



West Lothian
Council

SCHEME OF ADMINISTRATION

Introduced as part of Standing Orders for the Regulation of Meetings at Council Meeting of 26 June 2007, with effect from 1 August 2007

Revised 31 December 2010 to include changes to that date

SCHEME OF ADMINISTRATION

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DISCONTINUED COMMITTEES, WORKING GROUPS, etc			
	Body	Date	Change
1	Multi-Faith Schools Working Group	4 November 2008	Established by Education Executive on 29 January 2008, report considered at Education PDSP on 4 November 2008, no further action to be taken, Working Group disbanded.
2	West Lothian Community Health & Care Partnership Board	9 February 2010	Removal of as an advisory Committee of the Council by Council Executive, became a partnership organisation with NHS Lothian.

A. THE COUNCIL

WEST LOTHIAN COUNCIL

A REMIT AND POWERS

1 The following matters are reserved to the Council, and only the Council may lawfully and competently make decisions on these matters, or arrange for decisions to be made, which are binding on the Council:-

- (a) To change the name of the Council. (S)
- (b) To appoint the Convener and Deputy Convener of the Council and to decide on their titles. (S)
- (c) To appoint the Leader of the Council, and the Depute Leader, if so advised.
- (d) To appoint Committees (S) and the Chairs and Vice-Chairs of those Committees.
- (e) To decide whether or not to divide the Council's area into licensing divisions and to appoint Members to the Licensing Board. (S)
- (f) To set the Council's revenue budget. (S)
- (g) To set the council tax. (S)
- (h) To set the Council's Prudential Indicators.
- (i) To approve the level of council house rents.
- (j) To borrow money.
- (k) To receive the certified abstract of the Council's accounts. (S)
- (l) To promote, amend and revoke byelaws (S) and management rules.
- (m) To promote and oppose private legislation. (S)
- (n) To consider reports by:-
 - The Head of the Paid Service (S)
 - The Monitoring Officer (S).
- (o) To appoint the Chief Executive, Deputy Chief Executives and Heads of Service (subject to the arrangements for the Senior Officers Appointment Committee made in terms of this Scheme of Administration).
- (p) The consideration by the Council of findings of the Accounts Commission following a hearing under section 103D of the Local Government (Scotland) Act 1973, in terms of section 103E of that Act. (S)
- (q) The consideration of findings of the Standards Commission following a hearing

under section 16(b) of the Ethical Standards in Public Life etc (Scotland) Act 2000, in terms of section 18 (3) of that Act. (S)

(r) The determination of applications for planning permission for major developments which are significantly contrary to the development plan, in terms of section 38A of the Town and Country Planning (Scotland) Act 1997. (S)

(s) Approval of any annual investment strategy or annual investment report required by any consent issued by the Scottish Ministers by virtue of section 40 of the Local Government in Scotland Act 2003 and the Local Government Investments (Scotland) Regulations 2010. (S)

- 2 Despite having delegated powers to officers, Committees and/or Sub-Committees, the Council retains the right to take action within the area of any such delegation, always subject to Standing Orders relating to changing a decision.
- 3 Notwithstanding the reservation of matters to the Council as a matter of council policy, it shall be competent for the Council to delegate the discharge of any of those functions to a council Committee or Sub-Committee, a Joint Committee, or to officers.

B MEMBERSHIP

- 1 All Elected Members of the Council.

C QUORUM

- 1 Statutory – one fourth of the whole number of Members of the Council.
- 2 In the event that there are at any time vacancies in the case of more than one third of the Members of the Council, then different statutory rules apply for determining the quorum.

D SUBSTITUTES

- 1 Not applicable.

E MEETINGS

- 1 For business other than the determination of applications for planning permission for major developments which are significantly contrary to the development plan, once in each cycle of meetings, in the last week of the meeting cycle.
- 2 For the determination of applications for planning permission for major developments which are significantly contrary to the development plan, at least one meeting in each calendar month, which meetings shall only be called and take place if there is business to be transacted.

F REPORTING ARRANGEMENTS

- 1 For business other than the determination of applications for planning permission for major developments which are significantly contrary to the development plan, minutes to be reported to the next scheduled meeting of the Council convened for those purposes.
- 2 For the determination of applications for planning permission for major

developments which are significantly contrary to the development plan, minutes to be reported to the next meeting convened for that purpose.

