inclusion and Equalities in all areas for which the committee has responsibility.
- Promoting Health Improvement in all areas for which the committee has responsibility.
- Considering the findings and recommendations of any working groups relevant to the committee's areas of activity.
- Direct and supervise the Council's Building Service.

## 2.2 Best Value and Performance Review

The Housing and Communities Committee will monitor the implementation of Best Value and other continuous improvement initiatives within the scope of its remit. It will scrutinise statutory and other performance information.

This may include:-

- Approving relevant service plans, including setting targets.
- Scrutinising performance reports on Service Plans.
- Considering reports on Best Value service reviews and other continuous improvement and quality initiatives.

## 2.3 Housing and Communities Committee

The Housing and Communities Committee will develop and monitor the provision of relevant Housing and Communities Services. This may include:

- Recommending Housing Capital Programmes (and any revisions or amendments) to the Council.
- Recommending the Housing Revenue Account (HRA) Revenue budget, (and any revisions or amendments), to the Council, including house rent levels and other charges.
- Direct and supervise all of the activities of the Council in its role as direct provider of housing and as strategic planner of housing provision.
- Housing Regeneration Strategies (e.g. Local Housing Strategy/Community Ownership Programme).
- Council property maintenance.
- Community Development, Community Councils, Your Community, Community Empowerment
- Working4U including Welfare Benefits Service, Debt Advice service, Community Learning and Development, Adult Learning, Youth Services

#### 2.4 West Dunbartonshire Strategic Community Safety Partnership

The Housing and Communities Committee will work with partners through the West Dunbartonshire Strategic Community Safety Partnership (a partnership of public sector agencies, community representatives, and the Council), to ensure the benefits of partnership working in making a safer West Dunbartonshire.

#### 2.5 Delegated Powers

The Housing and Communities Committee will have full delegated powers to implement its functions, remit and responsibilities as detailed above.

## Infrastructure, Regeneration and Economic Development Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Infrastructure, Regeneration and Economic Development Committee will comprise 12 Elected Members.
- 1.2 The quorum of the Infrastructure, Regeneration and Economic Development Committee will be 4 Elected Members.
- 1.3 In addition to the power to establish Sub-Committees, the Infrastructure, Regeneration and Economic Development Committee will have the power to establish Working Groups to examine and report on specific issues.

### 2. Role and Remit

#### 2.1 General

The purpose and remit of the Infrastructure, Regeneration and Economic Development Committee is to:-

- Direct and supervise the activities of the Council in its responsibilities for Urban Regeneration and Economic Development.
- Direct and supervise the activities of the Council in its responsibilities for the local and wider environment, including roads and transportation.
- Direct and supervise the Council's Asset Management activities.
- Considering delivery plans and workforce monitoring information for each area of the committee's activity.

The Infrastructure, Regeneration and Economic Development Committee will undertake a number of general responsibilities. These include:-

- Ensuring a primary focus on delivering on the outcomes which are within its area of responsibility - as set out in both the Local Outcome Improvement Plan for West Dunbartonshire, and the Council's Strategic Plan.
- Setting performance targets (within the context of the Corporate and Service Planning processes), for the overall standards of service and receiving reports on these.
- Establishing a strategic financial framework to underpin service delivery, continuous improvement and partnership arrangements
- Monitoring revenue budgets in respect of each area of the committee's activity.
- Monitoring capital expenditure in respect of each area of the committee's activity.
- Ensuring that the activities reported to the committee are responsive to the needs of local people.

- Promoting the development of relevant inter agency issues and supporting partnership working.
- Ensuring and monitoring that the views of local people, employees and other stakeholders are sought on the development and delivery of services.
- Promoting Social Inclusion and Equalities in all areas for which the committee has responsibility.
- Promoting Health Improvement in all areas for which the committee has responsibility.
- Considering the findings and recommendations of any working groups relevant to the committee's areas of activity.

