

## REPORT TO FULL COUNCIL – 25 JUNE 2020

### CITY REGION DEAL JOINT COMMITTEE – AMENDMENT TO STANDING ORDERS

#### **1 Reason for Report / Summary**

- 1.1 The report seeks approval of amendments to the Standing Orders for the Aberdeen City Region Deal Joint Committee.

#### **2 Recommendations**

**The Committee is recommended to:**

- 2.1 Approve the amendments to the Standing Orders for the Aberdeen City Region Deal Joint Committee as detailed in Appendix 1;**

#### **3 Purpose and Decision Making Route**

- 3.1 At its meeting on 16 December 2015, Full Council approved the Standing Orders and Terms of Reference for the Aberdeen City Region Deal Joint Committee. Membership of the Joint Committee consists of elected Members from Aberdeenshire Council, Aberdeen City Council and representatives from Opportunity North East.
- 3.2 Following the move to remote meetings brought about by the Covid-19 pandemic it was recognised that amendments were required to the Standing Orders to enable the Joint Committee to effectively conduct its business in a virtual environment. The Joint Committee considered the changes to the Standing Orders at its meeting on 5<sup>th</sup> June and agreed to recommend the amendments outlined in Appendix 1 to both Councils for approval.

#### **4 Discussion**

- 4.1 The proposed amendments to the Standing Orders are outlined in red at Appendix 1 to this report. In summary the changes consist of the following:-
- 4.1.1 Amendment to Standing Order 22 to permit cancellation of a meeting by the Chair and Vice Chairperson. Presently there is no provision in the Standing Orders which would allow for the cancellation of a meeting once scheduled. This amendment introduces the flexibility to permit meetings to be cancelled by the Chair if circumstances require it.
- 4.1.2 Amendment to Standing Orders 32 and 33 to clarify the procedures for remote meetings and to allow for confidential and exempt business to be considered during remote meetings. Presently the provisions which permit remote attendance in the Standing Orders do not extend to confidential and exempt items. For the avoidance of doubt members of the press or public would not be invited to attend remote meetings of the

Joint Committee however a recording of the meeting would be made available online.

## 5 Council Priorities, Implications and Risk

- 5.1 The report helps deliver Council Priority 10 – Having the right people, in the right place, doing the right thing, at the right time.
- 5.2 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed.

Subject	Yes	No	N/A
Financial			X
Staffing			X
Equalities	X		
Fairer Scotland Duty			X
Town Centre First			
Sustainability	X		
Children and Young People's Rights and Wellbeing			X

- 5.4 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 2 and there is a positive impact in that the amendments will better facilitate meetings by remote participation and thereby increase accessibility for those persons with protected characteristics, in particular disability.
- 5.5 There are no staffing or financial implications associated with this report. Support for remote meetings of the Joint Committee can be met within existing resources.
- 5.6 The following Risks have been identified as relevant to this matter on a Corporate Level ACORP005 – Working with Other Organisations (Corporate Risk Register)

## 6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

6.2 Full Council is able to take a decision on this item in terms of Section A.2.3 of the List of Committee Powers in Part 2A of the Scheme of Governance. Full Council previously agreed the Standing Orders for the Joint Committee at its meeting on 16 December 2015 as part of the suite of governance documents for the Joint Committee.

**Ritchie Johnson, Director of Business Services**

Report prepared by Ruth O'Hare, Principal Solicitor (Democratic Services)  
Date 8 June 2020

**List of Appendices**

Appendix 1 – Standing Orders for City Region Deal Joint Committee  
Appendix 2 – Equality Impact Assessment

## APPENDIX 1

### ABERDEEN CITY REGION DEAL

#### JOINT COMMITTEE

#### STANDING ORDERS

##### Introduction

1. The Aberdeen City Region Deal Joint Committee (the Joint Committee) is a joint committee created under sections 56 and 57 of the Local Government (Scotland) Act 1973.
2. These standing orders have been approved by Aberdeen City Council and Aberdeenshire Council (the “Constituent Authorities”) and take effect from 16 December 2015.

##### Membership

3. The Joint Committee will consist of the following voting members:
  - three elected members of Aberdeen City Council;
  - three elected members of Aberdeenshire Council; and
  - three members of ONE.
4. Each Constituent Authority and ONE may also have up to three named substitutes.
5. The Joint Committee will appoint a member of the Constituent Authorities to be Chairperson.
6. The Chairperson shall be appointed for a period of one year.
7. The Chairperson will alternate between the Constituent Authorities.
8. The Joint Committee will appoint a Vice Chairperson from the Constituent Authority that does not have a member appointed as Chairperson.