G MISCELLANEOUS

- 1 The Provost shall chair meetings of the Council. In his absence, the Depute Provost shall preside. Should neither be present, the Members present shall choose one of their number to take the chair.
- 2 Those matters reserved to meetings of the Council by law are marked “(S)” in section A, above. The rest of those reserved matters are reserved to the Council as a matter of policy. Council may not delegate the discharge of those functions marked as statutory in section A, above.
- 3 Meetings called for the determination of applications for planning permission for major developments which are significantly contrary to the development plan shall be designated as “West Lothian Council (Planning)”.
- 4 No deputations, items of business, formal questions or motions shall be competent at meetings called for the determination of applications for planning permission for major developments which are significantly contrary to the development plan except for such applications requiring determination and motions and items of business in relation to and directly arising from the consideration and determination of such applications.
- 5 Each Deputy Chief Executive may make a report to each meeting of the Council, other than special meetings, setting out matters which are for the information of the Members of the Council, or for their attention, or for noting by them, and in which no substantive decision of or for the Council is expected to be required.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	List of reserved powers specified (A.1) and Directors’ reports procedure established (G.3) as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	New sub-paragraphs (p) and (q) added to include two further statutory reservations. With effect from 26 February 2008
3	7 April 2009	Council Executive	Addition of “Vice-Chairs” in A.1(d). With effect from 5 May 2009.
4	26 January 2010	West Lothian Council	Amendment of remit to include determination of planning applications for major developments significantly contrary to the development plan. With effect from 27

			January 2010.
5	31 December 2010	N/A	Addition of Paragraph A.1.(s) to reflect new legislation.

B. THE COMMITTEES

COUNCIL EXECUTIVE

A REMIT AND POWERS

1 All of the Council's policy-making, decision-making and statutory functions, powers and duties whatsoever, other than:-

(a) those matters reserved to full council by law or by council policy in terms of this Scheme of Administration,

(b) those matters delegated to other Committees or Sub-Committees of the Council in terms of this Scheme of Administration, and

(c) those matters delegated by the Council to a Joint Committee or Joint board.

B MEMBERSHIP

1 12 members to be appointed by the Council.

2 Council to appoint members of the Council Executive or Education Executive to be "Executive Councillors" with responsibility for a specified portfolio.

3 All Members, including substitutes, require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive.

C QUORUM

1 5 members.

D SUBSTITUTES

1 Substitutes allowed, drawn from all Elected Members of the Council (subject to B.3, above).

E MEETINGS

1 Scheduled meetings to take place twice in each cycle of meetings.

F REPORTING ARRANGEMENTS

1 Minutes to be reported to the next meeting of the Committee.

G MISCELLANEOUS

1 The Council shall appoint such Executive Councillors as it thinks fit from time to time to be responsible for a specified area of the Council's functions, to be called a "portfolio". Those Executive Councillors shall, unless the Council decides to the contrary, act as the Council's spokespersons for their respective portfolios.

2 Each portfolio holder shall be the Chair of the Policy Development and Scrutiny Panel for that portfolio. The Chair of each such Policy Development and Scrutiny Panel shall, in consultation with the relevant Deputy Chief Executive and the Lead Officer, be responsible for convening and conducting of meetings of that Policy Development and Scrutiny Panel in an open, efficient, effective way and in accordance with Standing Orders.

- 3 Where a Policy Development and Scrutiny Panel regularly deals with business which falls within the functions of the Council as education authority in terms of section 124 of the Local Government (Scotland) Act 1973, the Members appointed to that Panel shall include at least one of the four appointed members of the Education Executive established in terms of this Scheme of Administration.

- 4 Where an item of business or a motion or a question deals with a matter which falls within the functions of the Council as education authority, in terms of section 124 of the Local Government (Scotland) Act 1973, it shall be dealt with by, and if necessary remitted to, the Education Executive.

- 5 The decision as to whether or not an item of business or a motion or a question or a Policy Development and Scrutiny Panel deals with a matter which falls within the functions of the Council as education authority shall be determined by the Clerk in consultation with the Chair.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the adoption of the Council Executive structure, replacing the former five "main Committees". With effect from 1 August 2007.

EDUCATION EXECUTIVE

A REMIT AND POWERS

1 All of the Council's policy-making, decision-making and statutory functions, powers and duties which are functions of the Council as education authority in terms of section 124 of the Local Government (Scotland) Act 1973, other than:-

(a) those matters reserved to full Council by law or by council policy in terms of this Scheme of Administration,

(b) those matters delegated to other Committees or Sub-Committees of the Council in terms of this Scheme of Administration, and

(c) those matters delegated by the Council to a Joint Committee or statutory board.

