

North Lanarkshire Council Report

Council

Does this report require to be approved? Yes No

Ref Date 19/12/24

Review of Standing Orders

From Chief Officer (Legal and Democratic)

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Executive Summary

The purpose of the report is to seek approval for amendments to the Standing Orders for Meetings.

Members will recall that on 3 October 2024 the Council agreed that a review of standing orders be undertaken, and a report be submitted to Council on 19 December 2024 for consideration.

Recommendations

It is recommended that the revisions to Standing Orders, attached in Appendix 1 to the report, be approved.

The Plan for North Lanarkshire

Priority All priorities
Ambition statement All ambition statements
Programme of Work All Programmes of Work

1. Background

- 1.1 The Council last reviewed Standing Orders on 13 August 2020 to facilitate remote meetings.
- 1.2 It should be noted that since 13 August 2020 the Standing Orders have been updated to reflect decisions taken by Council

2. Report

- 2.1 The proposed changes to Standing Orders are attached in appendix 1 to the report.

3. Measures of success

- 3.1 The decision-making process of the Council operates in an efficient and streamlined manner.

4. Supporting documentation

Summary of proposed revisions to Standing Orders attached in appendix 1 to the report



Archie Aitken
Chief Officer (Legal and Democratic)

5. Impacts

<p>5.1 Public Sector Equality Duty and Fairer Scotland Duty Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>If Yes, has an assessment been carried out and published on the council's website? https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>5.2 Financial impact Does the report contain any financial impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant financial impacts been discussed and agreed with Finance? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p>5.3 HR policy impact Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant HR impacts been discussed and agreed with People Resources? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p>5.4 Legal impact Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant legal impacts been discussed and agreed with Legal and Democratic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p>5.5 Data protection impact Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to dataprotection@northlan.gov.uk Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>5.6 Technology / Digital impact Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>

Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)?

Yes No

5.7 Environmental / Carbon impact

Does the report / project / practice contain information that has an impact on any environmental or carbon matters?

Yes No

If Yes, please provide a brief summary of the impact?

5.8 Communications impact

Does the report contain any information that has an impact on the council's communications activities?

Yes No

If Yes, please provide a brief summary of the impact?

5.9 Risk impact

Is there a risk impact?

Yes No

If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?

5.10 Armed Forces Covenant Duty

Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?

Yes No

If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.

5.11 Children's rights and wellbeing impact

Does the report contain any information regarding any council activity, service delivery, policy, or plan that has an impact on children and young people up to the age of 18, or on a specific group of these?

Yes No

If Yes, please provide a brief summary of the impact and the provision that has been made to ensure there has been appropriate consideration of the relevant Articles from the United Nations Convention on the Rights of the Child (UNCRC).

If Yes, has a Children's Rights and Wellbeing Impact Assessment (CRWIA) been carried out?

Yes No

Council Meeting

Thursday, 19 December 2024

Proposed Changes

The introduction to the Standing Orders will have the undernoted statement added:-

Reference to the Chief Executive and Chief Officer (Legal and Democratic) should be taken in conjunction with the Scheme of Delegation to Officers

Note:

Questions submitted at meetings to which officers committed to responding to outwith the meeting – sits outside of the standing orders – a process will be put in place to submit a log of all questions submitted during the cycle together with the response to the Council meeting.

Standing Order Number	Changes
3	Special Meetings – clarify that a wet signature is required
4	Planning Committee to be held in hybrid form
5	Motion to continue a Council meeting after 8pm – clarify that it requires a majority of members
5	Bullet point 2 – Change to Read <ul style="list-style-type: none"> • Any report or motion then remaining on the agenda will be considered by the meeting in order. On each remaining item, a motion and amendment may be moved and seconded with the right of the mover and seconder of the motion or amendment to speak but without further discussion (provided that the Chair may rule that discussion is necessary for the proper consideration of the item and authorise such discussion). Items not moved and seconded will fall from the agenda.
14	Change to read <p>The decision of the Chair on all matters within their responsibility shall be final, and shall not be open to question or discussion. When the Chair rises to speak, the Member, if any, who is addressing the meeting shall cease to speak. The Chair shall be entitled to adjourn the meeting for a period of no more than 30 minutes.</p>
24	Add the undernoted sentence <p>In an instance whereby a motion has been determined competent after the list of competent motions has been published. The deadline for submission of amendments shall be 3 working days.</p>
33	Change to read

	<p>A Member who has taken part in a vote or who has moved a motion or amendment but failed to find a seconder may, if he or she so requests, have their dissent to the relevant decision recorded in the minutes. A Member who has not taken part in a vote on the matter under discussion, or who has not moved a motion or amendment shall not be entitled to have their dissent from the decision recorded in the minutes.</p>
39	<p>Change to read</p> <p>Remove the last sentence after comma.</p> <p>Add "Where an electronic voting system is not available for those attending the meeting remotely the vote will be taken by use of an electronic voting system for those members attending in person, and for those attending remotely the vote will be taken by calling the roll."</p>
50	<p>Change to read</p> <p>In the event of any Member, at any Council meeting, disregarding the authority of the Chair or being guilty of obstructive or offensive conduct, a motion may be moved and seconded to suspend such a Member for the remainder of the meeting. The motion shall be put to the meeting without discussion and, if supported by a majority of the Members participating and voting, the motion shall be declared carried. Should the motion be carried, the Member concerned shall thereupon retire from the meeting and will not be permitted to participate. The Council Officer shall act on any instructions he or she may receive from the Chair in pursuance of such a decision.</p>
	Application of Standing Orders to Committees
61	Special Meetings – clarify that a wet signature is required
12 (d) (a)	Update grammar
64 (A)	<p>Substitute Members</p> <p>Change first paragraph to read</p> <p>Where a Member who has been appointed to a Committee, Joint Consultative Committee for Local Government Employees, Joint Negotiating Committee for Teaching Staff or a Member/Officer Working Group is unable to attend a meeting of that body, it shall be permitted to appoint a substitute Member to attend in their place. The use of substitute Members shall be limited to use only by Political Groups who shall be further limited to three per Political Group per meeting.</p> <p>The Council decision on 21 December 2023 whereby named substitutes have been removed and each political group can appoint 3 substitutes per meeting with the exception of the Audit and Scrutiny Panel and the Licensing Board will remain in place.</p>
	Protocol for Hybrid and Remote Council and Committee Meetings
9	<p>First Paragraph Change to</p> <p>If it is the intention of a member to move an Amendment to a report, they should inform the Committee Clerk in advance and send to them a copy of the Amendment, no later than 24 hours before the meeting regardless of whether they will be attending the meeting via remote access or will be physically present.</p>
11	<p>Voting Process</p> <p>Change to</p> <p>All votes will be completed by use of an electronic voting system</p>

	<p>Where an electronic voting system is not available for those attending the meeting remotely the vote will be taken by use of an electronic voting system for those members attending in person, and for those attending remotely the vote will be taken by calling the roll.</p>
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