
Report to: Clackmannanshire Council

Date: 2 June, 2011

**Subject: Amendments to Scheme of Delegation and Notice of
Amendments to Council Standing Orders**

Report by: Head of Strategy & Customer Services

1.0 Purpose

- 1.1 The purpose of this report is to give notice to the Council of proposed changes to Standing Orders.

2.0 Recommendation

- 2.1 It is recommended the Council notes that:
- a) amendments to Standing Orders will be submitted to the next Council meeting for approval;
 - b) a briefing for all elected members will take place on 6 June to discuss and review potential amendments;
 - b) a report proposing amendments to the Scheme of Delegation will come forward to the next Council meeting for approval.

3.0 Background

- 3.1 At its meeting in June 2010, the Council agreed a range of changes to the Scheme of Delegation as a consequence of the senior management restructuring. Standing Orders were subsequently amended in August of the same year. Council also agreed as part of those discussions that a broader review of both the Scheme of Delegation and Standing Orders should take place.
- 3.2 Since the Council took the decision to review these two governance documents, it has been agreed to work jointly with Stirling Council in relation to education and social services. The Council appointed two Joint Heads of Service to take this forward in December, 2010. This development has implications for the Scheme of Delegation which requires to be altered to ensure that the postholders have the relevant authority delegated to them by each council.

4.0 Considerations

Standing Orders

- 4.1 Standing Order 3.2 states: *“The standing orders can only be changed or abolished when (at a meeting of the Council) there has been an indication that proposals to amend standing orders will be brought before the next Council meeting.”*
- 4.2 All elected members and senior officers were invited to comment on existing Standing Orders in September of 2010 (memo dated 14 September, 2010, from Head of Strategy & Customer Services). The feedback from that exercise has been reviewed and revised draft Standing Orders have been produced. This revised draft currently includes the following proposed amendments:
- a restructuring of Standing Orders so that they flow more logically
 - the bringing together of related Standing Orders into the same sections so that the document is more accessible
 - the inclusion of certain new proposals to take account of issues which have arisen in the past but for which there is no provision currently in Standing Orders
 - some textual changes to clarify procedures and remove ambiguities.
- 4.3 Copies of the revised draft document have been circulated to elected members and a briefing and discussion session for all councillors has been arranged for 6 June to inform the final draft which will be presented to Council at its meeting on 30 June.

Scheme of Delegation

- 4.5 There is no requirement for changes to the Scheme of Delegation to be notified in advance to Council but it is appropriate to do so given the circumstances of this report.
- 4.6 The proposed changes to the Scheme which will come forward on 30 June will focus mainly on ensuring that the Joint Heads of Education and Social Services have the relevant authority delegated to them to enable them to carry out their duties for Clackmannanshire Council.
- 4.7 A similar report is being presented to Stirling Council on 30 June which will ensure that the postholders will have the relevant authority delegated to them to enable them to carry out their duties for Stirling Council

5.0 Sustainability Implications - N/A

6.0 Resource Implications

Financial & Staffing Details - none directly from this report

7.0 Exempt Reports

6.1 Is this report exempt? No

8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please tick ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

9.0 Equalities Impact

9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? NO

10.0 Legality

10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. YES

11.0 Appendices

None


12.0 Background Papers

12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☒ (please list the documents below) No ☐

Revised draft Standing Orders

Author(s)

NAME	DESIGNATION	SIGNATURE
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Approved by

NAME	DESIGNATION	SIGNATURE
Angela Leitch	Chief Executive	