

Agenda Item	<b>9</b>
Report No	<b>HC/36/25</b>

# The Highland Council

**Committee:** The Highland Council

**Date:** 30 October 2025

**Report Title:** Annual Review of Standing Orders Relating to the Conduct of Meetings

**Report By:** Chief Officer - Legal and Corporate Governance

## 1. Purpose/Executive Summary

- 1.1 This report outlines proposals for amendment to the Council's Standing Orders Relating to the Conduct of Meetings.
- 1.2 Annual Review of Standing Orders is a requirement of the Council's Code of Corporate Governance and the Governance Review Steering Group has met on a number of occasions to inform the proposals presented for consideration by Council. A number of the proposals have been trialled in recent Council meetings.
- 1.3 The current Standing Orders can be found [here](#).
- 1.4 **Appendix 1** sets out the proposed amendments to the current Standing Orders which are also summarised in paragraph 5 of this report.

## 2. Recommendations

- 2.1 Members are asked to:
  - i. **approve** the revised wording of Standing Orders Relating to the Conduct of Meetings as set out in **Appendix 1**.

## 3. Implications

- 3.1 **Resource**  
There are no resource implications arising from this report.
- 3.2 **Legal**  
The Council's Standing Orders are aligned with the Local Government (Scotland) Act 1973 and subsequent revisions. They will support the Council to meet its legal duties and enhance the Council's governance arrangements.

### 3.3

#### **Risk**

The majority of proposed changes are intended to have a positive impact on risk because of improved governance and scrutiny. However, raising the quorum for Planning Application Committees to half their respective memberships may result in consideration of some applications being deferred because there is no quorum either for the meeting or item.

### 3.4

#### **Health and Safety** (risks arising from changes to plant, equipment, process, or people)

There are no implications arising from the recommendations in this report.

### 3.5

#### **Gaelic**

There are no implications arising from the recommendations in this report.

## 4.

### **Impacts**

#### 4.1

In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

#### 4.2

Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.

#### 4.3

#### **Integrated Impact Assessment - Summary**

##### 4.3.1

An Integrated Impact Assessment screening was undertaken on 10 October 2025. The conclusions have been subject to the relevant Manager Review and Approval.

##### 4.3.2

The Screening process has concluded that there are no impacts and therefore no further appendix has been included with this report. Members are asked to consider the summary at 4.3.3 (below) to support the decision-making process.

##### 4.3.3

<b>Impact Assessment Area</b>	<b>Conclusion of Screening/Full Assessment</b>
Equality	<ul style="list-style-type: none"><li>• Children and Young People – <i>no impact</i></li><li>• Children affected by disability – <i>no impact</i></li><li>• Older adults – <i>no impact</i></li></ul>
Socio-economic	<i>no impact</i>
Human Rights	<i>no impact</i>
Children's Rights and Well-being	<i>no impact</i>
Island and Mainland Rural	<i>no impact</i>
Climate Change	<i>no impact</i>
Data Rights	<i>no impact</i>

## **5. Proposed Amendments**

### **5.1 Standing Order 1: Ordinary and Special Meetings of the Council**

Recent Council meetings have adopted an alternative running order on a trial basis. Following the trial, it is proposed to confirm the changes to the order of business on the Agenda at ordinary meetings of the Highland Council. The revised order being:

1. Recording of Members' Attendance and apologies intimated
2. Declarations of Interest/Transparency Statements
3. Notices of Amendment under Standing Order 13
4. Policy Items
5. Procedural, statutory and business type items
6. Minutes of the immediately preceding meeting and of any intervening special meeting
7. Minutes of Headquarters Committees and City/Area Committees
8. Questions
9. Notices of Motion

### **5.2 Standing Order 2: Calling of Meetings**

It is proposed that meetings of the Full Council will cease at 6pm and, should there be any unfinished business, reconvene the following Thursday.

### **5.3 Standing Order 4: Non-Members of Committees/Substitute Members**

It is proposed to make explicit that where substitutes have been nominated, they are in attendance for the whole meeting and may not attend solely for specific items.

### **5.4 Standing Order 11: Questions**

It is proposed to formalise the recent trial for Members' Questions and that the deadline be extended from 14 to 21 days. Furthermore, it is proposed that the deadline for Public Questions be changed from 14 to 21 days, in line with that for Members Questions.

### **5.5 New Standing Order 12: Starred Items**

It is proposed to introduce a Standing Order detailing the process to be followed in relation to Starred Items to Full Council.

The order of the subsequent paragraphs has been adjusted to reflect the chronological order.

### **5.6 Standing Order 13: Notices of Motion**

The submission of both Motions and Amendments is subject to an ongoing trial and the Governance Review Steering Group considered that further review and engagement was both appropriate and necessary before any recommendation be made to amend Standing Orders.

In the meantime, it is proposed that Notices of Motions which are not accompanied by the required Assessments are not included on the Agenda.

Furthermore, it is proposed:

- in terms of consistency, the deadline for Notices of Motions will also be 21 days;

- where there are 4 or fewer Notices of Motion, the need for a draw is removed; and
- the requirement for the mover of a Notice of Motion to be present at the meeting be extended to include the mover of any Amendment.

## 5.7 **Standing Orders relating to Planning**

- **Standing Order 6: Quorum**

The current membership of both the North and South Planning Applications Committee is 16 Members. A quorum of one quarter can result in the potential for some applications to be determined by only 4 Members. This is not considered optimum given the changing nature of the type of applications being determined. Therefore, it is proposed to increase the quorum of the Planning Applications Committees to one half, that is 8 Members.

Using the attendance figures for Planning Applications Committees between January and October 2025 as a benchmark, there are no instances where the meeting would have been inquorate had a one-half quorum applied.

- **Standing Order 15: Notices of Amendment (Planning)**

The existing provisions for Notices of Amendment (Planning) can result in a lack of clarity for applicants, interested parties and officers, whereby such referrals to Full Council can be made by a Member who was not present and voting at the relevant Planning Applications Committee with a 3-working day delay. A review of similar provisions at other Local Authorities identified that transparency can be improved by ensuring that the referral is made by a Member involved in a vote on the planning application in question, that such a referral has the support of other Members involved in that vote (at least 40%), and that the intention of that Member to submit a Notice of Amendment (Planning) with the required Committee support is made known to the Chair on a Point of Order before the end of the meeting. Where that minimum threshold is met, the Member must then follow the existing process by submitting a Notice of Amendment (Planning) in writing which is signed by at least 19 Members of the Council (this must include those Members of the Planning Applications Committee who supported the referral) within 3 working days of the Committee.

This two-step procedure ensures that an appropriate proportion of Members who were involved in the discussion and debate of the relevant planning application are supportive of referral to Full Council in the first instance, and that applicants, interested parties, and Officers also benefit from increased clarity of process and decision-making on whether a Notice of Motion (Planning) is being submitted.

## 5.8 **Other Administrative Changes**

Minor administrative changes have and will be made as necessary to remove duplication and to clarify existing arrangements. It is also proposed that a glossary of terms be incorporated into Standing Orders.

Designation: Chief Officer - Legal and Corporate Governance

Date: 10 October 2025

Author: Stewart Fraser

Appendices: Appendix 1 – Revised Standing Orders

# **Standing Orders Relating to the Conduct of Meetings**

Gnàth-riaghailteana'  
Buntainn ri Stiùireadh  
Choinneamhan

October 2025

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## 1 Ordinary and Special Meetings of the Council

1.1 The first meeting of the Council after the election of Councillors will be held within 21 days of the date of the election.

1.2 At the first special meetings of the Full Council after the election of Councillors the following business will be undertaken: -

1. Intimation of election of Councillors.
2. Recording of Members' Attendance (noting which Councillors have executed the Declaration of Acceptance of Office).
3. Election of Convener and Vice Convener(s) of the Council.
4. Election of Leader and, if appropriate, the Depute Leader of the Council.
5. Consideration of the Council's Committee Structure.
6. Appointment, if appropriate, Chairs of Standing Committees of the Council.
7. Appointment, of the Leader of the Opposition following nomination by the largest political group in opposition to the Administration.
8. Appointment, if appropriate, of Vice Chairs of Standing Committees of the Council.
9. Appointment of representatives of the Council to Joint Committees and other Statutory Bodies.
10. Other statutory or competent business.

1.3 The election of a Member as Convener, Vice Convener, Leader of the Council, and Leader of the Opposition will not in any way debar them from being appointed Chair or Vice Chair of any Committees or Sub-Committees of the Council.

### 1.4 Ordinary Meetings of the Council

The business of the Council at ordinary meetings shall normally proceed in the following order following Time for Prayer and Reflection:-

1. Recording of Members' Attendance and apologies intimated
2. Declarations of Interest/**Transparency Statements**
3. **Notices of Amendment under Standing Order 14**
4. **Policy Items**
5. **Procedural, statutory and business type items**
6. **Minutes of the immediately preceding meeting and of any intervening special meeting**
7. **Minutes of Headquarters Committees and City/Area Committees**
8. **Questions**
9. **Notices of Motion**

~~(order subject to a three month trial starting in September 2024)~~

1.5 Notwithstanding the above, the Chief Officer - Legal and Corporate Governance may, in consultation with the Convener, change the order of business at any Council meeting if they consider it appropriate to do so.