##### Term of Office of Members

9. Members shall be appointed to the Joint Committee for the period up to the next local government elections.
10. A member of the Joint Committee may only be a member for as long as they hold office as a councillor or as a member of ONE as the case may be.
11. A member may be reappointed following the end of their term of office.

12. A member may resign their membership of the Joint Committee at any time by giving the Joint Committee, Aberdeen City Council, Aberdeenshire Council and ONE written notice.
13. The resignation will take effect with immediate effect.

### **Removal of Members**

14. If a member has not attended three consecutive meetings of the Joint Committee, and such absence is not due to illness or other reasonable cause as the Joint Committee may determine, the Joint Committee may agree to recommend to the Constituent Authorities and ONE that the member be removed from the Joint Committee.

### **Standing Orders**

15. All meetings of the Joint Committee shall be regulated by these standing orders.
16. Any amendments to these standing orders shall require the approval of the Constituent Authorities and must be carried out in consultation with ONE.
17. Any amendments to these Standing Orders shall be effective only after both Constituent Authorities have accepted the amendments after consultation with ONE.
18. Except where prohibited by statute, it shall be competent for a member at any time during a meeting to move suspension of the whole or any specified part of these Standing Orders and such a motion, if duly seconded, shall be put to the vote immediately without discussion.

### **Calling Meetings**

19. The first meeting of the Joint Committee will be at a time and place determined by the Constituent Authorities and ONE.
20. Thereafter, the Joint Committee shall agree a timetable of meetings for the following twelve months.
21. Notwithstanding Standing Order 20 the Chairperson and Vice Chairperson may agree to fix such additional special meetings as they think appropriate, including meetings in a case of urgency where a reduced period of notice may be given, and shall endeavour to take account of the availability of members in so doing.
22. The Chairperson and Vice Chairperson shall be permitted on giving due notice to **cancel**, change the date, time or location of any agreed meeting.

### **Notice of Meetings**

23. At least five working days prior to each meeting of the Joint Committee or one of its sub committees, a summons to attend the meeting specifying the time, place

and business to be transacted at it signed by the relevant officer at Aberdeen City Council or Aberdeenshire Council and shall be sent electronically to every member or sent to the usual place of residence of every member. A notice of the time and place of the intended meeting shall be published at the Head Office of each of the Constituent Authorities

24. A failure to serve notice of a meeting on a member in accordance with Standing Order 23 shall not affect the validity of anything done at the meeting.

### **Business**

25. The summons will include an agenda of items of business which shall be considered in the order in which they are listed except where the Chairperson, at his or her discretion, may determine otherwise.
26. Except where required by statute, no item of business shall be considered at a meeting unless a copy of the agenda including the item of business and any associated report has been open in advance to inspection by members of the public in terms of the Local Government (Scotland) Act 1973 or, by reason of special circumstances which shall be recorded in the minute, the Chairperson is of the opinion that the item should be considered as a matter of urgency and at such stage of the meeting as the Chairperson shall determine.

### **Quorum**

27. No business is to be transacted at a meeting of the Joint Committee unless at least six of the members are present including at least two members from each Constituent Authority.

### **Conduct of Meetings**

28. At each meeting of the Joint Committee, the Chairperson, if present, shall preside.
29. If the Chairperson is absent from a meeting of the Joint Committee, the Vice-Chairperson shall preside.
30. If the Chairperson and Vice-Chairperson are absent from a meeting of the Joint Committee, those members present shall appoint a member of the Constituent Authorities present to the Chair.
31. The Joint Committee may agree to adjourn a meeting to another date, time or place if it is necessary or expedient to do so.
- ~~32. A member who is unable to be present for a meeting of the Joint Committee at the venue identified in the notice calling the meeting shall be able to take part remotely in any location which allows their participation.~~
- ~~33. Standing Order 32 will not apply in respect of items on the agenda which contain confidential or exempt information.~~