B MEMBERSHIP

1 12 Elected members to be appointed by full council, together with the four appointed members in terms of section 124 of the Local Government (Scotland) Act 1973 (see G.5-G.8, below).

2 Council to appoint members of the Council Executive or Education Executive to be "Executive Councillors" with responsibility for a specified portfolio.

3 All members, including substitutes and including the four appointed members, require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive.

C QUORUM

1 5 members.

D SUBSTITUTES

1 Substitutes for Elected Members allowed, drawn from all Elected Members of the Council (subject to B.3, above).

2 No substitutes are allowed for any of the four appointed members.

E MEETINGS

1 Scheduled meetings to take place once in each cycle of meetings.

F REPORTING ARRANGEMENTS

1 Minutes to be reported to the next meeting of the Committee.

G MISCELLANEOUS

1 The Committee is the "relevant Committee" in terms of section 124 of the Local Government (Scotland) Act 1973 for advising the Council on the discharge of its functions as education authority.

2 Where a Policy Development and Scrutiny Panel of the Council Executive established in terms of this Scheme of Administration has within its remit business which falls within the functions of the Council as education authority in terms of

section 124 of the Local Government (Scotland) Act 1973, the members appointed to that Panel shall include at least one of the four appointed members of this Committee.

- 3 Where an item of business or a motion or a question deals with a matter which falls within the functions of the Council as education authority, in terms of section 124 of the Local Government (Scotland) Act 1973, it shall be dealt with by, and if necessary remitted to, this Committee.
- 4 The decision as to whether or not an item of business or a motion or a question or a Policy Development and Scrutiny Panel deals with a matter which falls within the functions of the Council as education authority shall be determined by the Clerk in consultation with the Chair.
- 5 The Clerk shall, prior to each local government election, secure the nomination of the religious representatives from the Church of Scotland and the Roman Catholic Church in Scotland, and shall report their nomination and secure their appointment to this Committee at the first meeting of the Council following the election.
- 6 The Clerk shall, prior to each local government election, secure the election of a third religious representative by way of an electoral college of all religions registered with the Council and having places of worship in West Lothian, and shall report his or her election and secure his or her appointment to this Committee at the first meeting of the full council following the election.
- 7 The Clerk shall, prior to each local government election, secure the election of a representative of teachers employed by the Council by way of a ballot of all teachers employed or expected to be employed in West Lothian educational establishments, and shall report his or her election and secure his or her appointment to this Committee at the first meeting of the Council following the election.
- 8 The four appointed members shall be appointed subject to them confirming that they agree to abide by the terms of the Councillors' Code of Conduct.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the adoption of the Council Executive structure, replacing the former five "main Committees". With effect from 1 August 2007.

WEST LOTHIAN COUNCIL PLANNING COMMITTEE

A REMIT AND POWERS

- 1 The provision of a pre-determination hearing for “major” applications for planning permission for developments which are determined to be and are referred to the Committee by the Head of Development and Regulatory Services as being significantly contrary to the development plan (Section 38A of the Town and Country Planning (Scotland) Act 1997).
- 2 The Committee shall not have the power to determine that the application before it is not significantly contrary to the development plan.

B MEMBERSHIP

- 1 All Elected Members of the Council.
- 2 Before being able to sit at meetings of the Committee, Members must have attended training sessions on development management to the satisfaction of the Clerk to the Council which will be arranged from time to time by the Deputy Chief Executive for Education, Regulatory and Area Services.
- 3 The Chair and Vice-Chair are appointed by the Council.

C QUORUM

- 1 One fourth of the whole number of Members of the Council.
- 2 In the event that there are at any time vacancies in the case of more than one third of the Members of the Council, then the statutory rules which apply for determining the quorum for meetings of full council shall be used.

D SUBSTITUTES

- 1 **Not applicable.**

E MEETINGS

- 1 One meeting in each calendar month, which meetings shall only be called and take place if there is business to be transacted.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to the next meeting of the Committee.

G MISCELLANEOUS

- 1 Business is referred to the Committee by the Head of Development and Regulatory Services who holds the delegated power to determine if an major application for planning permission is significantly contrary to the development plan. That decision cannot be questioned or overturned except by a decision of full council.
- 2 If there is no business to be transacted at a scheduled meeting then the meeting shall not be called and shall not take place.
- 3 The Head of Development and Regulatory Services shall, where he deems it appropriate, make arrangements for a site visit to be offered to all members, but

attendance at the site visit, whilst advised, shall not be compulsory

- 4 The procedure to be followed in inviting the interested parties to the meeting and in conducting the hearings before the Committee are to be determined, and may be changed from time to time, by the Chief Solicitor in consultation with the Chair of the Committee.