### 1.6 Special Meetings of the Council

A Special Meeting of the Council/Committee will be called by the Chief Officer - Legal and Corporate Governance on -

- (a) the request of the Convener of the Council; or
- (b) receipt of a requisition in writing for that purpose (for the avoidance of doubt, only individual emails from Members and/or individual written signatures will be accepted for such requisitions) stating the business proposed to be transacted at the meeting and signed by at least a quarter of the membership (i.e. 19 Members of the Council, the relevant number in the case of a Committee being subject to a minimum of 3) and the meeting will be held within 14 days of receipt of the requisition by the Chief Officer - Legal and Corporate Governance.

**1.7** In the case of a Special Meeting called at the request of the Convener of the Council, where it appears to the Convener that the item of business demands special urgency, the Chief Officer - Legal and Corporate Governance may call the meeting without giving the 10 days' notice provided every effort is made to contact Members to give them as much notice as possible before the meeting.

## **2 Calling of Meetings**

**2.1** Notice of the place, date and time of meetings of the Council and Committees (including agendas and reports) will be emailed to every Member of the Council by or on behalf of the Chief Officer - Legal and Corporate Governance not later than the 10th day before the meeting.

**2.2** In the event that a report accompanying an agenda item is not distributed in accordance with the paragraph above (i.e., on the 10th day before the meeting) it may, if required, be circulated subsequently with the agreement of the Committee Chair, Convener, and Chief Officer - Legal and Corporate Governance.

**2.3** Meetings of the Council will be held at Council Headquarters on the days and times fixed by the Full Council or at such place and time as may be otherwise fixed by the Convener in consultation with the Chief Officer - Legal and Corporate Governance. **All meetings of Full Council shall adjourn by 6pm and will be reconvened on the following Thursday if necessary.**

**2.4** All Meetings will take place at such places and times as may be fixed by the Full Council -unless agreed otherwise by the Committee or by the Chair of the Committee for special reasons having consulted with the Convener of the Council and the Chief Officer - Legal and Corporate Governance. The powers of the Chair of the Committee under this Standing Order include power to cancel an ordinary meeting if it appears, after such consultation, that there is insufficient business to justify the holding of a meeting or, in the case of a virtual meeting, where technical problems are likely to disrupt the proper conduct of the meeting, it may be postponed to another time or day.

**2.5** Public Notice of a meeting of the Council will be given by posting a Notice on the Council Website at least 4 clear working days before the meeting or, if the meeting is convened at shorter notice, at the time it is actually convened. The notice will include the date, time and place of the meeting and information on the availability for inspection of the Agenda and accompanying reports.

**2.6** Want of service of a Notice of Meeting on any Member of the Council shall not affect the validity of the meeting.

### **3 Recording of Members' Attendance**

- 3.1** The Chief Officer - Legal and Corporate Governance, or a member of the Council's staff acting as Clerk to the Meeting, will record the names of the Members present at each meeting of the Council, as well as those who have submitted apologies for absence.
- 3.2** This will be undertaken at the start of all Committee meetings and also following the lunch recess (where applicable) with attendance statistics being published on the Council Website thereafter.

### **4 Non-Members of Committees/Substitute Members**

- 4.1** Non-Members of Committees and Sub Committees can attend meetings and at the discretion of the Convener may be given the opportunity to speak but, with the exception of Substitute Members, will not be entitled to vote.
- 4.2** With specific reference to Planning Applications Committees, Local Members may only speak to express their own assessment of the planning merits of an application. Speaking rights cannot be used to make representations on behalf of constituents or other parties.
- 4.3** For Planning Applications Committees, 1 Substitute Member can be nominated from each Ward to provide cover in the event that a Substantive Member is unable to attend or a vacancy exists for that Ward.

Notification of the attendance of a Substitute Member must be given to the Chief Officer - Legal and Corporate Governance at least 3 working days in advance of the meeting date. **Substitutes are for the whole meeting and not specific items.**

- 4.4** For all other meetings, if a substitute Member from any Group is to attend a meeting, notification must be given to the Chief Officer - Legal and Corporate Governance no later than 24 hours in advance (other than in exceptional cases) of the meeting taking place in order that the necessary arrangements can be made for their attendance. **Substitutes are for the whole meeting and not specific items.**
- 4.5** For clarification, each Group within the Council is able to specify more than 1 Substitute Member if necessary for the following Strategic Committees – Corporate Resources Committee, Education Committee, Health, Social Care and Wellbeing Committee, Economy and Infrastructure Committee, Communities and Place Committee, Housing and Property Committee and the Audit Committee.

And for the other Committees – Climate Change Committee, Gaelic Committee and Pensions Committee.

- 4.6** Substitute Members will also be permitted for Sub Committees (other than those dealing with regulatory or staffing issues) on the basis that the Substitute Member in each case will be from the Parent Committee.

## **5 Members of Press/Public**

- 5.1** Members of the Press and public are welcome to attend meetings of the Full Council and its Committees. In the case of virtual meetings, the Full Council and Strategic Committees can be viewed live via webcasting. For Area Committees, recordings of the meetings are published through the Council's YouTube channel. However, in exceptional cases, the Full Council or any Committee will resolve that members of the Press and public be excluded from the meeting where confidential business or business containing exempt information will be disclosed, all as defined in the 1973 Act.

## **6 Quorum**

- 6.1** No business will be transacted at a meeting of the Full Council unless at least 19 Members (i.e. one quarter) of the Council are present. In the case of any Committee, Sub-Committee or other Group, the quorum will be one quarter of the membership, subject to a minimum of 3, **excepting Planning Applications Committees which shall have a quorum of one half of the membership.**
- 6.2** If, within 10 minutes after the time appointed for a meeting of the Council, a quorum is not present, the Convener/Chair will adjourn the meeting to a time the Convener/Chair may then or afterwards fix and in the event of the Convener/Chair being among those absent, the Chief Officer - Legal and Corporate Governance or their representative will record that owing to the lack of the necessary quorum no business could be transacted.
- 6.3** If during any meeting of the Full Council/Committee the attention of the Convener is drawn to the number of Members present, the Convener shall, unless it is apparent that a quorum is present, direct the roll to be called and if it is found that there is not a quorum present then the meeting shall end at that point.
- 6.4** Subject to the provisions of the 1973 Act, no item of business will be transacted at a meeting of the Full Council/Committee if in consequence of the provisions of Section 38 of that Act (disability of Members from voting on account of an interest in contracts etc.) less than a quorum of the Council/Committee is entitled to vote on that item.

## **7 Declarations of Interest/Transparency Statements**

- 7.1** Members must adopt the 3-stage approach (Connection – Interest – Participation) set out in section 5 (Declaration of Interests) of the Councillors' Code of Conduct.
- 7.2** A Member will declare their interest as early as possible in meetings. Where they have declared an interest, they must withdraw from the meeting room (including from any public gallery). They must not participate in any way in those parts of meetings where they have declared an interest. If the meeting is being held online, the Member must retire to a separate breakout room or leave and re-join after the discussion on the matter has concluded. It is not sufficient for them to turn off their camera and/or microphone for the duration of the matter.
- 7.3** When making a declaration, a Member should provide enough information for those at the meeting to understand why they are making a declaration.

**7.4** Members should consider whether it is appropriate for transparency reasons for them to state publicly in the meeting where they have a connection, which they do not consider amounts to an interest. Such a statement is referred to in these Standing Orders as a “transparency statement”.

## **8 Order of Business/Urgent Business**

**8.1** Except in the case of business brought before the meeting which is certified by the Convener (or in the case of a Committee, the Chair) as urgent in terms of the 1973 Act, no business will be transacted at a meeting other than that specified on the Agenda for the meeting.

**8.2** It shall be in the sole discretion of the Convener or Chair to decide whether any business not specified on the Agenda should, by reason of special circumstances, be considered as a matter of urgency and such special circumstances must be specified in the Minutes.

## **9 Power to vary order of business**

**9.1** The business of a meeting of the Full Council or a Committee shall be conducted in the order set out on the Agenda for the meeting, provided that any item of business may, with the consent of the meeting, be taken out of its place.

## **10 Convener – Power and Duties**

**10.1** At a meeting of the Full Council, the Convener (or in the event of the Convener's absence, a Vice Convener) will preside.

If the Convener and both Vice Conveners are absent, the Chief Officer - Legal and Corporate Governance will preside until the Members of the Council choose one of their number to preside.

**10.2** In the case of a Committee, the Chair (or in the event of the Chair's absence, the Vice Chair) will preside.

In the case of a Committee, if the Chair and Vice Chair are both absent, the Committee Clerk will preside until the Members of the committee choose one of their number to preside.

**10.3** Deference shall at all times be paid to the authority of the Convener/Chair and on all points of order, competency and relevancy, their ruling shall be final and not open to discussion.