- 32. Subject to the Member notifying the Clerk at least 4 hours (or, if this is not possible, as soon as practicable) in advance of the meeting and availability of suitable facilities, the Chairperson (whom failing, the Vice Chairperson) may direct that any Member who is unable to attend, or cannot reasonably be expected to attend, a meeting in person may participate from a remote location by video or other communication link. For the avoidance of any doubt, such participation includes voting. A Member remotely participating in this way is referred to in this Standing Order as a “Remote Member”.**
- 32.1 In exceptional circumstances, the Chairperson (whom failing, the Vice Chairperson) may direct that a meeting shall be conducted solely by means of the participation of Remote Members. Such a direction may be made during a meeting or otherwise and may specify which mechanism of remote participation (including specifying which software) may be used.**
- 32.2 Remote Members will be counted for the purposes of determining whether there is a quorum and will also be able to participate in any vote.**
- 32.3 Where the Chairperson is participating remotely, the Vice Chairperson will take the Chair, except where the Vice Chairperson is also participating remotely or a direction has been made under Standing Order 32.1 in respect of that meeting.**
- 32.4 Except where a direction has been made under Standing Order 32.1 in respect of that meeting, the Member chairing the meeting must be physically present at the meeting venue, therefore where both the Chairperson and Vice Chairperson are participating remotely or have sent apologies, Members present at the meeting venue will appoint a Chairperson to chair the meeting from amongst their number.**
- 32.5 In the event that no agreement is reached between those Members present, the decision will be taken by means of a procedural motion**
- 33. Standing Order 32 will apply in respect of items on the agenda which contain confidential or exempt information. Any Remote Member must confirm that they are in a secure private location, and that no-one else is able to hear or view the proceedings from the device being used by that Remote Member, before they can participate in the Joint Committee’s consideration of any confidential and/or exempt items of business.**
- 33.1 Any Remote Member who has declared an interest in an item and withdrawn must pause/exit the video/communication link whilst the item is being considered. The Clerk will inform/re-invite the Remote Member (whether by email or otherwise) when to re-start the link and resume their participation.**

#### **Power and Duties of Chairperson**

- 34. It shall be the duty of the Chairperson to:**

- preserve order and ensure that any member wishing to speak is given due opportunity to do so and to a fair hearing;
- allow officers and advisers to be heard freely; and
- decide on all matters of order, competency and relevancy.

35. The ruling of the Chairperson on all matters in these standing orders shall be final.
36. Deference shall at all times be paid to the authority of the Chairperson.
37. The Chairperson shall be heard without interruption and all members shall address the Chairperson when speaking.
38. If, in the opinion of the Chairperson, any member acts in an obstructive or offensive manner, the Chairperson may with immediate effect move that the member be suspended for the remainder of the meeting. After seconding, the motion shall be put without debate and if carried, the member shall be required to leave the meeting room (including any public area or gallery) and may be removed if they fail to comply.
39. The Chairperson may require the removal of any member of the public whose presence or conduct impedes or may be likely to impede the proceedings at any meeting. The Chairperson may determine that a warning shall be given before ordering the removal of any member of the public.
40. The Chairperson will ensure that the decisions of the meeting are clear with regard to all matters which form the business of the meeting.

### **Minutes**

41. A record must be kept of the names of the members attending every meeting of the Joint Committee.
42. Minutes of the proceedings of each meeting of the Joint Committee including any decision made at that meeting, are to be drawn up and submitted to the subsequent meeting of the Joint Committee for agreement after which they must be signed by the person presiding at that meeting.

### **Voting**

43. Each motion put to a meeting of the Joint Committee shall be decided by a majority of the votes of those members present and entitled to vote.
44. Motions and amendments shall be moved and seconded.
45. Votes shall be taken by roll call except where an electronic voting system is available, in which case it shall be used in preference to any other method.
46. If the members of the Joint Committee agree unanimously prior to a vote on any particular matter, a vote may be taken by a show of hands.

47. Where there is an equality of votes, the Chairperson shall exercise a second or casting vote except where the division relates to the appointment of a member of the Joint Committee to any office or sub-committee or outside body, in which case the matter shall be determined by lot.
48. Any member may request the recording in the minutes of his or her dissent from any decision after the result of the division has been announced.

### **Alteration or Revocation of Previous Decision**

49. No decision of the Joint Committee shall be altered or revoked within six months of it having been taken unless a recommendation to that effect is approved by the Joint Committee, and any such alteration or revocation shall have no retrospective effect.

