

ANGUS COUNCIL – 26 MAY 2022

**APPOINTMENT OF STANDING COMMITTEES
AND
ELECTION OF CONVENERS AND VICE-CONVENERS/
APPOINTMENT OF MEMBERS TO COMMITTEES/
APPOINTMENT OF TEACHER AND CHURCH REPS TO THE
CHILDREN & LEARNING COMMITTEE &
MEMBERSHIP OF APPOINTMENTS SUB COMMITTEE**

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This purpose of this Report is to make appointments to Standing Committees of the Council in terms of Standing Orders, and to appoint Conveners and Vice-Conveners to the Standing Committees. The Council is also required to appoint teacher and church representatives to the Children and Learning Committee. This Report also asks the Council to make appointments to the Appointments Sub Committee

1. RECOMMENDATIONS

The Council is asked to:-

- (i) note the Standing Committees of the Council;
- (ii) appoint members to each of the Standing Committees in accordance with the provisions of Standing Order 32, and in particular in so far as possible, give effect to the principles regarding political balance as set out there;
- (iii) appoint Conveners and Vice-Conveners to the Standing Committees in accordance with the provisions of Standing Order 7;
- (iv) in terms of Section 124 of the Local Government (Scotland) Act 1973 in relation to the appointment of religious representatives to the Children and Learning Committee:-
 - 1) to approve the appointment of Mrs Jackie Wilson (former Headteacher of St Thomas' Primary School, Arbroath) as the representative of the Roman Catholic Church;
 - 2) to note that no nomination has been forthcoming as yet from the Church of Scotland;
 - 3) to note that no responses have been received as yet to the advert seeking nominations for a third religious representative; and consequently:-
 - 4) to provide for the appointment of the remaining two representatives to the Children and Learning Committee and to delegate authority to the Children and Learning Committee to approve the appointments as and when the details of the nominees are known.
- (v) to approve the appointment of Mrs Anna Cheyne and Mr Mike Callaghan as teacher representatives on the Children and Learning Committee in accordance with Standing Order 32(2)(ii), and
- (vi) to appoint 6 members to the Appointments sub-committee in accordance with Standing Order 46(2) and to appoint a Convener.

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

Standing Order 6(2) details the business to be transacted at the first meeting of the Council after elections as being the following:

- 2) Business to be transacted at such meeting shall be:-
 - (i) the election, from among the members of the Council, of the Convener of the Council, who shall be known as the Provost, *and, until such election has been completed, the Returning Officer shall preside;*
 - (ii) the election of a Depute Convener of the Council, who shall be known as the Depute Provost;
 - (iii) the election of a Convener and Vice-Convener of each of the Standing Committees of the Council;
 - (iv) the appointment of the members of Standing Committees;
 - (v) the appointment of members to represent the Council on Joint Boards, Joint Committees of the Council and other local authorities, and outside bodies on which the Council is entitled to be represented; and
 - (vi) *the adoption of a timetable of meetings of the Council.*

The Standing Committees of the Council are as follows:-

- (i) **Children and Learning;**
The Children and Learning Committee is responsible for education, residential and community services for children and young people, fostering and adoption service, youth justice and child protection services
- (ii) **Civic Licensing;**
The Civic Licensing Committee is responsible for licensing and regulation of certain activities including late hours catering, public entertainment, window cleaners, secondhand dealers, taxi fees and fares and caravan sites
- (iii) **Communities;**
The Communities Committee is responsible for planning policy and building control, council housing, property, roads, public transport, parking, flood protection, Arbroath harbour, waste and recycling, public toilets, economic development, Tay Cities Deal, vibrant communities and environmental and consumer protection
- (iv) **Development Standards;**
The Development Standards Committee is responsible for determining planning applications which require a decision at elected member level, enforcement, dangerous buildings and tree preservation orders.
- (v) **Policy and Resources;**
The Policy & Resources Committee is responsible for the financial administration of the council, development of strategic policies, community planning, ethical standards, civil protection and resilience, information technology, land and building resources and human resources. The Chief Social Work Officer and Chief Officer for Integration also reports to this committee.
- (vi) **Scrutiny and Audit.**

The Scrutiny & Audit Committee is responsible for corporate governance, risk management, internal audit and review of standards and levels of council services

The full remits for each of the Standing Committees are detailed under the Order of Reference of Committees at the undernoted link: <https://www.angus.gov.uk/sites/default/files/2022-02/Standing%20Orders.pdf>

In terms of membership of the Standing Committees, the Council is required to appoint members in accordance with the provisions of Standing Order 32. Members should note that the Development Standards Committee consists of 13 members and the Civic Licensing Committee consists of 10 members. All other Standing Committees of the Council consists of 16 elected members. In appointing members to Committees, Standing Orders provide that the Council must, so far as possible, give effect to the principles regarding political balance, as set out in the Local Government and Housing Act 1989, except in the case of the Scrutiny and Audit Committee where a majority of members must not be members of the Administration. The Leader and Depute Leader of the Council are also not permitted to be members of the Scrutiny and Audit Committee.

In terms of Section 124 of the Local Government (Scotland) Act 1973, where a council as education authority appoints a committee to discharge its functions as an education authority, it requires to appoint three persons as follows to that committee.

- a) one representative of the Church of Scotland,
- b) one representative of the Roman Catholic Church and
- c) one person, in the selection of whom the council shall have regard (taking account of the representation of churches under paragraphs (a) and (b) above) to the comparative strength within their area of all the churches and denominational bodies having duly constituted charges or other regularly appointed places of worship there.

Based on the above, in terms of a) The Angus Presbytery of the Church of Scotland have responded to indicate that they have not been able to provide a nomination at this stage. In terms of b) the Roman Catholic Church have nominated Mrs Jackie Wilson, former Headteacher of St Thomas' Primary School, Arbroath. In terms of c) no response has been received to the advert seeking nominations for the third religious representative).

Consequently, it is recommended to Council that they allow for the remaining two places to be taken up and that authority is delegated to the Children and Learning Committee to approve the appointments as and when the details of the nominees are known. In the meantime, council officers will endeavour to facilitate the nominations.

In addition, Standing Order 32(2)(ii) also provides for two teachers employed in educational establishments under the management of the Council to be nominated in such manner as the Council may determine. The Teacher's Panel have nominated Mrs Anna Cheyne and Mr Mike Callaghan as teacher representatives on the Children and Learning Committee.

Members are also asked to note that in terms of Standing Order 46(2) the appointment of the Chief Executive, the Depute Chief Executive and Directors is to be undertaken by an Appointments Sub-Committee of the Council, comprising the Leader and Depute Leader of the Council and four other members (one Administration, three Non-Administration).

Following the forthcoming retiral of the Director of Infrastructure a report will come to the Policy and Resources Committee in June with recommendations concerning this post. Accordingly, the Council is asked to appoint 6 members to the sub-committee and to appoint the Convener.

4. FINANCIAL IMPLICATIONS

There are no additional financial implications arising as a direct result of the recommendations in this report however matters concerning salary payments for Conveners and other senior councillor roles are detailed in Report 128/22 "Remuneration of Councillors" which is a separate item on the agenda.

5. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment is not required.

NOTE: No background papers, as defined 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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