This includes discretion to rule on all questions of procedure where no express provision is made under these Standing Orders. When the Convener/Chair rises to speak, any Member of the Council who is addressing the meeting must resume their seat. It is the duty of the Convener/Chair to preserve order and to ensure that Members obtain a fair hearing.

- 10.4** Members shall at all times conduct themselves in a respectful and orderly manner. Any Member who fails to respect the authority of the Chair may be required by the Convener/Chair to leave then meeting.

In the event of disorder, the Convener/Chair has absolute discretion to adjourn the meeting and by quitting the Chair will bring the meeting to an ~~end~~ **immediate suspension**.

- 10.5** All powers and duties of the Convener/Chair in terms of these Standing Orders shall, in the absence of the Convener/Chair, or in the event of the Convener/Chair being unable to act for any reason, be exercised by the Vice Convener/Vice Chair of the Council/Committee.

- 10.6** The Convener or Leader of the Council may be removed from office before the date of the next ordinary election of the Council provided that a majority of the Members of the Council present and voting so decide. No proposal to remove the Convener or Leader from office shall be made without notice being given at one meeting of the Full Council to be discussed at the following one.

## **11 Questions**

### **Public Questions**

- 11.1** A member of the public may submit, for consideration at an ordinary meeting of the Full Council, a written question to the Leader of the Council, or Chair of a Strategic Committee concerning the business of the Council, to be answered in writing by the recipient in advance of the meeting.

- 11.2** Questions must not refer to individual planning or licensing matters or any matter of a personal nature such as employment/staffing issues, including raising any adverse matters relating to the performance, conduct or capability of employees. In addition, questions must not be substantially the same as a question which has been put at a meeting of the Full Council in the previous 6 month period, must not be defamatory, frivolous, vexatious or offensive and must not require the disclosure of confidential or exempt information.

- 11.3** Questions must be sent to the Chief Officer - Legal and Corporate Governance and received not later than **21 days prior to the meeting** of the Full Council concerned and no later than 5pm on the final day. In calculating the **21** days notice, the day of the meeting will be excluded.

- 11.4** For the avoidance of doubt, the Convener will rule on issues of competency and relevancy.

### **Member Questions**

- 11.5** A Member may submit to the Leader of the Council or Chair of a Committee, for consideration at an ordinary meeting of the Full Council, one written, relevant and competent question (in addition to individual written questions, individual emails from Members will also be accepted) relating to the business of the Council, to be answered in writing by the recipient in advance of the meeting. The Leader of the Opposition will be entitled to ask two individual questions at an ordinary meeting of the Full Council.

- 11.6** Questions and supplementary questions must not refer to individual planning or licensing matters or any matter of a personal nature such as employment/staffing issues including raising any adverse matters relating to the performance, conduct or capability of employees. In addition, questions must not be substantially the same as a question which has been put at a meeting of the Full Council in the previous 6 month period, must not be defamatory, frivolous, vexatious or offensive and must not require the disclosure of confidential or exempt information.
- 11.7** Questions must be sent to the Chief Officer - Legal and Corporate Governance and received not later than **21 days prior to the meeting** of the Full Council concerned and no later than 5pm on the final day. In calculating the **21** days notice, the day of the meeting will be excluded.
- 11.8** For the avoidance of doubt, the Convener will rule on issues of competency and relevancy.
- 11.9** The answers will be circulated to the other Members of the Council.
- 11.10** At the meeting, the Member who submitted the written question, having received a written answer, may ask orally one brief supplementary question, directly bearing on the subject matter of the original question, which shall be answered by the Leader of the Council or relevant Chair as appropriate. For the avoidance of doubt, Supplementary Questions will only be dealt with from Members present at the meeting, either in the Chamber or virtually.

Where Members are informed that a reply to a supplementary question will follow, then this will be circulated to all Members and published as an addendum to the minute **along** with the **responses to the Questions for the relevant meeting minutes** ~~of the meeting~~.

- 11.11** No discussion shall be allowed on any question **or response**, principal or supplementary.

## **12 Starred Items**

- 12.1** Where a Committee, either a Headquarters or Area, does not have power to make a formal decision, this will require to be a recommendation to the next Full Council and will be known as a “starred item” with a suitable indication being included in the minute of the meeting.
- 12.2** At the meeting of the Full Council where the minute is to be approved, the Chair of the Committee will rise and ask for the Full Council to approve the minute but will draw Members’ attention to the recommendation of the Committee and seek approval or otherwise.
- 12.3** Starred Items coming before Full Council must be accompanied by:-
- a financial assessment completed by the ‘Proper Officer’ appointed in terms of Section 95 of the 1973 Act; and
  - an Integrated Impact Assessment completed by the Chief Officer – Housing and Communities.

## 13 Notices of Motion

13.1 A relevant and competent Notice of Motion for submission to a future meeting of the Full Council (or Area Committee) will be in writing, signed by the Member of the Council giving the Notice and counter-signed by 1 other Member (entitled to exercise a deliberative vote in respect of the Motion) and sent to the Chief Officer - Legal and Corporate Governance. (Only individual emails from Members and/or individual written signatures will be accepted in each case).

13.2 ~~Where Notices of Motion coming before Council (and Notices of Motion coming before Area Committees) have financial implications they must be accompanied by:-~~

- a financial assessment completed by the 'Proper Officer' appointed in terms of Section 95 of the 1973 Act; and
- an Integrated Impact Assessment completed by the Chief Officer – Housing and Communities.

~~It is the responsibility of Members to secure and submit the assessments. Members must provide sufficient notice to facilitate completion of the above assessments. . If no financial assessment will be available to accompany the Motion then the Motion will be tabled but not debated.~~

Motions will not be placed on the Agenda for the meeting unless they are accompanied by ~~the required assessments~~ **an Integrated Impact Assessment**. Any motions lodged that are not accompanied ~~with the~~ **by an Integrate Impact Assessments** will be deferred until the ~~next meeting or until the assessments are~~ **are** available. ~~whichever is earlier~~

13.3 A Notice of Motion must be received not later than **21 days prior to the meeting** of the Full Council (or Area Committee) and no later than 5pm on the final day. In calculating the **21** days notice, the day of the meeting will be excluded.

13.4 For the avoidance of doubt, the Convener will rule on issues of competency and relevancy.

13.5 ~~Where there are 4 or fewer Motions received, they will be taken in the order submitted. Otherwise,~~ the order in which any Motions will be taken on the Agenda will be determined by the Chief Officer - Legal and Corporate Governance (or their representative) through the drawing of lots.

13.6 The first signatory on the Notice of Motion will be entitled to speak for up to 5 minutes, all other Members wishing to speak on the Motion will be limited to a maximum of 3 minutes.

13.7 If the first signatory on the Motion ~~or the Amendment~~ **or the Amendment respectively** is not present then the Motion ~~or the Amendment~~ **respectively** will fall and will not be debated.

13.8 The total time allowed to debate each individual Motion will be 30 minutes, after which time the Convener/Chair will move to the next item or to **summing up followed** by a vote.

At the conclusion of the 30 minute period the Convener will ask if ~~any Member wishes to move an amendment. In the event that an amendment/s is moved and seconded, the Convener will ask~~ the proposer/s to speak for a maximum of 5 minutes and the original proposer will be asked to sum up at the end for a maximum of five minutes. The meeting will then proceed to the vote.

- 13.9** The total time allowed for Notices of Motion at any individual meeting, including the time taken for votes, will be 2.5 hours.
- 13.10** If a Notice of Motion is not reached, it will require to be re-submitted in terms of paragraph 1 of this standing order. **If a draw is required, the Motion** will be re-entered ~~into the draw~~ as described in Standing Order 13.5.
- 13.11** Any Amendment to a Notice of Motion must be received in writing, signed by the Member of the Council submitting the amendment and counter-signed by 1 other Member and sent to the Chief Officer - Legal and Corporate Governance. (Only individual emails from Members and/or individual written signatures will be accepted in each case).
- 13.12** An Amendment to a Notice of Motion must be accompanied by a Financial Assessment and Integrated Impact Assessment as set out in 13.2.
- 13.13** An Amendment to a Notice of Motion must be received not later than **6 days prior to the meeting** of the Full Council (or Area Committee) and no later than **5pm** on the final day. In calculating the 6 days notice, the day of the meeting will be excluded.

## **14 Notices of Amendment**

- 14.1** A Notice of Amendment (challenging a Headquarters or City/Area Committee decision) for submission to a meeting of the Full Council which seeks rescission or alteration of a resolution or decision of a Headquarters Committee or City/Area Committee on a matter delegated or remitted with powers to that Committee will be termed a Notice of Amendment.
- 14.2** The Notice must be in writing, signed by a Member of the Council giving the Notice, countersigned by at least 7 other Members of the Council. In the case of a City/Area Committee, the 8 signatories must include at least one quarter of the Members of that Committee (subject to a minimum of 3) and received by the Chief Officer - Legal and Corporate Governance not more than 3 working days after (but excluding) the date of the Committee meeting at which the resolution or decision was passed and no later than 5pm on the final day.
- On receipt of such a Notice of Amendment, the Chief Officer - Legal and Corporate Governance will immediately instruct the relevant Assistant Chief Executive not to implement the Committee decision.
- 14.3** The Notice of Amendment procedure will not apply to decisions of Appeals Committees, Appointment Sub-Committees or Panels, Committees or Sub-Committees which act in a quasi-judicial capacity or where the decision was taken under full delegated powers in terms of the Council's Scheme of Delegation and Administration.

