

REPORT TO PROCEDURES COMMITTEE – JANUARY 19TH, 2018

MEMBER PROMOTED ISSUES AND NOTICES OF MOTION

1. Recommendations

The Committee is recommended to:

- 1.1 Note the use of Members Promoted Issues since their introduction by the Scheme of Governance in 2017;
- 1.2 Note the use of Notices of Motion over the past two years;
- 1.3 Consider whether any improvements to the process for bringing Members Promoted Issues or Notices of Motion are required.

2. Background / Discussion

Members Promoted Issues

- 2.1 The Future Governance Working Group recommended that a process should be introduced allowing elected members to raise issues at Committee other than by a Notice of Motion. This has resulted in the Member Promoted Issues procedure being implemented.
- 2.2 This is provided for within the Standing Orders at 4.2.8 and the procedure and form for use by members is set out in Appendix A to the Standing Orders. This sets a prescribed form for members to complete which describes the issue that is to be promoted, whether this is related to an existing project, whether it has arisen as a result of any representation by constituents or other parties and whether the issue has been considered in the past.
- 2.3 The procedure provides that the Director of Business Services will ensure that a report is compiled by suitably qualified officers within 28 days of receipt of the form. There are provisions which allow for extensions of this timescale if appropriate in the circumstances. This report will then be submitted to the next cycle of the relevant Committee or Full Council for consideration. There is a requirement for officers to liaise with the Member raising the issue in the production of the report. This is to ensure that the member can fully narrate and explain the background to the issue and enable the officers to accurately reflect the matter in their report. The member submitting the report may propose the recommendations and speak to the report however the report is an officer report in which officers will give their professional views on the issue raised and the implications for the Council in progressing the issue further. Full consideration can be given to the issue and appropriate instructions can be given to officers to progress matters.
- 2.4 Since January 2017 there have been 4 Members Promoted Issues submitted. Three have been completed and one is yet to be fully determined (and is not included in the table below). The issues raised were as follows:-

Date	Committee	Topic of Member Promoted Issue	Action Requested
June 1 2017	Infrastructure Services	Macduff Harbour	Committee to consider and comment on the progress of the Macduff Harbour Review and consider whether its implementation would be consistent with the relevant policies and noting that the final decision in terms of the review proposals will be made by the Director of Infrastructure Services following consideration of these comments.
June 27 2017	Garioch Area Committee	Kingseat Development	Committee to consider issues regarding the development and provide a view in respect of how matters should proceed
October 5 2017	Infrastructure Services	Weed Control Operations	Committee to consider and comment on the emerging options for future weed control operations.

Notices of Motion

- 2.6 Notices of Motion is still one of the mechanisms available to elected members enabling issues to be brought to Council or Committee.
- 2.7 When the Scheme of Governance was implemented the procedures for bringing Notices of Motion were altered. The Notice of Motion procedure is contained within Section 4.2 of the Standing Orders in Part 1 of the Scheme of Governance. The key changes are:-
- a) Policy Committees can now receive Notices of Motion for matters within their remit (previously only Area Committees and Full Council could receive them);

- b) If the Chair considers that the Notice of Motion deals with the same subject as an item of business already on the agenda, the Notice of Motion can be considered as part of the item of business;
- c) If the Chair determines that the Notice of Motion is inadmissible, at the request of the proposer, it will be included on the agenda with the reasons for inadmissibility (subject to modification, if required, by the Monitoring Officer);

2.8 The following requirements have been removed:

- a) That the Notice of Motion be succinct and put forward without any reason or argument; and
- b) That the proposer of the Notice of Motion has to demonstrate that all reasonable steps to have the subject matter dealt with through the normal channels had been taken.

2.9 Notices of Motion have been used regularly at Full Council meetings. In 2016, there were 6 Notices of Motion agreed for addition to the agenda of Full Council and considered. In 2017 (since implementation of the new Scheme of Governance), there have also been 6 Notices of Motion agreed for inclusion on the agenda.

2.10 The table below provides the topics and action requested, and where available, the time taken to debate the item (this information is available from webcast meetings).