## 2.2 Best Value and Performance Review

The Infrastructure, Regeneration and Economic Development Committee will monitor the implementation of Best Value and other continuous improvement initiatives within the scope of its remit. It will scrutinise statutory and other performance information. This may include:-

- Approving relevant service plans, including setting targets.
- Scrutinising performance reports on Service Plans.
- Considering reports on Best Value service reviews and other continuous improvement and quality initiatives.

## 2.3 Infrastructure, Regeneration and Economic Development Committee

The Committee will develop and monitor the provision of relevant Infrastructure, Regeneration, Economic Development and Neighbourhood Services.

This may include:-

- Economic Development activities.
- Sustaining and growing employment and driving growth
- Physical Regeneration.
- Direct and supervise the Council's Asset Management Strategy and activities.
- Issues relative to the provision of architectural, building services design, Quantity surveying and property maintenance services.
- Roads and transportation policy issues subject to the Council's statutory obligation, principally under The Roads Scotland Act 1984.
- Recommending Roads and Transportation Capital Programme to the Council.
- The provision operation and maintenance of roads, footpaths, bridges, lighting, open spaces and other public infrastructure.
- Traffic management and Road Safety.
- Transport, vehicles and plant.
- Refuse collection and waste management.
- Energy performance and climate change.
-

- Outdoor Recreation.
- School catering.

Issues such as the school estate, road safety, cycle training, school crossing, school catering, school cleaning, janitorial services are regarded as part of the maintenance and operation of public infrastructure and may be reported to Infrastructure, Regeneration and Economic Development Committee, but alternatively, may be reported to Educational Services Committee where appropriate.

#### 2.4 West Dunbartonshire Strategic Community Safety Partnership

The Infrastructure, Regeneration and Economic Development Committee will work with partners through the West Dunbartonshire Strategic Community Safety Partnership (a partnership of public sector agencies, community representatives, and the Council), to ensure the benefits of partnership working in making a safer West Dunbartonshire.

#### 2.5 Delegated Powers

The Infrastructure, Regeneration and Economic Development Committee will have full delegated powers to implement its functions, remit and responsibilities as detailed above.

## Licensing Committee

### 1. **Membership/Arrangements for Meetings**

- 1.1 The membership of the Licensing Committee will comprise 8 Elected Members.
- 1.2 The quorum of the Licensing Committee will be 3 Elected Members.
- 1.3 In addition to the power to establish Sub-Committees, the Licensing Committee will have the power to establish Working Groups to examine and report on specific policy objectives or issues.

### 2. **Role and Remit**

#### 2.1 General

The remit of the Licensing Committee will be to consider contentious Civic Government and other non-liquor licensing regulatory and related issues, including:-

- Applications not delegated to officers.
- Enforcement provisions.
- The setting of fees and charges.
- Policy matters.

#### 2.2 Delegated Powers

The Licensing Committee will have full delegated powers to implement its functions, remits and responsibilities as detailed above. Capital and revenue budgets for its functions will be monitored by the Corporate Services Committee.

## Planning Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Planning Committee will comprise 10 Elected Members.
- 1.2 The quorum of the Planning Committee will be 3 Elected Members.
- 1.3 In addition to the power to establish Sub-Committees, the Planning Committee will have the power to establish Working Groups to examine and report on specific policy objectives or issues.

### 2. Role and Remit

#### 2.1 General

The remit of the Planning Committee will be to:-

- Receive reports and consider planning policy as set out in documents which may be published by the Scottish Executive, including Planning Advice Notes and Scottish Planning Policy documents, and other agencies including Historic Scotland and Scottish Natural Heritage.
- Consider and determine as necessary all matters concerning the statutory development plan process including the nature and content of the Structure Plan and the nature and content of the Local Plan.
- Consider contentious development management applications, including applications for planning consent, listed building consent, advertisement consent, for certificate of lawful use, for certificates of appropriate alternative development, conservation areas consent, hazardous substance consent and related matters where not otherwise delegated.
- Tree Preservation Orders, or other planning related Orders where not otherwise delegated.
- Planning Enforcement Action where not otherwise delegated.
- Rights of Way, Access, Core Path Planning and Footpaths.
- Consider items concerning the functioning of the building standards systems not otherwise delegated.