HISTORY			
	Date	Body	Change
1	26 January 2010	West Lothian Council	Established as part of the decision-making procedures required by the Planning Etc. (Scotland) Act 2007. With effect from 26 January 2010.

LOCAL REVIEW BODY

A REMIT AND POWERS

- 1 Determination of requests for review of decisions by the Council's Appointed Person to refuse, or grant subject to conditions, applications for planning permission for local developments covered by the Council's statutory Scheme of Delegations, and for the non-determination by the Appointed Person of such applications, all under the Planning etc. (Scotland) Act 2006 and regulations made thereunder.

B MEMBERSHIP

- 1 9 members to be appointed by the Council.
- 2 All members require to undergo induction and regular refresher training as arranged by the Depute Chief Executive for Education, Regulatory and Area Services, and shall not sit at meetings of the Committee unless they have attended such training to the satisfaction of the Clerk.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes are not allowed.

E MEETINGS

- 1 Scheduled meetings every 4 weeks, or as near thereto as is practicable, throughout the calendar year, excluding the Christmas holiday period and the summer recess.
- 2 Where there is no business to be brought to a scheduled meeting, the Clerk, in consultation with the Chair, may cancel that scheduled meeting.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to and approved at the next meeting of the Committee.

G MISCELLANEOUS

- 1 The Local Review Body is a Committee required by statute to deal with requests for review of certain decisions made under delegated powers to the Council's "Appointed Person".
- 2 Its procedures are governed by the Town and Country Planning (Schemes of Delegations and Local Review Procedure) (Scotland) Regulations 2008, as amended.
- 3 Where required by a decision of the Local Review Body, site visits for Members of the Committee are to be arranged by the Clerk in consultation with the Chair.
- 4 The administration of the Local Review Body's business is to be carried out by the Committee Services Manager.

- 5 Legal advice is to be made available to the Local Review Body at its meetings by the Chief Solicitor, and the officer providing that advice must not have been involved in the case at any earlier stage.
- 6 Planning advice is to be made available to the Local Review Body at its meetings by the Depute Chief Executive for Education, Regulatory and Area Services, and the officer providing that advice must not have been involved in the case at any earlier stage. The advice provided is to be limited to advising on the content of the development plan, national planning advice and guidance, council Supplementary Planning Guidance and council policies, and not on the merits of the case.
- 7 Training for Members is to be organised by the Depute Chief Executive for Education, Regulatory and Area Services.
- 8 Decision letters are framed and sent by the Clerk, and, where required by a decision of the Local Review Body, the Clerk shall sign and issue planning permission.
- 9 Where a section 75 or other legal agreement is required, the Clerk shall instruct the Chief Solicitor to take the appropriate action before planning permission is issued.
- 10 If required, and where not provided by legislation, procedures at meetings of the Local Review Body are to be set by the Chief Solicitor in consultation with the Chair.

HISTORY			
	Date	Body	Change
1	2 June 2009	West Lothian Council	Established as part of the decision-making procedures required by the Planning Etc. (Scotland) Act 2007. With effect from 23 June 2009.
2	19 May and 23 June 2009	Council Executive	Approval of remit, membership, and administration arrangements for new Committee. With effect from 23 June 2009.

AUDIT COMMITTEE

A REMIT AND POWERS

- 1 (a) To undertake a corporate overview of the Council's control environment.
 - (b) To develop an anti-fraud culture within the Council to ensure the highest standards of probity and public accountability.
 - (c) To review with management, the adequacy of the policies and practices in operation to ensure compliance with relevant statutes, directions, standards or codes of corporate governance.
 - (d) To commission special investigations on the Committee's behalf on matters of particular concern relating to internal controls and value for money.
 - (e) To evaluate the arrangements in place for securing the economical, efficient and effective management of the Council's resources.
 - (f) To determine the scope of the annual Internal Audit Plan, and consider the External Audit Planning Memorandum.
 - (g) To give consideration to internal and external audit reports which identify deficiencies in relation to the internal controls in operation and ensure that management implement the recommendations incorporated within the audit report action plans by the agreed date.
 - (h) To redirect internal audit resources as and when deemed appropriate.
 - (i) To monitor the overall performance of the Internal Audit Service in terms of productivity, effectiveness, customers' satisfaction etc.
 - (j) To review the External Auditor's annual report and management's response.
 - (k) To maintain an effective working relationship with external audit.
- 2 In pursuing its remit the Committee has the following powers:-
 - (a) To require Internal Audit to obtain documents and information relevant to the Committee's role and remit.
 - (b) To have the right to call any Elected Member or officer before the Committee.
 - (c) To take decisions in relation to all aspects of the Committee's remit, subject to the Committee not taking decisions which will change or conflict with council policy or commit the Council to significant expenditure, although the Committee may make recommendations to the Council on policy matters or expenditure.

