

## Review of Committee and External Appointments

### Report by John Blair, Director, Resources

#### 1 Purpose of Report

This report invites the Council to review the current list of Committee and external appointments; to note the arrangements for payment of Senior Councillors allowances made under the Scheme of Councillors' Remuneration; and to consider any changes in these following Councillor Rosie's appointment to the Cabinet.

#### 2 Background

- 2.1** At the meeting of the Council on 17 December 2013, changes were made to Council appointments (i.e. Cabinet membership and Depute Provost) and it was agreed to undertake a review all Committee and external appointments at the first Council meeting in the New Year.
- 2.2** The current list of Council appointments is shown in the **Appendix**.
- 2.3** Since then the Cabinet, at its meeting on 14 January 2014, agreed that the following portfolios would be allocated:-

Councillor Thompson	Finance and Integrated Service Support with Customer and Housing
Councillor Constable	Education
Councillor Bryant	Communities & Economy
Councillor Johnstone	Children's Services with Adult and Social Care
Councillor Rosie	Commercial Services with Property and Facilities Management

- 2.4** These portfolios, in the main, align with the Head of Service roles agreed at the Special Meeting of the Council on 3 December 2013, although with some exceptions to this principle.

#### 3 Scheme of Councillors' Remuneration

- 3.1** At the first meeting of Midlothian Council following the 2012 elections, the Council agreed that there would be six Senior Councillors, namely five Cabinet members (other than the Leader of the Council) and the Leader of the Opposition. Currently there are only five Senior Councillors.

#### 3.2/

- 3.2** Remuneration at Senior Councillor level was previously been paid to Councillor Rosie in recognition of his roles as Depute Provost, Chair of the General Purposes Committee and Chair of the Petitions Committee (as agreed by Council on 14 May 2013). However, by virtue of his appointment to Cabinet by the Council on 17 December 2013, he now receives a Senior Councillor payment in that role instead.
- 3.3** Councillor Rosie remains the Chair of both the General Purposes Committee and the Petitions Committees and Councillor Coventry, who succeeded him as Depute Provost, continues to receive payment at basic Councillor level only.

#### **4 Standing Order Considerations**

The attention of the Council is drawn to the following Standing Order provisions:-

- Standing Order 4.1 which *inter alia* states that:-  
  
“a proposal to replace any person duly elected or appointed under Standing Order 4.1 or 4.2(x) shall have effect only where at least ten Members of the Council vote for this at an Ordinary or Special Meeting of the Council.”
- Standing Order 11.2 (iv) which states that:-  
  
“In any division each Member shall have one vote only. The Chair, in the case of an equality of votes, will have a second or casting vote. This will not apply however when the matter which is the subject of the vote relates to the appointment of a Member of the Council to any particular office or Committee. In that case the decision will be by lot.”
- Standing Order 11.3(iii) which states that:-  
  
“A Member may not move or second a motion or amendment for the election or appointment of him/herself to any of the positions referred to under Standing Order 4, whether appointed at the first meeting of the Council after the elections or at a later date. Neither shall a Member vote in any personal election or appointment. This Standing Order (11.3 (iii)) will not apply when block proposals are put forward to facilitate Council business”
- Standing Order 11.5(ii) which states:-  
  
Any vote will be taken normally by a show of hands. If any Member objects to the vote being taken this way and if one-third of the Members present (or the nearest whole number to this), similarly agree then the vote will be taken by calling the roll.
- Standing Order 11.6 which states that:-  
  
(i)/

- (i) In the case of an election, selection or appointment of a Member or of any person to any office where the number of candidates nominated exceeds the number of vacancies, the Member or person to be elected, selected or appointed will be decided by a show of hands or by a ballot as the meeting may decide.
- (ii) Where only one vacancy requires to be filled and any candidate has an absolute majority of the votes cast then that candidate will be declared elected, selected or appointed as the case may be. Where more than one vacancy requires to be filled, then voting will again be by ballot or show of hands, and the candidates so elected, selected or appointed will be those receiving the greatest number of votes. Where there is no clear result due to an equality of votes, the candidate(s) to be eliminated shall be determined by lot.

## **6 Report Implications**

### **6.1 Resource**

Provision has been included within the budget for the maximum of six Senior Councillor appointments.

### **6.2 Risk**

There are no risks arising from this report.

### **6.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☒ None of the above

### **6.4 Impact on Performance and Outcomes**

Not applicable.

### **6.5 Adopting a Preventative Approach**

Not applicable.

### **6.6 Involving Communities and Other Stakeholders**

Not applicable.

### **6.7 Ensuring Equalities**

An EqIA is not required.

### **6.8 Supporting Sustainable Development**

Not applicable.

**6.9 IT Issues**

Not applicable.

**7 Recommendation**

The Council's instructions are requested.

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**Report Contact:**

**Jim Clifford Tel No 0131 271 3155**

**E-mail [jim.clifford@midlothian.gov.uk](mailto:jim.clifford@midlothian.gov.uk)**