#### 2.2 Delegated Powers

The Planning Committee will have full delegated powers to implements its functions, remits and responsibilities as detailed above with the exception of the following:-

- Applications for planning permission for development of a class mentioned in Section 38 A(1) of the Town and Country Planning (Scotland) Act 1997.
- In relation to these matters the Planning Committee does not have delegated powers.
- Capital and revenue budgets for its functions will be monitored by the Corporate Services Committee.

## Local Review Body

### 1. Membership/Arrangements for meetings

- 1.1 Membership of the Local Review Body will comprise the members of the Planning Committee.
- 1.2 The quorum of the Local Review Body will be 3 elected members.

### 2. Role and Remit

#### 2.1 General

The remit of the Local Review Body will be to:-

Act as Local Review Body in terms of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 and in particular to review cases where a person appointed by the Council under a Scheme of Delegation to determine an application for planning permission for a development within the category of local developments or any applications for consent, agreement or approval, required by a condition imposed on that grant of planning permission for a development within that category has:-

- a) refused an application for planning permission or for consent, agreement or approval,
- b) grants it subject to conditions, or
- c) has not determined it within such period as prescribed by regulations or a development order.

#### 2.2 Delegated Powers

The Local Review Body will have full delegated powers to implement its functions, remits and responsibilities as detailed above.

## Recruitment and Individual Performance Management Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The Membership of the Recruitment and Individual Performance Management Committee will comprise up to five standing Elected Members plus, where not already one of the standing Elected Members, the relevant Service Convener. The standing Elected Members of the Committee to be the Provost; the Leader of the Council , Depute Leader of the Council and the Leader of the Opposition as well one Opposition (other) and one opposition (Labour).
- 1.2 For The purposes of recruiting and considering the individual performance of the joint post of Executive Director of Social Work and Health and General Manager of the West Dunbartonshire Community Health Partnership the Committee will comprise the Leader of the Council, Leader of the Opposition, Spokesperson for Social Work and Health, the Chair and Chief Executive of NHS Greater Glasgow and Clyde, the Chair of West Dunbartonshire Community Health Partnership and an independent member to be chosen by agreement between the Chief Executive and NHS Greater Glasgow and Clyde.
- 1.3 The Chief Executive and Strategic Lead of People and Technology will act as Special Advisers to the Committee when undertaking Director recruitment.
- 1.4 The quorum of the Recruitment and Individual Performance Management Committee will be 3 Elected Members.
- 1.5 Meetings

The Committee will meet as and when necessary in respect of its Recruitment responsibilities.

- With regard to Individual Performance Management, the Committee will meet at the beginning of the Performance Year, i.e. April/May, to discuss and agree the Chief Executive's Objectives, Targets, and Personal Development Plan for the forthcoming Performance Year. The Committee will also meet at the end of the Performance Year, i.e. March/April, to undertake a formal assessment, i.e. Review and Appraisal, of the Chief Executive's performance over that Performance Year.

## 2. **Role and Remit**

### 2.1 **General**

The *Recruitment and Individual Performance Management Committee* is responsible for:-

- a) Overseeing the Recruitment and Selection processes for Chief Executive and Strategic Director appointments.
- b) Overseeing the annual Individual Performance Management process for the Chief Executive and Strategic Directors.

### 2.2 **Recruitment**

- Approving Job Profiles and Person Specifications.
- Approving the advertising process.
- Approving any changes to Chief Officials' remuneration arrangements.
- Acting as the Selection Committee and deciding on the preferred candidate.
- Approving the Chief Officials' Contract of Employment.
- Approving specialist or technical assessors to assist the Committee.

### 2.3 **Individual Performance Management**

- In conjunction with the Chief Executive, discussing and agreeing his/her annual Individual Performance Objectives and Targets.
- In conjunction with the Chief Executive, discussing and agreeing his/her Personal Development Plan.
- Approving any financial costs associated with the Chief Executive's Personal Development Plan.
- Undertaking the annual formal Performance Review and Appraisal of the Chief Executive.
- Receiving a report from the Chief Executive on the annual objectives and targets of each Director.
- Receiving a recommendation report from the Chief Executive on the outcomes of the annual Reviews and Appraisals undertaken by the Chief Executive for each Director and endorsing the outcomes.