B MEMBERSHIP

- 1 5 members to be appointed by the Council.

C QUORUM

1 3 members.

D SUBSTITUTES

1 Substitutes allowed, drawn from all Elected Members of the Council.

E MEETINGS

1 Four scheduled meetings per year, one in each second cycle of meetings.

F REPORTING ARRANGEMENTS

1 Minutes to be reported to and approved at the next meeting of the Committee.

2 Minutes to be reported to the Council for noting.

G MISCELLANEOUS

1 The Committee's role is to review and monitor all of the Council's activities in relation to the following areas of corporate governance:-

(a) Reviewing and promoting the Council's system of internal control, both financial and otherwise, aimed at ensuring that the Council's activities are carried out in an orderly and efficient manner, and that its assets are safeguarded,

(b) Evaluation of the Council's control environment, including measures to prevent and detect fraud,

(c) Monitoring the independence and effectiveness of internal and external audit.

2 Issues will be referred to the Committee by the Council, a Committee or an appropriate officer for due consideration.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007, both based on the Audit Committee in existence before that date. With effect from 1 August 2007. No longer a "special Committee", the distinction between "main Committee" and "special Committee" having been removed from Standing Orders from that date.

PERFORMANCE COMMITTEE

A REMIT AND POWERS

- 1 (a) To undertake a corporate overview of performance across the Council.
 - (b) To develop a performance culture within the Council which will drive continuous improvement.
 - (c) To review with management the performance management and performance reporting arrangements and ensure that they are both adequate and cost effective.
 - (d) To commission special investigations on the Committee's behalf on matters of particular concern relating to performance management, reporting, target setting or benchmarking.
 - (e) To ensure that performance management arrangements cover Best Value considerations.
 - (f) To determine an annual work-plan for the Committee.
 - (g) To give consideration to internal and external reports, including Best Value reviews, which identify issues in relation to performance management, measurement or reporting and ensure that management implement the recommendations incorporated within the reports by dates agreed in covering action plans.
 - (h) To maintain an effective working relationship with other council Committees.
- 2 In pursuing its remit the Committee has the following powers:-
 - (a) To require services to provide documents and information relevant to the Committee's role and remit.
 - (b) To have the right to call any Elected Member or officer before the Committee.
 - (c) To make recommendations as appropriate on all aspects of the Committee's remit. The Committee shall not have power to take decisions which will change or conflict with council policy or commit the Council to significant expenditure, although the Committee may make recommendations to the Council or other Committees on policy matters or expenditure.

B MEMBERSHIP

- 1 5 members.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes allowed, drawn from all Elected Members of the Council.

E MEETINGS

- 1 Scheduled meetings once in each cycle of meetings.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to the next meeting of the Committee.
- 2 Minutes of the Committee will be reported to the Council for noting.

G MISCELLANEOUS

- 1 The Committee's role is to monitor, review and challenge the Council's services and activities, at both corporate and service level, to ensure that:
 - (a) Appropriate performance measures are in place and applied systematically across the Council in accordance with council strategies such as WLAM;
 - (b) The requirement for the Council to demonstrate Best Value in the use of its resources is met; and
 - (c) Continuous improvement in the delivery of services is achieved.
- 2 In relation to other council Committees, the role of the Committee will be to provide a challenge to service and corporate performance that will add value to the considerations of these Committees and result in improved performance management and attainment.
- 3 Issues will be referred to the Committee by the Council, another Committee or an appropriate officer for due consideration.
- 4 The Committee may generate its own items for consideration based on the performance information it reviews.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007, both based on the Performance Committee in existence before that date. With effect from 1 August 2007. No longer a "special Committee", the distinction between "main Committee" and "special Committee" having been removed from Standing Orders from that date.