14.4 For the avoidance of doubt, individual emails and/or individual written signatures will be accepted from Members who wish to submit and/or support Notices of Amendment.

## 15 Notices of Amendment (Planning)

15.1 A planning ~~matter~~ application that is the subject of a Notice of Amendment (Planning) will be reconsidered by the Full Council. In reaching that determination, a motion, moved and seconded, to uphold the decision of the Planning Applications Committee will be treated as the motion and any amendment, moved and seconded, seeking a different determination will be debated as an amendment to that motion.

15.2 In the determination of any ~~matter~~ application before a Planning Applications Committee or a planning application before the Full Council, to be entitled to participate, a Member must be present throughout all of the proceedings for the relevant item, including the site inspection if any. ~~This also applies to the determination of a Licensing Committee or Licensing Board item.~~

15.3 Should a Member of Planning Applications Committee **who participated in a vote on a planning application** wish to have a **the Committee's** decision on ~~a planning matter on that application~~ re-considered by the Full Council, **they must first, on a Point of Order, notify the Chair of the Planning Applications Committee before the end of the meeting that they:**

- i. **seek such a re-consideration by way of a Notice of Amendment (Planning); and**
- ii. **have the support of at least 40% of Members present and voting on that application including the Member themselves (the "minimum threshold").**

**The names of the Members seeking the re-consideration of the application through a Notice of Amendment (Planning) shall be recorded by the Clerk in the Minute of the Meeting.**

15.4 **Where the minimum threshold is met and duly notified to the Chair of the Planning Applications Committee (as set out in Standing Order 15.3 above), the Member seeking the re-consideration of the planning application must then submit (to the Chief Officer - Legal and Corporate Governance) a Notice of Amendment (Planning) in accordance with Standing Order 15.5. A Notice of Amendment (Planning) must be submitted not more than 3 working days after (but excluding) the date of the Committee meeting at which the resolution or decision was passed and no later than 5pm on the final day.**

15.5 Notices of Amendment (Planning) must be in writing, signed by 19 Members of the Council (including ~~at least one third of the membership of the relevant Planning Application Committee~~ **the names of those Members of the Planning Applications Committee comprising the minimum threshold**) and **thereafter** will be submitted to a meeting of the Full Council.

For the avoidance of doubt, individual emails and/or individual written signatures will be accepted from Members who wish to submit and/or support Notices of Amendment (Planning).

## **16 Notices of Referral**

The Chief Officer - Legal and Corporate Governance has the power to refer for further consideration by the Full Council any decision taken which they consider a contravention of law or any Code of Practice under any enactment, or maladministration leading to injustice.

## **17 Petitions**

If a Petition has been received for consideration by the Full Council or a Committee, it will be included on the relevant agenda as a substantive item of business).

## **18 Motions and Amendments**

**18.1** All Motions and Amendments arising at a meeting will be moved and seconded, and then given in writing to the Clerk as soon as they are moved. This does not apply to Motions seeking to approve or disapprove of any matter, purely negative Amendments, Amendments proposing further consideration and reports, and Motions and Amendments that are fully set out in a minute of a committee or a report by an officer.

**18.2** A Member cannot move or second both the Motion and an Amendment or more than one Amendment upon a Motion.

**18.3** A Notice of Amendment will require to be moved and seconded at the meeting concerned and will be debated as an amendment to the motion before the meeting for approval of the Committee minutes, and if successful when the vote is taken, will become the decision of the Council. No other Motion or discussion will be allowed except where in the opinion of the Convener its subject matter lies within the limits set by the terms of the Committee resolution and the terms of the Notice of Amendment, but nothing in this Standing Order will prevent the Full Council from deferring consideration of the matter under discussion or from referring the matter back to the appropriate Committee.

**18.4** It will not be competent for a Member to move or second their own election or appointment as Convener, Vice Convener, Leader of the Council, and Leader of the Opposition or as an Office-Bearer of any Committee, Sub-Committee or other Group or as a representative of the Council on any similar or outside body. This does not prevent a Member when such election or appointment is under consideration from indicating their interest in being nominated for election or appointment.

**18.5** Every Amendment will be relevant to the Motion on which it is moved. The Convener will decide as to relevancy and has the power, with the consent of the meeting, to conjoin Amendments which are not inconsistent with each other.

**18.6** Should any Amendment raise a procedural issue, rather than to affect the substantive issue, that procedural issue will be addressed and dealt with, without affecting the substantive Motion or Amendments.

**18.7** All additions to, omissions from, or variations upon a Motion will be considered as Amendments to the Motion and will be disposed of accordingly.

**18.8** Motions or Amendments which are not seconded will not be discussed.

**18.9** A Motion or Amendment once moved and seconded will not be withdrawn without the consent of the mover and seconder, and then only with the sanction of the meeting.

## **19 Procedural Motions – Closure of Debate**

**19.1** A Member moving that the Full Council (or Committee) proceeds to the next item of business, or that the debate be now adjourned, may speak for not more than five minutes and if the Motion is seconded it will be seconded without a speech. The procedural motion will then be put without further discussion to the meeting and, if supported by a majority of the Members present and voting will be declared carried. For the avoidance of doubt, an abstention does not constitute a vote.

**19.2** This procedural Motion may only be put forward where Motions and Amendment(s) are not already before the meeting in relation to the Item concerned.

**19.3** Where both a Motion and Amendment(s) are before the meeting, any Member who has not spoken in the debate may move that "the matter be put to the vote" and they may speak for not more than five minutes in support of that procedural Motion which will be seconded without a speech. If the Convener/**Chair** is of the opinion that the business which is the subject of the debate has been sufficiently discussed, a vote on the procedural motion will be taken without further debate.

**19.4** If the procedural Motion is carried, the mover of the original Motion will have the right to reply in terms of Standing Order 22 and the question under discussion will then be put to the vote.

## **20 Speeches**

**20.1** A Member wishing to speak will attract the attention of the Convener (or Chair) by raising their hand and when called upon will rise in their place, if they are able, to address the Chair. The Member will direct their speech strictly to the matter under discussion or to the Motion or Amendment to be proposed or seconded or to a question of order.

The Convener/**Chair** will decide between two or more Members wishing to speak by calling on the Member first observed to raise their hand.

**20.2** It will be at the discretion of the Chair of a Committee or Sub-Committee to allow a non-Member to speak at a meeting.

**20.3** The number of speeches and the point at which Motions and Amendments are to be accepted is at the discretion of the Convener (or Chair).

**20.4** A Member moving a Motion or Amendment will not speak for more than 5 minutes, except with the consent of the Full Council/Committee.

All other speakers taking part in any discussion on an item will not speak for more than 5 minutes and shall speak only once in the same discussion, unless to call attention to a point of order.

## **21 Points of Order**

- 21.1** A Point of Order refers to the application of Standing Orders to the conduct of the meeting and specifically in relation to an item under discussion. A difference of opinion is not a Point of Order. A Point of Order is an appeal to the Convener (or Chair) for clarification or a ruling on the matter of procedure.

During discussion, a Member may raise a Point of Order or, with the sanction of the Convener (or Chair), provide an explanation relating to the item under discussion at that time. In doing so, reference should be made to the reason for raising the Point of Order.

- 21.2** A Point of Order cannot be taken once the roll call for a vote has commenced.

- 21.3** A Member who is addressing the meeting when a question of order is raised will resume their seat until the question has been decided by the Convener/Chair.

## **22 Right of Reply**

- 22.1** The mover of an original Motion and the movers of any Amendments will have the right to speak for 5 minutes in reply and will confine their comments to answering previous speakers and not introducing a new matter into the debate. The movers may, however, seek points of clarification.

After the movers have been called upon by the Convener (or Chair) to reply, no other Member can speak to the question, except on the points of clarification raised, and once the replies have been given, the Full Council/Committee will proceed directly to the vote.

## **23 Obstructive/Offensive Conduct**

- 23.1** In the event of any Member behaving in an obstructive or offensive manner at any meeting, a motion may be moved and seconded to suspend such Member for the remainder of the sitting.

Such a motion will be put to the meeting without discussion and if supported by a majority of Members present and voting will be declared carried.

The offending Member will then be required to leave the meeting.

## **24 Recording of Dissent**

- 24.1** A Member of the Council may have their dissent recorded to a decision of the Full Council/Committee provided that they have moved a Motion or Amendment and failed to find a seconder or else have taken part in a vote provided that they ask immediately after the item is disposed of that such dissent be recorded.

## **25 Adjournment**

- 25.1** The Convener or Chair may, with the consent of a meeting, adjourn the meeting to any other day, time and place.