### 2.4 **Delegated Powers**

The Recruitment and Individual Performance Management Committee will have full delegated powers to implement its functions, remit and responsibilities as detailed above.

## Tendering Committee

### 1. **Membership/Arrangements for Meetings**

- 1.1 The membership of the Tendering Committee will comprise 8 Elected Members.
- 1.2 The quorum of the Tendering Committee will be 3 Elected Members.
- 1.3 The Tendering Committee will meet as and when required.

### 2. **Role and Remit**

#### 2.1 General

The remit of the Tendering Committee will be to consider and approve tenders for works and services exceeding £50,000 in value where no delegated authority to accept such a tender being otherwise granted and where the appropriate Service Committee, when authorising the expenditure, has directed that the tender be considered and approved by the Tendering Committee, in accordance with the rules and procedures specified elsewhere in these Standing Orders. A tender for works for less than £50,000 in value may be submitted to the Tendering Committee for approval, at the discretion of the relevant Strategic Director.

#### 2.2 Delegated Powers

The Tendering Committee will have full delegated powers to implement its function, remit and responsibilities as detailed above.

## Alexander Cross Cameron Bequest Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Alexander Cross Cameron Bequest Committee will comprise those Elected Members representing Wards 4, 5 and 6 in Clydebank.
- 1.2 The quorum of the Alexander Cross Cameron Bequest Committee will be 3 Elected Members.
- 1.3 The Alexander Cross Cameron Bequest Committee will meet as and when required.

### 2. Role and Remit

#### 2.1 General

The remit of the Alexander Cross Cameron Bequest Committee will be to act as Trustees for the Alexander Cross Cameron Bequest Trust (the "Trust") a Charitable Trust administered by the Council in line with the guidance laid down by the Office of the Scottish Charity Regulator (OSCR). The Trustees shall hold and apply all funds and assets as may from time to time be comprised in the Trust Property and that in trust for the relief of those residents within Clydebank by considering applications by or on behalf of non-profit making community groups for grant assistance towards the cost on one-off community activities within Clydebank the objectives of which are in the opinion of the Trustees, to assist and relieve those in need by reason of age, ill health, disability, financial hardship or other disadvantage. For the avoidance of doubt no grant assistance shall be paid in respect of the normal running costs of the community group itself.

#### 2.2 Delegated Powers

The Alexander Cross Cameron Committee will have full delegated powers to implement its function, remit and responsibilities as detailed above.

## Dumbarton Trust Committee

### 1. Membership/Arrangements for Meetings

- 1.1 The membership of the Dumbarton Trust Committee will comprise those Elected Members representing Ward 3 in Dumbarton.
- 1.2 The quorum of the Dumbarton Trust Committee will be 3 Elected Members.
- 1.3 The Dumbarton Trust Committee will meet as and when required.

### 2. Role and Remit

#### 2.1 General

The remit of the Dumbarton Trust Committee will be to act as Trustees for

- 2.1.1 the War Memorial Dumbarton Trust (the “Trust”) a Charitable Trust administered by the Council in line with the guidance laid down by the Office of the Scottish Charity Regulator (OSCR). The Trustees shall hold and apply all funds and assets as may from time to time be comprised in the Trust Property and that in trust to provide for the upkeep of war memorials in Dumbarton.
- 2.1.2 the Dr A K Glen Fund (the “Trust”) a Charitable Trust administered by the Council in line with the guidance laid down by the Office of the Scottish Charity Regulator (OSCR). The Trustees shall hold and apply all funds and assets as may from time to time be comprised in the Trust Property and that in trust for the benefit of the people of Dumbarton, to assist and relieve those in need by reason of age.

#### 2.2 Delegated Powers

The Dumbarton Trust Committee will have full delegated powers to implement its function, remit and responsibilities as detailed above.