EMPLOYEES APPEALS COMMITTEE

A REMIT AND POWERS

1 Appeals (Non-Teaching Staff)

To hear and determine disciplinary and grievance appeals by non-teaching staff employees in terms of the Council's Disciplinary Procedure and the Procedure for Hearing Employee Grievances, subject to the following:-

(a) Grievances shall be restricted to the interpretation and application of council policy and council, committee and sub-committee decisions. Grievances which challenge council policy or council, committee or sub-committee decisions will be treated as disputes, and will not be referred to the Committee. (In this case the Council's Procedure for the Avoidance of Disputes will apply. The Council, or relevant Committee or Sub-Committee shall be the final arbiter of the dispute, following appropriate consideration and negotiation).

(b) Grievances which refer to areas where there is no or unclear council policy or council, committee or sub-committee decision, will be referred by the Committee to the Council or relevant Committee or Sub-Committee for decision or clarification. The Committee will decide whether to hold the appeal or grievance in abeyance in the meantime, or to deal with it without prejudice to the later decision of the Council or appropriate Committee or Sub-Committee and in the recognition that when determined or clarified council policy or council, committee or sub-committee decisions may be applied from that date regardless of the decision of the Appeals Committee.

2 Appeals (Teaching Staff)

To hear and determine disciplinary and grievance appeals by teaching staff in terms of the Council's Disciplinary Procedure for Teaching Staff and the Procedure for Hearing Grievances for Teaching Staff, subject to the following:-

(a) Grievances shall be restricted to the interpretation and application of council policy and council, committee and sub-committee decisions. Grievances, which challenge council policy or council, committee or sub-committee decisions will be treated as disputes, and will not be referred to the Committee.

(b) Grievances which refer to areas where there is no or unclear council policy or council, committee or sub-committee decision, will be referred by the Committee to the Council or relevant Committee or Sub-Committee for decision or clarification. The Committee will decide whether to hold the appeal or grievance in abeyance in the meantime, or to deal with it without prejudice to the later decision of the Council or appropriate Committee or Sub-Committee and in the recognition that when determined or clarified council policy or council, committee or sub-committee decisions may be applied from that date regardless of the decisions of the Appeals Committee.

B MEMBERSHIP

1 A panel consisting of 12 Elected Members and 1 of the four appointed members under section 124 of the Local Government (Scotland) Act 1973.

- 2 The panel of members is to be appointed by full council and members are to undergo appropriate training arranged by the Clerk.
- 3 7 members of the panel are to be called to each meeting of the Committee (subject to G.3, below).
- 4 Where the Committee is convened to deal with business under its Appeals (Teaching Staff) functions, the members called by the Clerk shall include the appointed member under section 124 of the Local Government (Scotland) Act 1973 and those members of the panel who are also members of the Education Executive.
- 5 All members, including substitutes, require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes allowed, drawn from the panel of Members appointed by the Council.
- 2 For meetings at which the attendance of the non-elected member of the Committee is required (see B.4, above), a substitute is allowed drawn from the other three appointed members under section 124 of the Local Government (Scotland) Act 1973 (subject to B.2 and B.5 above).
- 3 Substitutes require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive (see B.5, above) and to undergo appropriate training organised by the Clerk (see B.2, above).

E MEETINGS

- 1 Scheduled meetings on one day in each calendar month, except for the month of July, in each year.
- 2 Where there is no business which can be dealt with at a scheduled meeting, the Clerk shall be entitled, after consulting the Chair, to cancel the meeting.
- 3 Other meetings as are required to deal with business arising shall be arranged by the Clerk in consultation with the relevant Deputy Chief Executive and the Chair.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to and approved at the next meeting of the Committee.
- 2 For decisions of the Committee in relation to its Appeals (Non-Teaching Staff) function, the Deputy Chief Executive for Corporate Operational and Housing Services shall report the outcome to the Council as soon as practicable.
- 3 For decisions of the Committee in relation to its Appeals (Teaching Staff) and Additional Learning Needs Review functions, the Deputy Chief Executive for Education, Regulatory and Area Services shall report the outcome to the Council as soon as practicable.

- 4 Where the Committee as part of its decision makes recommendations to full council or a Committee, or remits any matter of policy for consideration to full council or a Committee, the relevant Deputy Chief Executive shall submit a report to the appropriate body as soon as practicable.