## **26 Method of Voting**

**26.1** Immediately prior to any vote being taken, the Clerk will read out the issue on which the vote is to be taken. Thereafter, no-one shall interrupt the proceedings until the result of the vote has been announced.

**26.2** Where an electronic voting system is in operation –

The vote of the Full Council/Committee, including the recording of abstentions, will normally be taken by use of this system. For Members joining the meeting remotely, the vote will be taken by roll call.

If any Member objects to the vote being taken by use of the electronic voting system and a majority of the Members of the Council present and voting signify their support of this objection, the vote will be taken by show of hands, calling the roll or by paper ballot.

**26.3** All votes on procedure will be taken by use of the electronic voting system except for Members joining the meeting remotely, where the vote will be taken by roll call.

**26.4** Where there is no electronic voting system in operation –

The vote of the Full Council/Committee, including the recording of abstentions, will normally be taken by calling the roll.

If any Member objects to the vote being taken by calling the roll and a majority of the Members of the Council present and voting signify their support of the objection, the vote will be taken by show of hands or by ballot.

**26.6** A vote to determine a planning application or in respect of other consents and approvals for development will be taken by calling the roll.

**26.7** For the avoidance of doubt, an abstention does not constitute a vote.

## **27 Voting – Order of Motions and Amendments**

**27.1** When only one amendment is made upon a Motion, the vote will be taken between the Amendment and the Motion.

**27.2** Where there is more than one Amendment, generally the Amendment last proposed will be put against the immediately preceding one and the Amendment which is carried will be put against the next preceding and so on until only one Amendment remains and the vote will be taken between that Amendment and the original Motion.

**27.3** However, particularly in relation to composite Motions, the Convener (or Chair) may decide that Amendments should be taken individually against the Motion.

**27.4** After the vote between an Amendment and a Motion, whichever is carried will be the decision of the Meeting.

## **28 Voting – Election, Selection or Appointment of Members**

**28.1** In the case of an Election, Selection or Appointment of Members of the Council to any particular office, Committee or other Group or as a representative of the Council on an outside body, where the number of candidates nominated exceeds the number of vacancies, the Member(s) to be elected, selected or appointed as the case may be, shall be determined by vote. Members voting shall be entitled to cast as many votes as they wish up to the number of vacancies available.

**28.2** Where only one vacancy requires to be filled, any candidate having an absolute majority of the votes cast shall be declared duly elected, selected or appointed as the case may be.

**28.3** Where more than one vacancy requires to be filled and the number of candidates nominated exceeds the number of vacancies, the name of the candidate having least votes will be struck out of the list of candidates. Such process of elimination shall be continued until in a case where only one vacancy exists any candidate has an absolute majority of the votes cast, or in any case until the number of candidates remaining equals the number of vacancies when the candidate or candidates remaining shall be declared duly elected, selected or appointed as the case may be.

If in any ballot among more than two candidates there is equality in votes among the candidates having least votes, the candidate whose name shall be eliminated shall be determined by an additional vote and unless there again be equality in votes, the name of the candidate having least votes shall be struck out of the list.

Where in any vote between two candidates or in such additional vote by ballot there is equality in votes, the candidate to be selected or appointed or eliminated (as the case may be) shall be determined by lot. If a candidate nominated for election is absent and there is a draw, then the proposer can draw lots in their place.

**28.4** No Member of the Council may be nominated for any post in the Council, except membership of a Committee of the Council, or in any outside body unless the consent of the person nominated has been previously obtained or is given at the time of nomination.

**28.5** No proposal to remove a Member from any such position shall be made without notice being given by way of a Notice of Motion to Full Council. Any such Notice of Motion will form the first item of substantive of business at the next Full Council. For the avoidance of doubt this Notice of Motion has to be received in accordance with the timescale set out in Standing Order 13.3.

## **29 Voting – Appointment of Staff**

**29.1** Where there is Member involvement in staff appointments, staff will be appointed in the same manner detailed in Standing Order 28 except that where applicants for appointment to any particular post or office are being interviewed by a Committee, Sub-Committee or Appointments Board, the Members of the appointing body will be entitled to participate in the voting for that appointment only if they have been present throughout all of the interviews. A further exception applies in relation to equality of votes as is laid down in Standing Order 30.

## **30 Casting Vote**

**30.1** Except as otherwise provided in the 1973 Act and this Standing Order, the Convener or the Member presiding in their absence in accordance with Standing Order 10 shall, in the case of an equality of votes, have the casting vote.

**30.2** In the case of the election, selection or appointment of Members to any particular office or Committee in any case of equality of votes between candidates the Convener or person presiding in their absence will not have a casting vote but the candidate to be elected, selected, appointed or eliminated as the case may be will be determined by the cutting of cards. If the proposer is attending remotely, they will nominate a Member who is present to cut the cards on their behalf.

**30.3** For the avoidance of doubt, in the case of the appointment of a member of staff to a post, where in any vote between candidates there is equality in voting, the Convener will exercise a casting vote in determining the candidate to be selected or (in the case of an additional vote) to be eliminated.

## **31 Decisions of Committees**

**31.1** Decisions of a Committee or Sub-Committee will not be carried into effect until these decisions have been reported to and approved by the Full Council except that and subject to Standing Orders 14, 15 and 16, a Committee may carry into effect any decision on the following without the necessity of first having reported this to the Full Council -

- a matter included in the delegation to the Committee or remitted with powers, after the lapse of 3 working days after the date of the meeting;
- a matter remitted with full delegated powers to the Committee which may be implemented immediately;
- any matter which, in the opinion of the Committee, is one of urgency on the understanding that, even though not included in the Annual Estimates of the Council, the decision does not involve major expenditure and has the approval of the Chief Financial Officer and of the Chair of the Corporate Resources Committee;
- any routine matter not involving a change of policy.

## **32 Minutes of Council Meetings**

**32.1** All Minutes of the proceedings of the Council in which will be recorded the names of the Members who attended the meetings will be drawn up by or on behalf of the Chief Officer - Legal and Corporate Governance and so far as practicable issued to Members of the Council not later than the fourth day before the next ensuing ordinary meeting at which they will be submitted, held as read, corrected if need be, and where held to be a true record of the proceedings to which they relate will be signed by the person who presided at the previous meeting or who presides at the meeting when the Minutes are approved. Without prejudice to any of the provisions of the 1973 Act any Minutes purporting to be so signed will be received in evidence without further proof.

### **33 Minutes – Headquarters and City/Area Committees**

- 33.1** The Chief Officer - Legal and Corporate Governance (or their representative) will prepare the minutes of meetings of the Full Council, its Committees and Sub-committees.
- 33.2** The minutes will record the names of the Members who attended the meeting and any decision taken at the meeting as determined by the Chief Officer - Legal and Corporate Governance (or their representative). Formal apologies will be recorded in the minute.
- 33.3** The Full Council will be invited to approve the minute of Committee meetings as an accurate record. If any Member challenges the accuracy of the previous minute, they can move a procedural motion that a correction be made. Any corrections to the minute will be outlined in the subsequent minute and the original minute amended as required.
- 33.4** Any discussion around the approval of the previous minute cannot extend to opening up discussion of the substantive issues detailed in the minute unless it contains recommendations requiring Committee agreement.
- 33.5** In the event of a vote Members' names will be recorded in the minute.

### **34 Minutes – Planning Application Committees**

- 34.1** The Minutes of Meetings of the Planning Applications Committees will be submitted to the Economy and Infrastructure Committee for information only unless a Notice of Amendment (Planning) has been received in which case the particular decision concerned will be dealt with under the relevant procedure.

### **35 Rescinding of Resolutions or Decisions of the Council**

- 35.1** A resolution or decision of the Full Council and/or a Committee on a matter delegated or remitted with powers (except a resolution or decision challenged by a Notice of Amendment or Notice of Amendment (Planning)), will continue to be operative and binding on the Council for at least 6 months after the date of the resolution or decision.

### **36 Failure to attend meetings**

- 36.1** Subject to Section 35 of the Act of 1973, if a Member of the Council fails throughout a period of 6 consecutive months to attend any meeting of the Council, they will (unless the failure was due to some reason approved by the Full Council) cease to be a Member of the Council.

Attendance as a Member at a meeting of any Committee or Sub-Committee of the Council, or at a meeting of any Joint Committee, Joint Board or other body by whom for the time being any of the functions of the Council are being discharged, and attendance as a representative of the Council at a meeting of any body of persons, will be deemed to be attendance at a meeting of the Council.

## **37 Standing Orders – Suspension**

- 37.1** To suspend any of the Standing Orders will require the consent of not less than two-thirds of the Members present and voting.

Standing Orders 6, 7, 8, 36, 38 and 42-44 cannot be suspended.

## **38 Standing Orders – Alteration**

- 38.1** It shall not be competent to rescind or alter any of these Standing Orders unless the Full Council has passed a resolution to that effect following the procedure detailed in Standing Order 13, or where the Full Council has agreed at a previous meeting to consider such rescission or alteration. In the case of the Notice of Motion Procedure, the terms of the proposed amendment will have been specified in the Notice of the Business for the meeting of the Full Council. (For the avoidance of doubt this Standing Order cannot be suspended under Standing Order 37 above).