## Vale of Leven Fund Committee

### 1. **Membership/Arrangements for Meetings**

- 1.1 The membership of the Vale of Leven Fund Committee will comprise those Elected Members representing Wards 1 and 2 in Alexandria.
- 1.2 The quorum of the Vale of Leven Fund Committee will be 3 Elected Members.
- 1.3 The Vale of Leven Fund Committee will meet as and when required.

### 2. **Role and Remit**

#### 2.1 General

The remit of the Vale of Leven Fund Committee will be to act as Trustees for the Vale of Leven Fund (the "Trust") a Charitable Trust administered by the Council in line with the guidance laid down by the Office of the Scottish Charity Regulator (OSCR). The Trustees shall hold and apply all funds and assets as may from time to time be comprised in the Trust Property and that in trust for the relief of those residents within the Vale of Leven area who are in need by reason of age, ill health, disability, financial hardship or other disadvantage

#### 2.2 Delegated Powers

The Vale of Leven Committee will have full delegated powers to implement its function, remit and responsibilities as detailed above.

**THE STANDARDS COMMISSION FOR SCOTLAND OFFICE OF  
ADMINISTRATION AND HEARINGS  
GUIDANCE ON CONDUCT**

**Introduction**

1. High standards in the Chamber or Committee are of fundamental importance to the integrity of Council business and to public perception of local democracy.
2. The Councillors' Code of Conduct sets out Key Principles which include integrity, honesty and respect.

3.1 Of the code provides:

“The rules of good conduct in this section must be observed in all situations where you act as a Councillor, including representing the Council on official business and when using social media”.

3.7 states:

You must respect the Chair, your colleagues, Council employees and any members of the public present during meetings of the Council, its Committees or Sub-Committees or of any Public Bodies where you have been appointed by, and represent the Council. You must comply with rulings from the Chair in the conduct of the business of these meetings”

3. The following guidance sets out the Standard's Commission's guidance under the Code of Conduct in relation to conduct in the Chamber or Committee or other meetings and is intended to support Chairs, elected Members and Officers alike by supplementing the requirements of the Code.

**Guidance**

- 1 The word 'Chair' in paragraph 3.7 is not restrictive to that specific term. The provision also applies to anyone holding a similar chairing or convening role.
- 2 The role of the Chair in any Council meeting, which includes a Committee meeting or a meeting of a working group or similar forum, is to ensure that the agenda of business is properly dealt with and clear decisions are reached. To do this, the Chair has a responsibility to ensure that the views and opinions of other participants (including the advice of officers) are allowed to be expressed and, at the same time, they have a responsibility for proper and timely conduct of the meeting and for helping to ensure the meeting is conducted in compliance with the Council's Standing Orders. This includes determining the point at which conclusions should be reached. It requires a balanced approach to ensure fairness to participants

while at the same time dealing firmly with any attempt to disrupt or unnecessarily delay the meeting. If you are present, you share the responsibility for the proper and expeditious discharge of business. The role of the Chair in reaching such judgements should be supported and respected.

- 3 You are accountable for your own individual conduct at all times in terms of the Code when you are in the Chamber or Committee and at meetings where you are representing the Council, irrespective of the conduct of others. Abusive or offensive language and / or unnecessarily disruptive behaviour should not be tolerated. It is a matter for the Chair to rule on the acceptability of language used during the course of a meeting and to take appropriate action as necessary, including requiring the withdrawal of a remark, requiring an apology, or any other action required to allow the meeting to properly proceed. Factors to consider include whether:
- your behaviour, including your body language, is courteous and respectful even when you hold a different view;
  - you are treating others with respect and consideration;
  - your choice of language in meetings is appropriate and meets the high standards expected by the general public;
  - it is appropriate to refer to other councillors by nicknames or by referring to them in the second person by using terms such as 'you';
  - newspapers, mobile phones and other tablet devices are being used appropriately or whether their usage could be perceived as you not being engaged in the meeting or listening to what others are saying;
  - your conduct could diminish the public's opinion of, and trust and confidence in, its elected representatives.