G MISCELLANEOUS

- 1 The Committee has one meeting per month scheduled to deal with business arising, and additional or adjourned meetings can be arranged as and when required.
- 2 Members of the panel will be called to meetings on a rota system to be organised by the Clerk.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	<p>Established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007 which was based on the Appeals Sub-Committee of the Policy Partnership and Resources Committee in existence before that date.</p> <p>Incorporating the remits of the former Appeals Sub-Committee of the Policy Partnership and Resources Committee, the Appeals Sub-Committee (Teaching Staff) of the Children's Services and Lifelong Learning Committee, the Housing Appeals and the Client Affairs and Appeals Sub-Committees of the Health and Care Committee, and the Additional Learning Needs Review Sub-Committee of the Children's Services and lifelong Learning Committee.</p> <p>With effect from 1 August 2007.</p>
2	24 June 2008	West Lothian Council	<p>Appeals Committee re-named as "Employee Appeals Committee" and further appeals functions to be exercised through a new Committee known as the "Miscellaneous Appeals Committee". With effect from 24 June 2008</p>

MISCELLANEOUS APPEALS COMMITTEE

A REMIT AND POWERS

1 Housing Appeals

To act with powers to determine appeals in relation to the provision of housing services, subject to the following:-

(a) In exercising its powers the Committee shall not depart from the Council's housing policy or policies.

2 Client Affairs and Appeals

(a) To act with powers in considering and disposing of applications for section 12 payments where these relate to payment of rent arrears.

(b) To deal with problems of clients and families affected by the Housing (Homeless Persons) (Scotland) Act 1977 with particular reference to the care of children.

(c) To consider ex gratia payments to foster parents for damage to property while caring for children.

(d) Any other function relating to the affairs of individual social work services clients, etc. as the Council may, from time to time, determine.

3 Additional Learning Needs Review

(a) To hear cases where dissatisfaction is expressed by a parent of a child with Additional Learning Needs or by a young person with Additional Learning Needs with a decision relating to Additional Learning Needs service provision, and where the process of mediation and officer review has not produced a decision which is acceptable to the parent or young person concerned.

(b) The Committee shall consider the manner in which the decision was taken and the decision itself which will have been taken on the basis of council policy and the professional judgment of officers.

(c) The Committee shall only consider a case where no statutory right of appeal exists, and where the prior stages of mediation and officer review have been followed without a successful resolution.

(d) The powers of the Committee shall be restricted to making recommendations, if so advised, in the form of a report to the Executive Committee (Education).

4 Smoking Fixed Penalty Hearings

(a) To hear and determine requests for a hearing made in respect of fixed penalty notices issued under section 6 of the Smoking Health and Social Care (Scotland) Act 2005 in respect of offences under sections 1, 2 or 3 of that Act;

(b) Disposals are either to uphold the appeal and withdraw the fixed penalty notice, or to refuse the appeal; and

(c) The hearing is to be conducted in accordance with a procedure set by the Chief Solicitor under delegated powers.

5 Business Improvement District Levy Appeals

(a) To hear and determine appeals brought against the imposition of a Business Improvement District levy under paragraph 8 of the Schedule to the Planning etc. (Scotland) Act 2006 (Business Improvement Districts Levy) Order 2007;

(b) Disposals are to uphold the appeal in full and cancel the levy made on the appellant and the demand notice sent to him; or to uphold the appeal in part and adjust the amount of liability of the appellant for payment of the levy; or to refuse the appeal; and

(c) The hearing is to be conducted in accordance with a procedure set by the Chief Solicitor under delegated powers.

B MEMBERSHIP

1 A panel consisting of 9 Elected Members and 1 of the 4 appointed members under section 124 of the Local Government (Scotland) Act 1973.

2 The panel of members is to be appointed by full council and members are to undergo appropriate training arranged by the Clerk.

3 5 members of the panel are to be called to each meeting of the Committee (subject to G.3, below).

4 Where the Committee is convened to deal with business under its Additional Learning Needs Review functions, the members called by the Clerk shall include the appointed member under section 124 of the Local Government (Scotland) Act 1973 and those members of the panel who are also members of the Education Executive.

5 All members, including substitutes, require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive.

C QUORUM

1 3 members.

D SUBSTITUTES

1 Substitutes allowed, drawn from the panel of members appointed by the Council.

2 For meetings at which the attendance of the non-elected member of the Committee is required (see B.4, above), a substitute is allowed drawn from the other three appointed members under section 124 of the Local Government (Scotland) Act 1973 (subject to B.2 and B.5 above).

3 Substitutes require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive (see B.5, above) and to undergo appropriate training organised by the Clerk (see B.2, above).