### **Register of Interests and Code of Conduct**

50. The Constituent Authorities shall keep a register of interests made by Members, including co-opted Members. The register of interests shall be open to inspection by members of the Public.
51. A member should not accept any gift or consideration of any kind as an inducement or reward for doing or for refraining from doing or for having done or refrained from doing any action in relation to the City Region Deal as to do so could result in that member having committed an offence under the Bribery Act 2010.
52. All members of the Joint Committee must comply with the terms of the Councillors' Code of Conduct provided for under the Ethical Standards in Public Life etc. (Scotland) Act 2000.
53. It is the responsibility of each member to determine if they require to declare an interest and withdraw from the meeting, having taken advice from officers beforehand should they wish.
54. A Member must withdraw from the Meeting Room, including the Public gallery, where he or she has declared an interest that prevents him or her from participating in the discussion of, and voting on, the item.

### **Admission of Press and Public**

55. The Public must be excluded from a Meeting when an item of business is being considered and it is likely that, if the Public were present, Confidential Information would be disclosed to them in breach of an obligation of confidence in terms of section 50A(2) of the Local Government (Scotland) Act 1973 as enacted by the Local Government (Access to Information) Act 1985. A report falling into this category will:
  - be marked as containing confidential information;

- carry a restricted watermark; and
- be printed on green paper.

**56.** The Public may be excluded from a Meeting by resolution of the Joint Committee when an item of business is being considered, if it is likely that Exempt Information would be disclosed to them which would fall within the categories specified in Part 1 of Schedule 7a of the Local government (Scotland) Act 1973, as enacted by the Local Government (Access to Information) Act 1985. Any such resolution shall specify the part of the proceedings to which it relates and the categories of exempt information involved shall be specified in the minutes. A report containing exempt information shall:

- specify the category involved;
- carry a restricted watermark; and
- be printed on green paper.

**57.** The provisions of the Data Protection Act 1998 shall apply to meetings of the Joint Committee and any relevant reports shall:

- be marked as containing data protected information;
- carry a restricted watermark; and
- be printed on green paper.

## APPENDIX 2 EQUALITY IMPACT ASSESSMENT

EIA Version	Date	Author	Changes
1	27.5.20	Ruth O'Hare	N/A
Stage 1: Title and aims of the activity ("activity" is an umbrella term covering policies, procedures, guidance and decisions including those that affect services the council delivers).			
Service	Legal and Governance		
Section	Governance		
Title of the activity etc.	Amendments to Standing Orders for City Region Deal Joint Committee		
Aims and desired outcomes of the activity	To amend the provisions of the Standing Orders to better facilitate remote participation at Joint Committee Meetings.		
Author(s) & Title(s)	Ruth O'Hare, Principal Solicitor (Democratic Services)		
Stage 2: List the evidence that has been used in this assessment and explain what it means in relation to the activity you are assessing.			
Evidence	What does it say?	What does it mean?	
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	N/A – the activity is not data driven, it is driven by the requirements of the user needs		
Internal consultation with staff and other services affected.	N/A		

External consultation (partner organisations, community groups, and councils).	Consulted with Aberdeen City Council as a Member Authority of the Joint Committee.		
External data (census, available statistics).	N/A		
Other (general information as appropriate).	N/A		
<b>Stage 3: Evidence Gaps.</b>			
Are there any gaps in the information you currently hold?	N/A		
<b>Stage 4: Measures to fill the evidence gaps.</b>			
What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:		Timescale:
	N/A		
<b>Stage 5: What steps can be taken to promote good relations between various groups/areas?</b>			
These should be included in the action plan.	Guidance has been provided to Elected Members on the procedures for remote meetings and officers are available to provide further assistance on any issues that may arise. Any external Member will similarly be provided with guidance on how to participate in a meeting remotely.		
<b>Stage 6: How does the policy/activity create opportunities for advancing equality of opportunity?</b>			
The amendments to the Standing Orders enhance, and provide clarity on, the holding of online meetings of the Joint Committee and the arrangements for remote participation by members. This will ensure there is clear provision for attendees to be included in meetings, if they are unable to be physically present at a meeting venue.			

Stage 7a:

Are there potential impacts on protected groups?

The protected groups covered by the equality duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Who is affected by the activity or who is intended to benefit from the proposed activity and how? Complete the table below for each protected group by inserting “yes” in the applicable box/boxes below.

	Positive	Negative	Neutral	Unknown
Age – Younger			X	
Age - Older	X			
Disability	X			
Race – (includes Gypsy Travellers)			X	
Religion or Belief			X	
Sex			X	
Pregnancy and maternity	X			
Sexual orientation – (includes Lesbian/ Gay/Bisexual)			X	
Gender reassignment – (includes Transgender)			X	
Marriage and Civil Partnership			X	

Stage 7b: Do you have evidence or reason to believe that this policy, activity etc. will or may impact on socio-economic inequalities?