## **39 Standing Orders – Review**

- 39.1** The Full Council will review these Standing Orders each year, normally in September.

## **40 Defect in Procedures**

- 40.1** The proceedings of the Council shall not be invalidated by any vacancy among their number or by any defect in the election or qualification of any Member or by any Member voting or taking part in the consideration or discussion of any question when he or she is not entitled to do so.

## **41 Application of Interpretation Act and Definitions**

- 41.1** The Interpretation Act 1978 will apply to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.

In these Standing Orders the following words and expressions shall have the meanings shown below:-

"the 1973 Act" means the Local Government (Scotland) Act 1973.

"the 1994 Act" means the Local Government etc. (Scotland) Act 1994.

"Council" means The Highland Council constituted under the 1994 Act.

All references to "the Convener" throughout these Standing Orders will be taken to mean the person chairing the meeting, where the context allows.

## **42 Authentication of Notices etc**

- 42.1** Every notice, order, demand, requisition or such other document or withdrawal thereof by the Council required or authorised by any enactment, Statutory Order or bye-law will, except in so far as such enactment or Statutory Order specifically otherwise provides, be signed by the Chief Officer - Legal and Corporate Governance or by such other officer of the Council as the appropriate Committee may direct.

## **43 Execution of Deeds and Use of Seal**

- 43.1** All deeds to which the Common Seal of the Council will require to be affixed will be sealed only if authorised by the Council or where the necessity to execute a deed is in consequence of a decision taken by the Full Council or, in the case of the discharge of a duty or function delegated by the Full Council to a Committee of the Council, by that Committee.

All deeds to which the Common Seal of the Council is required to be affixed will also be signed by the Chief Officer - Legal and Corporate Governance, or by a member of staff authorised by him to do so.

A list of all deeds so executed will be reported upon to the next succeeding ordinary meeting of the Council for the information of Members.

The Common Seal of the Council will be kept by the Chief Officer - Legal and Corporate Governance, who will be responsible for its safe custody.

## **44 Councillors' Code of Conduct**

- 44.1** All Members of the Council will be bound by the provisions of the Councillors' Code of Conduct issued under the Ethical Standards in Public Life etc. (Scotland) Act 2000, and all subsequent amendments.

Below is a link to the Councillors' Code of Conduct -

[Councillors' Code of Conduct | The Standards Commission for Scotland](#)

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# **Glossary of Terms**

## (Clàr-mìneachaidh)

# Glossary of Terms

## 1. Interpretation

The Interpretation Act 1978 shall apply to the interpretation of this scheme of delegation as it applies to the interpretation of an Act of Parliament.

Any reference in this Scheme to legislation including delegated or subordinate legislation should be taken as including any amendments, replacements and re-enactments of such legislation currently in force.

Unless the context otherwise requires, words importing the singular shall include the plural and vice-versa.

Where a particular term is not defined, follow the literal rule of interpretation and apply the plain and ordinary meaning of the term.

## 2. Definitions

In this Scheme of Governance, unless the context otherwise requires, the following words and expressions shall have the meanings assigned to them.

TERM	DEFINITION
the 1973 Act	Means the Local Government (Scotland) Act 1973.
the 1985 Act	Means the Local Government (Access to Information) Act 1985.
the 1989 Act	Means the Local Government and Housing Act 1989.
the 1992 Act	Means the Local Government Finance Act 1992.
the 1994 Act	Means the Local Government etc. (Scotland) Act 1994.
the 2000 Act	Means the Ethical Standards in Public Life etc. (Scotland) Act 2000.

## A

<b>Abstract of Accounts</b>	Means the published condensed summary of the Council's accounts.
<b>ACE</b>	Assistant Chief Executive appointed by the Council to provide strategic leadership to one of the Council's Cluster.
<b>Access Rights</b>	Means the statutory rights covering access to land for certain purposes in terms of the Land Reform (Scotland) Act 2003.
<b>Act</b>	Means an Act of Parliament or any amendment, replacement or variation thereof including subordinate legislation made thereunder.
<b>Administration</b>	Means the ruling group formed by the majority of Members on the Council.
<b>Adjournment</b>	Means an agreed suspension to a Meeting.
<b>Adjudication</b>	Means the legal process of resolving or determining a dispute.
<b>Affordable Housing</b>	Means housing of a reasonable quality that is affordable to people on modest incomes. Affordable housing may be in the form of social rented accommodation, mid-market rented accommodation, shared ownership, shared equity, and discounted low cost housing for sale including plots for self-build, and low-cost housing without subsidy.
<b>Agenda</b>	Means the list of items outlining the date, time, location and order of business of any Meeting.
<b>ALEOs</b>	Arms-Length External Organisations, such as High Life Highland, Highland Opportunity (Investments) Ltd, Eden Court, etc.
<b>Amendment</b>	Means a formal seconded proposal against a Motion to be discussed and voted on in a Meeting.
<b>Annual Accounts</b>	Means the yearly accounts of the Council demonstrating proper stewardship of the Council's financial affairs.
<b>Annual Accounts Report</b>	Means the statutory report containing the Annual Accounts of the Council.
<b>Appeals Committee</b>	Means a committee to deal with any appeals under the Council's remit, such as Non-Domestic Rates, Education and HR etc, appeals.
<b>Arbitration</b>	Means a form of alternative dispute resolution aimed at resolving matters without the involvement of the Court.
<b>Area</b>	Means the geographical area covered by the jurisdiction of the Council or may refer to an administrative area.

<b>Area Committee</b>	Means an area Committee comprised of Members from within the applicable area.
<b>Asset Register</b>	Means a register of the assets of the Council.
<b>Asset Transfer</b>	Means the transfer of management or ownership of land or buildings from the Council to a community group in terms of the Council's Community Asset Transfer Policy.
<b>Assets</b>	Means property, vehicles, equipment, furniture and other items under the control of the Council in accordance with Financial Regulations.
<b>Assignment</b>	Means an act of transfer.
<b>Audit</b>	Means an official inspection or systematic review of an organisation.
<b>Audit Committee</b>	Means the Committee who reviews the performance and effectiveness of the Council and identifies any potential improvements.
<b>Authorised Officer</b>	Means an officer authorised by the Council to carry out a specific task or function.
<b>Authorised Signatory</b>	Means an officer who has been duly authorised to sign documents on behalf of the Council.
<b>B</b>	
<b>Best Value</b>	Means the statutory duty of the Council to ensure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost.
<b>Burden(s)</b>	Means registered and effective conditions placed upon land which impose positive or negative obligations on the owner or occupier.
<b>Business Case</b>	Means a formal report for consideration to conduct a procurement for the purchase of works, goods or services.
<b>Business Gateway</b>	Means the publicly funded service contributing to the economic wellbeing of Scotland by providing access to free business support services.
<b>Bye-law(s)</b>	Means a regulation made by the Council and confirmed by the Scottish Ministers relating to the Highland area.

## C

<b>Capital Plan</b>	Means the Council's capital priorities for the current year and future years.
<b>Care Inspectorate</b>	Means the external body responsible for regulating and inspecting care services in Scotland.
<b>Chair</b>	Means the person duly appointed to preside at a Meeting.
<b>Chief Executive</b>	Means the officer appointed by the Council who fulfils the statutory officer role of Head of Paid Service who provides strategic leadership for the Council's Services ensuring that its direction and policies are put into action.
<b>Chief Officer(s)</b>	Means a politically restricted statutory or non-statutory Chief Officer, as defined in section 2 of the 1989 Act including the Chief Executive, Assistant Chief Executives and Chief Officers.
<b>Chief Social Work Officer</b>	Means the Officer duly appointed by the Council in accordance with section 3 of the Social Work (Scotland) Act 1968 to ensure the provision of appropriate professional advice in the discharge of local authorities' statutory social work duties.
<b>Chief Social Work Officer Annual Report</b>	Means the annual statutory report of the Chief Social Work Officer covering social work services within Highland.
<b>Civic Head</b>	Means the individual elected by the local authority to act as the Council's civic leader and acting as the ceremonial figurehead for the local authority area.
<b>Cluster</b>	Means the collective term for services under the responsibility of an Assistant Chief Executive.
<b>Coast Protection Authority</b>	Means the Council acting under the Coast Protection Act 1949 with the role of inspecting and maintaining coast protection structures in its ownership with the objective of preventing erosion and damage and in the interests of public safety.
<b>Committee</b>	Means a formal group appointed by Full Council with responsibility for making decisions in accordance with the Council's Scheme of Delegation.
<b>Committee Clerk</b>	Means an Officer who administers, supports and provides procedural advice to meetings of Full Council, Committees, Sub-Committees, Working Groups, Joint Boards and other bodies as well as to Members, Officers and the general public.
<b>Common Good</b>	Means for the advantage or benefit of everyone in a particular location.

