

SPECIAL ANGUS COUNCIL

12 AUGUST 2020

SPECIAL ARRANGEMENTS IN RELATION TO DECISION MAKING POWERS:UPDATE

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This Report details the changes to be put into effect following the decision by the Special Arrangements Committee on 24 June that meetings of all service committees would resume in August 2020 in accordance with the previously agreed timetable of meetings, with the consequential ceasing of meetings of the Special Arrangements Committee and the Special Education Committee.

1. RECOMMENDATIONS

It is recommended that the Council:

- (i) Notes the decision of the Special Arrangements Committee of 24 June 2020 as outlined in the first paragraph of Section 3 below, and consequently:-
- (ii) Agrees to dis-establish the Special Arrangements Committee;
- (iii) Agrees to dis-establish the Special Education Committee;
- (iv) Agrees to remove the suspension of the delegations to the Policy and Resources Committee, the Children and Learning Committee and the Communities Committee;
- (v) Agrees that the Policy and Resources Committee, the Communities Committee and the Children and Learning Committee will each re-assume as the parent committee of their respective sub-committees as was the position before the establishment of the Special Arrangements Committee and the Special Education Committee;
- (vi) Notes that meetings of all Committees and Sub-Committees will continue to be undertaken on a remote basis as permitted under Section 43 of the Local Government in Scotland Act 2003, subject to the appropriate direction of the Chair of the meeting;
- (vii) Notes that meetings of Committees will take place in accordance with the previously agreed timetable of meetings;
- (viii) Agrees that meetings of Committees or Sub-Committees will now be able to consider matters delegated to that Committee or Sub Committee which need not be time critical or necessary;
- (ix) Agrees that the Standing Orders which were in place prior to 3 April 2020, as amended to include provision for meetings to take place on a remote basis (as detailed in paragraph 4 in this Report) as permitted under Section 43 of the Local Government in Scotland Act 2003, will now apply to all Council, Committee and Sub Committee meetings which take place;
- (x) Agrees that the extension to officer delegation, including any interim emergency powers (as detailed in Appendix 1) will cease with immediate effect; and
- (xi) Agrees that the original version of the Order of Reference of Committees and the Scheme of Delegation to Officers and not the interim arrangements version, will now apply and be effective from 13 August 2020.
https://www.angus.gov.uk/media/standing_orders_angus_council_pdf

2. ALIGNMENT TO THE COUNCIL PLAN

This Report contributes to the achievement of our priority that the council is efficient and effective as detailed in our Council Plan for 2017 – 2022.

3. BACKGROUND

At a meeting of the Special Arrangements Committee on 24 June it was agreed that meetings of all service committees would resume in August 2020 in accordance with the previously agreed timetable of meetings, with the consequential ceasing of meetings of the Special Arrangements Committee and the Special Education Committee.

Following on from that decision a number of further decisions are required to be formally made which are not delegated to a committee as detailed in Report No 121/20 and which are listed below for ease of reference:-

- (i) Agrees to establish a Special Arrangements Committee on a temporary basis with delegated powers and as listed as in Appendix 1 paragraph (1) to this Report **until such time as Council agrees otherwise;**
- (ii) Agrees to establish a Special Education Committee on a temporary basis with delegated powers and as listed in Appendix 1 paragraph (2) to this Report **until such time as Council agrees otherwise;**
- (iii) Agrees to suspend the delegations to the current Policy and Resources Committee, the current Children and Learning Committee and the current Communities Committee **until such time as Council agrees otherwise**
- (iv) **Agrees that until such time as Council agrees otherwise** any Sub-Committee of the current Policy and Resources Committee, the current Communities Committee and the current Education and Lifelong Learning Committee shall become Sub-Committees of the Special Arrangements Committee, (except in so far as such Sub-Committees order of reference relates to discharge of the functions of the Council as education authority within the terms of the relevant legislation, in which case such Sub-Committees shall become a Sub-Committee of the Special Education Committee.
- (v) **Agrees that, until such time as Council agrees otherwise,** any meetings of Committees or Sub-Committees will only take place to consider matters which are by their nature time-critical or necessary.
- (vi) Agrees that, other than for those Committees of the Council whose delegations have been suspended, the arrangements in relation to all Committees and Sub-Committees of the Council including the Development Standards Committee, the Civic Licensing Committee and the Development Management Review Committee all as outlined in paragraph 4 of this Report shall include arrangements to undertake meetings on a remote basis as permitted under Section 43 of the Local Government in Scotland Act 2003 **until such time as Council agrees otherwise;**
- (vii) Agrees the interim Standing Orders, as detailed in Appendix 2 to this Report will apply to all Committee and Sub-Committee meetings which take place on a remote basis as permitted under Section 43 of the Local Government in Scotland Act 2003 **until such time as Council agrees otherwise;**
- (viii) Approves the extension to officer delegation as detailed in paragraph 5 of this Report **until such time as Council agrees otherwise;** and
- (ix) Notes that **until such time as Council agrees otherwise,** the Order of Reference of Committees and the Scheme of Delegation to Officers forming part of the current

Angus Council Standing Orders and Related Documents will be amended to reflect any changes agreed in terms of this report.

4. PROPOSALS

The Council is now asked that, as meetings of all service committees are to resume in August (albeit remotely), to formally agree the recommendations of this Report.

Members should note that the Standing Orders which applied before the interim arrangements were agreed at Council on 3 April (Report 121/20 refers) will now take effect, with the only amendment being the inclusion of the undernoted paragraph 9(b) with regard to remote meetings.

“+9(b). Remote Meetings Arrangements

Remote Members will be counted for the purposes of determining whether there is a quorum.

- A Remote Member will cast their vote as if participating in a roll call vote.
- Any Remote Member who has declared an interest in an item and withdrawn must pause/exit the 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.
- Any Remote Member must confirm that they are in a secure private location, and that no-one else is able to hear the proceedings from the device being used by that Remote Member, before they can participate in the consideration of any confidential and/or exempt item of business.”

5. FINANCIAL IMPLICATIONS

There are no financial implications to the Council in approving the recommendations contained in this Report.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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