This is about trying to be fair to everyone. Part of that is realising that not everyone may be starting at the same place. Some individuals and families may have low income, may have very little or no savings which means they are living from month to month therefore changes to council policies/services may have a greater adverse impact on them.

On this basis you should consider potential impacts on individuals/families by:

- Place: on specific vulnerable areas or communities (SIMD, regeneration, rural) e.g. housing, transport.
- Pockets: household resources, (Income, benefits, outgoings) ability to access a service
- Prospects: peoples life chances e.g.access to, or ability to access: employment, training, services (such as council or health) or support.

Groups of people who may be impacted include, but not limited to:

<ul style="list-style-type: none"> <li>• Unemployed</li> <li>• Single parents and vulnerable families</li> <li>• People on benefits</li> <li>• Those involved in the criminal justice system</li> <li>• People in the most deprived communities</li> <li>• People who live in rural areas</li> </ul>	<ul style="list-style-type: none"> <li>• Pensioners</li> <li>• Looked after children</li> <li>• Carers including young carers</li> <li>• Veterans</li> <li>• Students</li> <li>• Single adult households</li> <li>• People who have experienced the asylum system</li> </ul>	<ul style="list-style-type: none"> <li>• Those leaving the care setting including children and young people and those with illness</li> <li>• Homeless people</li> <li>• People with low literacy/numeracy</li> <li>• People with lower educational qualifications</li> <li>• People in low paid work</li> <li>• People with one or more protected characteristic</li> </ul>
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Please complete by inserting "yes" in the applicable box/boxes below.

Socio-economic disadvantage	Positive	Negative	Neutral	Unknown
Pockets: Low income/income poverty – cannot afford to maintain regular payments such as bills, food, clothing			X	

Pockets: Low and/or no wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future			X	
Pockets: Material deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies			X	
Place: Area deprivation – where you live, where you work			X	
Prospects: Socioeconomic background – social class i.e. parents education, employment and income , educational achievement.			X	

Stage 8: What are the positive and negative impacts?

Impacts.	Positive	Negative
Please detail the potential positive and/or negative impacts you have highlighted above. Detail the impacts and describe those affected.	The action proposed will have a positive impact on the protected characteristics identified through promoting participation in meetings of the Joint Committee. Where an attendee cannot physically attend a meeting venue, the amendments make clear the arrangements for remote participation and ensure the Joint Committee will remain an inclusive and accessible forum for decision making.	N/A


**Stage 9: Have any of the affected groups/areas been involved, engaged with or consulted?**

If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?	N/A
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**Stage 10: What mitigating steps will be taken to remove or reduce negative impacts?**

These should be included in any action plan at the back of this form.	Mitigating Steps	Timescale
	N/A	

**Stage 11: What monitoring arrangements will be put in place? How the EIA will be used to monitor the proposal**

These should be included in any action plan (for example customer satisfaction questionnaires).	Obtaining feedback from Elected Members, partners and officers following implementation of the amendments.
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**Stage 12: What is the outcome of the Assessment?**

Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.
		No negative impacts have been identified. The action will have a neutral impact on the majority of the protected characteristic groups, with a positive impact on age (old), disability and pregnancy/maternity.
	2	Negative Impacts have been identified, these can be mitigated - please explain. * Please fill in Stage 13 if this option is chosen.

	3	The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen

\* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

N/A

Stage 14: Sign off and authorisation.

Sign off and authorisation.	1) Service and Team	Legal and Governance, Governance	
	2) Title of Policy/Activity	Amendments to Standing Orders for City Region Deal Joint Committee	
	3) <b>Authors:</b> I/We have completed the equality impact assessment for this policy/activity.	Name: Ruth O'Hare Position: Principal Solicitor Date: 27.5.20 Signature: Ruth O'Hare	Name: Position: Date: Signature:
		Name: Position: Date: Signature:	Name: Position: Date: Signature:
	4) Consultation with Service Manager	Name: Laura Bremner Date: 4.6.20	
	5) Authorisation by Director or Head of Service	Name: Karen Wiles Position: Head of Legal and Governance Date: 4.6.20	Name: Position: Date:
	6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee.		Date: 11.6.20
7) EIA author sends a copy of the finalised form to: equalities@aberdeenshire.gov.uk		Date: 11.6.20	