<b>Common Good Fund(s)</b>	Means property held by the Council for the Common Good of a particular location.
<b>Community Asset(s)</b>	Means land and buildings owned or managed by community groups for the good or the benefit of the community.
<b>Community Asset Transfer</b>	Is an alternative to Asset Transfer and means the transfer of management or ownership of land or buildings from the Council to a community group in terms of the Council's Community Asset Transfer Policy.
<b>Community Council</b>	Means a voluntary body, independent of the Council, set up in terms of either the Local Government (Scotland) Act 1973 or the Local Government etc. (Scotland) Act 1994 with the role of representing, channelling and expressing the views of their local community and established by the Council's Scheme for the Establishment of Community Councils.
<b>Community Planning</b>	Means a process ensuring public agencies work together with the community to plan and deliver better services.
<b>Community Regeneration Fund</b>	An umbrella term used to describe a range of external funding streams in support of community regeneration. The funding streams included will vary year or year subject to external funds provided.
<b>Compulsory Acquisition</b>	Means the acquisition of land without the landowner's consent by the Council by way of a Compulsory Purchase Order confirmed by the Scottish Ministers.
<b>Confidential information</b>	Means information as defined in Section 50A (2) and (3) of the Local Government (Scotland) Act 1973, which cannot be made available to the press or public.
<b>Contract Registers</b>	Means a register of the Council's contracts.
<b>Convener</b>	Means the Member elected Convener of the Council in accordance with Section 4 of the 1994 Act to act as the Civic Leader for the Highland Council area and who has the responsibility of chairing full council meetings.
<b>Corporate Asset Management Plan</b>	Means a strategic plan for management of the Council's Assets.
<b>Corporate Debtors System</b>	Means the internal system used to track outstanding balances due to the Council.
<b>Corporate Management Group</b>	Means the officer group providing strategic leadership across the Council.
<b>Corporate Parent</b>	Means the Council takes collective responsibility for children and young people in their care.

**Council** Means the Highland Council constituted by virtue of and incorporated under the Local Government etc. (Scotland) Act 1994.

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**Councillors' Code of Conduct** Means the Councillors' Code of Conduct made by Scottish Ministers and approved by the Scottish Parliament under the Ethical Standards in Public Life (Scotland) Act 2000.

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**Court Interdict(s)** Means an order of the court which prohibits or forbids a specific action.

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**Critical Friend** Means the provision of constructive yet candid feedback following scrutiny activity with the aim of encouraging continuous improvement.

## D

**Decision by Lot** Means in the case of an equality of votes where the matter relates to the appointment of a Member to any particular office, the selection of a Member by the drawing of lots, to be administered by a Committee Clerk in a format agreed with the Members concerned prior to the selection.

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**Delegated Officer** Means the officer authorised for a particular purpose.

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**Delegation** Means the assignment of responsibility, duties or authority to a Committee, Sub-Committee or officer to carry out specific activities or functions.

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**Democratic Services Manager** Provides procedural and confidential advice on governance to all Members and officers.

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**Deputy Provost** Means the Member elected depute Convenor of the Council in accordance with Section 4 of the 1994 Act to act as depute civic head.

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**Development Plan** Means the document setting out all planning policy relating to the Highland area.

## E

**Education Authority** Means a local authority constituted under section 2 of the Local Government etc. (Scotland) Act 1994.

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**Electoral Boundaries** Means the geographical boundaries of constituencies within Highland.

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**Exempt Information** Means information which is exempt under Sections 50J and Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 and therefore cannot be made available to the press or public.

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<b>External Audit</b>	Means Audit carried out by a person or body independent of the Council.
<b>External Auditor(s)</b>	Means the person or body carrying out External Audit activity.
<b>External Framework Agreements</b>	Means a framework put in place by the Council to govern the behaviour of external organisations with which they have contracted or entered into partnership.
<b>External Member</b>	Means a person validly appointed to a Committee, Sub-Committee, Local Area Committee or Working Group who is not an elected Member of the Council.

## F

<b>Financial Regulations</b>	Means the rules approved by the Council to ensure public money is spent correctly and responsibly.
<b>Fixed Penalty Notice(s)</b>	Means a notice offering the discharge of any liability or conviction of a stated offence by payment of a fixed penalty in terms of the applicable legislation.
<b>Full Council</b>	Means the collective term for all Members or the term used to describe a Meeting to which all Members are entitled to attend.

## G

<b>Gateway Process</b>	Means the approach for the management of all the Council's capital projects.
<b>General Teaching Council of Scotland</b>	Means the external body responsible for promoting, supporting and developing the professional learning of teachers.
<b>Governance</b>	Means the way in which the Council is directed and controlled.
<b>Group Leader</b>	Means the person who is the person appointed by a political group of the Council as its leader.
<b>Guardian(s)</b>	Means a person appointed by the Court to act and make decisions on behalf of an individual.
<b>Guidance</b>	Means a document associated with a procedure or a policy which provides advice and direction on how to deal with a particular situation or situations. Guidance does not require to be approved by any Policy or Area Committee within the Council and will be reviewed and refreshed by services as required.

## H

<b>Harbour Master</b>	Means the senior officer responsible for enforcing the regulations of a particular harbour or port.
<b>Strategic/Service Lead</b>	Means a senior officer who is responsible for strategic delivery/development and operational oversight of a particular service.
<b>Homelessness</b>	Means an individual in temporary accommodation or having no accommodation that they are legally entitled to occupy.
<b>Houses in Multiple Occupation</b>	Means a property rented out by at least 3 (unrelated) people who share the bathroom or toilet and kitchen.
<b>Housing Revenue Account</b>	Means the budget for monies in connection with housing revenue.
<b>HR</b>	Means Human Resources.
<b>HRA Capital Programme</b>	Means the Housing Revenue Account related capital priorities for the current year and future years.

## I

<b>Integrated Impact Assessment</b>	Means an assessment which must be completed during the writing of a report to demonstrate the impact on any protected characteristic and any mitigating actions that can be taken.
<b>Internal Audit</b>	Means the independent audit function of the Council and their activities. An internal officer is responsible for effectively managing the internal audit activity in accordance with the internal audit charter and the mandatory elements of the International Professional Practices Framework.
<b>Internal Control</b>	Means the process for assuring achievement of the Council's objectives in operational effectiveness and efficiency, reliable financial reporting, and compliance with laws, regulations and policies and that controls risks.
<b>Internal Control Systems</b>	Means the collective name of the systems used by the Council to assure achievement of objectives in terms of operational effectiveness, efficiency, reliable financial reporting and control, appropriate risk management and compliance with legislation, regulation and policy.
<b>Intervention Order</b>	Means a court appointment which authorises an officer to act and take specific action or actions on behalf of an adult with incapacity.

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<b>Inverness City Region Deal</b>	Means the agreement between the UK and Scottish Governments as well as Highland Council aimed at building the Highland economy.
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**J**

<b>Joint Board</b>	Means a board established in accordance with legislative provisions between the Council and one or more other public authorities.
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<b>Joint Committee</b>	Means a committee established between the Council and one or more other public authorities.
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**K**

**L**

<b>Leader of the Council</b>	Means the Member appointed to that office by the Council.
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<b>Leader of the Opposition</b>	Means the Leader of the main opposition group within the Council.
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<b>Licences of Land or Buildings</b>	Means a licence to occupy land or buildings under certain conditions.
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<b>Licensing Standards Officer</b>	Means an officer appointed by the Council in terms of the Licensing (Scotland) Act 2005 to ensuring compliance with legislation and providing guidance, information and mediation services to interested parties.
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<b>List of Committee Powers</b>	Means the list of powers delegated to Committees and reserved to Full Council as set out in the Scheme of Delegation.
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<b>List of Officer Powers</b>	Means the list of powers delegated to Officers as set out in the Scheme of Delegation.
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<b>List of Planning Delegations</b>	Means the list of powers relating to the determination of planning applications and development management.
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<b>Local Outcome Improvement Plan</b>	Means a plan which brings together the plans of a range of public services, community groups and voluntary organisations and sets out the actions and priorities for a local area.
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<b>Local Government Pension Scheme</b>	Means the occupational pension scheme for people employed within Local Government in Scotland.
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## M

<b>Meeting</b>	Means a meeting of Full Council and/or any Committee or Sub-committee of the Council.
<b>Member(s)</b>	Means a Councillor elected in terms of the Local Government etc. (Scotland) Act 1994.
<b>Members of the public</b>	Means a member of the general public and/or representatives of the press or media industries.
<b>Minute</b>	Means the formal written record of the decisions taken at a Meeting.
<b>Minutes of Waiver</b>	Means a document waiving of a right or claim.
<b>Miscellaneous Licences</b>	Means the collective term for all licences not dealt with under the Civic Government (Scotland) Act 1982.
<b>Monitoring Officer</b>	Means the Chief Officer designated by the Council under Section 5 of the 1989 Act, or, the person nominated as a deputy under 5(7) who is responsible for ensuring high standards of conduct and lawful decision-making by the Council.
<b>Motion</b>	Means a formal proposal to be discussed and voted on in a Meeting.