Date	Topic of motion	Action requested	Time taken in mins/secs
Prior to implementation of the Scheme of Governance			
January 21 2016	Financial support for Members attending COLSA irrespective if they were nominated by the Council or by any of the Political Groups within COSLA.	Consideration of extending the financial support currently provided.	Not recorded.
March 10 2016	Support for the principle of a deposit return system for Scotland.	Letter from Council Leaders to Cabinet Secretary for Rural Affairs, Food and Environment.	Not recorded.
April 28 2016	Support for the COSLA Manifesto for a Stronger Democracy	Letter from Co-Leaders to the incoming Scottish Government spokesperson on local government to confirm this.	Not recorded.
June 30 2016	Suspension of Standing Order 18 so as to reconsider a decision made by ISC less than 6 months prior.	Seeking suspension of the Order in order to revisit decision.	Not recorded.
November 24 2016	Expression of Council's view that Parliament should determine the	Letter from Chief Executive to the Prime Minister stating this view.	Not recorded.

	overall goals of the BREXIT negotiations and these should incl. continued membership of the single market.		
November 24 2016	Expression of concerns regarding the Scottish Government's changes to the Council Tax Bandings.	Urgent Letter from Chief Executive to Cabinet Secretary for Finance expressing concerns in terms of increase and that the information leaflets sent to households should clearly state that the increase was agreed by the Scottish Parliament and also the impact of this.	Not recorded.
After implementation of the Scheme of Governance			
April 27 2017	Fair Transitional State Pension arrangements for all women born on or after 6 April 1951	Letter from Chief Executive to Prime Minister	51.03
April 27 2017	Royal Bank of Scotland closures	Letter from Chief Executive to Royal Bank of Scotland	27.22
April 27 2017	Two child limit on Child Tax Credits and the rape clause	Letter to Prime Minister from Co-leaders	25.25
June 29 2017	Single Transferable Vote for future Scottish Parliament Elections	Letter from Chief Executive to express the support of the Council	22.12
November 23 2017	Council commending the Aberdeenshire Child Protection Committee in response to child trafficking and exploitation	(1) Refer the matter to Communities Committee (2) Expedite arrangements to ensure Council staff and Councillors are made aware of human trafficking victims during their work	41.46
November 23 2017	Pausing of Universal Credit	(1) Refer the matter to Communities Committee (2) Endorse the steps taken by Council Services (3) Endorse action taken by CoSLA.	26.20

- 2.11 As previously stated, the ability to bring a Notice of Motion to a Policy Committee was introduced in January 2017. Since then, there have been 2 Notices of Motion brought to Policy Committees. Please note that the length of time taken to determine these Notices is unrecorded. The details are as follows:-

Date	Policy Committee	Topic of Motion	Action Requested
March 23 2017	Education and Children's Services	Harlaw Road Site, Inverurie	Council give consideration to the feasibility of creating a significant visual arts, museum or other cultural facility.
August 31 2017	Education and Children's Services	Availability of free Sanitary Products in Schools.	Committee consider the provision of readily available free sanitary products in schools

2.12 There have been 3 Notices of Motion raised at Area Committees since January 2016. Please note that the length of time taken to determine these notices is unrecorded. The details are as follows:-

Date	Area Committee	Topic of Motion	Action Requested
March 7 2017	Banff and Buchan	Reporting of details in respect of Common Good Funds for Banff Area and procedures to be followed in respect of these.	Officers to produce a full income and expenditure report on Banff Common Good Funds over last 5 years and adhere to procedures stated within Motion when dealing with such matters.
June 13 2017	Kincardine and Mearns	Mental Health – support for work done by Pilar Kincardine and seeking details in respect of the services available within the Kincardine and Mearns Area.	Area Chair to write to Pilar Kincardine indicating support for work that they are doing and a copy to be sent to the IJB – IJB to provide annual report to Committee in respect of the Mental Health provision for the area.
December 12 2017	Buchan	Traffic Management Options regarding East end of Kinmundy Road.	ISC officers to report back to Committee with options after consultation with local residents

- 2.13 The Committee is asked to consider whether any improvements to the procedures for receipt of Member Promoted Issues and/or Notices of Motion are desirable. Changes would require an amendment to Standing Orders.
- 2.14 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3. Scheme of Governance

- 3.1 The Committee is able to consider this item as Full Council appointed the Procedures Committee on May 18th, 2017. The established remit of the Committee is to consider proposed changes to Aberdeenshire Council's Scheme of Governance and to make recommendations about required amendments.

4. Implications and Risk

- 4.1 An equality impact assessment is not required because the recommendation in this report do not have a differential impact on any of the protected characteristics.
- 4.2 There are no staffing and financial implications. However, ensuring that relevant and appropriate Notice of Motions are on the agenda of Full Council, in particular, ensures that business is being dealt with effectively.
- 4.3 No Risks have been identified in the Risk Registers.

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Report prepared by:
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December 20th 2017