## N

<b>Notice</b>	Means advance notice in writing or sent by email or any other electronic means.
<b>Notice of Amendment</b>	Means a proposal by a Member formally submitted in terms of the approved procedures to a Meeting of the Council seeking rescission or alteration of a resolution or decision of a Headquarters Committee or City/Area Committee.
<b>Notice of Motion</b>	Means a proposal by a Member formally submitted in terms of the approved procedures to a Meeting of the Council or Area Committee for discussion and thereafter possible adoption as a resolution.
<b>Non-Aligned Independent</b>	Means a Member who has not aligned themselves with a political group of the Council.

## O

<b>Officer</b>	Means an employee of the Council or those designated as such by Full Council.
<b>Operating leases</b>	Means a form of short term lease typically for vehicles and property.
<b>Operational Matter</b>	Means matters or actions delegated to officers required to execute agreed strategies and policies.
<b>Opposition</b>	Means any Group or Member not forming part of the Council Administration.
<b>Opposition Leadership Group</b>	The Opposition Leadership Group which consists of the Leader of the Opposition and opposition members.
<b>Order(s)</b>	Means a form of subordinate or delegated legislation.
<b>Ordinary Meeting(s)</b>	Means a Meeting included within the agreed timetable of Meetings.

## P

<b>Performance Indicators</b>	Means a measurement used to evaluate the performance of the Council in terms of a particular activity.
<b>Performance Management</b>	Means the process used by the Council to identify whether it is on course to deliver its priorities and key objectives and, if relevant, where improvements are needed.
<b>Petition</b>	Means a formal written request to the Council in respect of a particular cause.
<b>Place Based Plans</b>	Means a plan which brings together the plans of a range of public services, community groups and voluntary organisations and sets out the actions and priorities for a local area.
<b>Planning Review Body</b>	Means the Committee of the Council that considers applications for review for planning decisions refused by officers under delegated powers in respect of local development.
<b>Points of Order</b>	Means an appeal to the Chair for clarification or for a ruling on a matter of procedure.

<b>Policy</b>	Means a formal, concise, accessible statement on how the Council intends to conduct business and deliver services. It will generally be a statement of intent with rules that will influence and enable decision making.
<b>Procedural Motion</b>	Means a motion which relates solely to the procedure of a Meeting.
<b>Procurement</b>	Means the process of purchasing works, goods and services from external suppliers.
<b>Proper Officer</b>	Means an officer appointed by the Council to perform a specific function as required by statute.
<b>Protocol</b>	Means a system of informally agreed rules that explain the correct conduct and procedures to be followed in specifically identified situations which have been approved by the appropriate Leadership Team.
<b>Provost</b>	Means the Member elected to act as the civic head for an area and includes in their absence the Depute Provost.
<b>Prudential Code</b>	Means the code established by the Chartered Institute of Public Finance & Accountancy to support local authorities in making capital investment decisions
<b>Public Holidays</b>	Means 1 January, 2 January, Good Friday, May Day, Christmas Day and Boxing Day.

## Q

<b>Quasi-Judicial</b>	Means a body which has powers, discretion and procedures of a regulatory nature including but not limited to the determination of licensing and planning applications or School Placing Request Appeals.
<b>Quorum</b>	Means the minimum number of members required to be present to validate the proceedings of a Meeting.

## R

<b>Rating Assessments</b>	Means an assessment of the rateable value of your property carried out by the Scottish Assessor.
<b>Records Management</b>	Means the procedures for secure and appropriate record management in terms of all Council information.
<b>Regulation(s)</b>	Means a form of subordinate legislation or depending on context a tool providing a framework for managing a specific aspect of the Council's business.

<b>Report</b>	Means a report prepared for consideration at a Meeting, published and circulated to any relevant Members and Officers.
<b>Requisition</b>	Means a mechanism used by the Members to call a special meeting.
<b>Returning Officer</b>	Means a person duly appointed by the Council for the election of Members to the local authority.
<b>Revenue Budget</b>	Means the amount of money allocated to the maintenance and growth of the Council based on the forecast of revenue, expenses and capital expenditures.
<b>Rights of Way</b>	Means the legal right, established by usage or grant, to pass along a specific route through grounds or property belonging to another.

## S

<b>Scottish Ministers</b>	Means the collective term for the Members of the Scottish Government who exercise statutory functions.
<b>Scottish Social Services Council</b>	Means the independent regulator for the social service workforce in Scotland.
<b>Scheme of Delegation</b>	Means the document which sets out which powers, functions and decision-making are granted to committees and officers.
<b>Scheme for the Establishment of Community Councils</b>	Means the scheme implemented by the Council in terms of the Local Government etc. (Scotland) Act 1994 to govern the establishment of Community Councils in Highland.
<b>Scheme of Virement</b>	Means the rules contained within the Financial Regulations which govern the virement process within the Council.
<b>Scrutiny</b>	Means the way in which performance, decisions and plans of the Council are examined by Members.
<b>Section 95 Proper Officer</b>	Means the Chief Finance Officer duly appointed under the Section 95 of the Local Government (Scotland) Act 1973 being the Accountable (Proper) Officer for the administration and governance of the financial affairs of the Council.
<b>Senior Councillor</b>	Means a councillor who holds a significant position of responsibility in the Council's political management structure and has been designated as such in terms of and remunerated in accordance with the provisions of the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 ( SSI 2007/183) as amended by The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008 ( SSI 2008/415).

<b>Senior Officer</b>	Means an officer designated as such by the Council.
<b>Service</b>	Means a department or branch of a local government that provides specified service/activities/accommodation required by the public.
<b>Service Budget</b>	Means the financial budget allocated to a service within the Council.
<b>Service Plan</b>	Means a plan prepared by a Council supporting the overall Council plan which identifies the service's key objective and delivery priorities over a three year period.
<b>Servitude(s)</b>	Means a heritable right possessed by one person to use another's property.
<b>Shared Services</b>	Means any arrangement where the Council collaborates with other public authorities to obtain works, goods or services.
<b>Shared Service Agreements</b>	Means an internal or external agreement covering the sharing of a service or services.
<b>Single Outcome Agreement</b>	Means the agreement between the Community Planning Partnership and the Scottish Government which sets out what we as a Council hope to achieve for Highland and how our success will be measured.
<b>Senior Leadership Group</b>	The Senior Leadership Group which consists of the Convener and Committee Chairs.
<b>Special Meeting(s)</b>	Means a Meeting which is not included in the agreed timetable of Meetings and is called by the Convener or on a signed Requisition.
<b>Standard Security</b>	Means the registered document providing security over heritable property.
<b>Standing Orders</b>	Means the rules which regulate the business and proceedings of all Meetings.
<b>Starred Items</b>	A decision made by a committee that is outwith its remit and requires formal approval at Council.
<b>Statute(s)</b>	Means written law passed by a legislative body.
<b>Statement of Accounts</b>	Means a summary of all balances to the Council detailing all credits and debits to the accounts over a given time period.
<b>Statutory consultations</b>	Means a formal consultation with stakeholders which is required and governed by statute.
<b>Strategic Committee</b>	Means a Committee of the Council which deals with policy setting and business at Highland-wide level.
<b>Strategic Plan</b>	Means high-level strategic plans setting out a long-term vision for the future of the Area and how we will change the way we use land.

<b>Strategy / Plan</b>	Means a statement identifying principles and actions required to deliver the visions and outcomes stated by the Council.
<b>Sub-Committee</b>	Means a group which is established by a Committee to deal with specific issues.
<b>Sub-Lease</b>	Means a legal agreement by which someone who is renting property is allowed to rent it to someone else for a period of time.
<b>Subordinate Legislation</b>	Means legislation which is secondary to Acts of Parliament.
<b>Substantive Member</b>	Means a Member appointed to a particular committee.
<b>Substitute Member</b>	Means a Member who can attend a meeting on behalf of the substantive member.
<b>Summons</b>	Means an invitation or order to appear.
<b>T</b>	
<b>Traffic Order</b>	Means an order that is made by the Council in terms of the Road Traffic Regulation Act 1984 and Section 3 (1) of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.
<b>Transport Initiatives</b>	Means how the Council will aim to cater for the needs of all transport users across the region, ensuring that existing resources are used and developed to their full potential.
<b>Treasury Policy Statement</b>	Means a policy relating to the financial management of the Council.
<b>U</b>	
<b>Ultra Vires</b>	Means acting beyond the scope of powers/authority granted.
<b>V</b>	
<b>Vice- Convener/Chair</b>	Means the Member duly appointed by the Council to preside at the meeting of full Council, a Committee or Sub-Committee, in the absence of the Chair.
<b>Vire</b>	Means the action of transferring funds from one financial account to another.
<b>W</b>	
<b>Ward</b>	Means the electoral divisions of the Council's area.
<b>Wayleaves</b>	Means a privilege enabling access to land.
<b>Welfare Attorney</b>	Means a person appointed by an individual under a Power of Attorney to make decisions about their welfare and health.

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**Working Group**

Means a group set up by a Committee to work on a particular area of the Council's business and to report back to that Committee.

X

Y

Z