E MEETINGS

- 1 *Ad hoc* meetings as required to dispose of business arising, arranged by the Clerk in consultation with the Chair.
- 2 For decisions of the Committee in relation to its Additional Learning Needs Review functions, the Deputy Chief Executive for Education, Regulatory and Area Services shall report the outcome to the Council as soon as practicable.
- 3 For decisions of the Committee in relation to its Housing Appeals and Client Affairs and Appeals functions, the Director of the West Lothian Community Health and Care Partnership shall report the outcome to the Council as soon as practicable.
- 4 For decisions of the Committee in relation to its Smoking Fixed Penalty Appeals, and Business Improvement District Levy Appeals functions, the Deputy Chief Executive for Education, Regulatory and Area Services shall report the outcome to the Council as soon as practicable.
- 5 Where the Committee as part of its decision makes recommendations to full Council or a Committee, or remits any matter of policy for consideration to full council or a Committee, the relevant Deputy Chief Executive shall submit a report to the appropriate body as soon as practicable.

G MISCELLANEOUS

- 1 The Committee is convened as and when required to dispose of its business.
- 2 Members of the panel will be called to meetings on a rota system to be organised by the Clerk.
- 3 Where the Committee is convened in relation to its Additional Learning Needs Review function, the Clerk shall take all reasonable steps to have only three members in attendance, in order to ensure as far as possible an informal and non-threatening environment for those seeking the review.

HISTORY			
	Date	Body	Change
1	24 June 2008	West Lothian Council	Established for the first time as part of a Council decision to separate the employee appeals from other areas of appeal and review work. With effect from 24 June 2008.

AVOIDANCE OF DISPUTES COMMITTEE

A REMIT AND POWERS

- 1 To hear and determine industrial disputes with recognised Trades Unions in terms of existing collective agreements for the avoidance of industrial disputes for single status staff and craft workers.

B MEMBERSHIP

- 1 7 members.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes allowed, drawn from all Elected Members of the Council.

E MEETINGS

- 1 *Ad hoc* meetings as required to dispose of business arising, arranged by the Clerk in consultation with the Deputy Chief Executive for Corporate, Operational and Housing Services and the Chair.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to the next meeting of the Committee.
- 2 Minutes to be reported to the Council for noting.

G MISCELLANEOUS

- 1 The Committee deals with business referred to it under the Council's Procedure for the Avoidance of Disputes.
- 2 Business is conducted as agreed amongst those in attendance at a meeting, which failing in accordance with the Committee's standard rules of procedure.
- 3 The Committee cannot make decisions which are at variance with council policy.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007,

			both based on the Avoidance of Disputes Sub-Committee of the Policy Partnership and Resources Committee in existence before that date. With effect from 1 August 2007.
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DEVELOPMENT MANAGEMENT COMMITTEE

A REMIT AND POWERS

- 1 Determination of planning applications which have attracted objection (subject to G.2, below).
- 2 Determination of planning applications which are recommended for refusal (subject to G.2, below).
- 3 Determination of planning applications which are recommended to be granted contrary to the Development Plan (subject to G.2, below).
- 4 Determination of planning applications which require section 75 Agreements where the Agreements are not standard policy (subject to G.2, below).
- 5 Recommending to the Council the making, alteration or revocation of development control policies.
- 6 Determination of whether to pursue enforcement action in cases which have been instigated by a local Member and that Member expressly wishes, after discussion with the Deputy Chief Executive for Education, Regulatory and Area Services, that action should be taken.
- 7 The making of Tree Preservation Orders.
- 8 Approval of appeal submissions in cases where the decision taken was contrary to officers' recommendation.
- 9 Noting of and consideration of appeal decisions.

B MEMBERSHIP

- 1 9 members to be appointed by full council.
- 2 All members require to undergo induction and regular refresher training as arranged by the Depute Chief Executive for Education, Regulatory and Area Services, and shall not sit at meetings of the Committee unless they have attended such training to the satisfaction of the Clerk.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes are not allowed.

E MEETINGS

- 1 Scheduled meetings every 4 weeks, or as near thereto as is practicable, throughout the calendar year, including the summer recess.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to and approved at the next meeting of the Committee.

G MISCELLANEOUS

- 1 Site visits for members of the Committee are to be arranged by the Deputy Chief Executive for Education, Regulatory and Area Services in consultation with the Chair. Not all sites will be visited, and attendance at site visits is not compulsory for members of the Committee.
- 2 The Scheme of Delegations to Officers confers on the Deputy Chief Executive for Education, Regulatory and Area Services and the Council's Appointed Person a power to determine applications in certain circumstances, and applications will only be brought to the Committee in circumstances where those delegated powers do not apply.
- 3 The Deputy Chief Executive for Education, Regulatory and Area Services is responsible for issuing Advice Notes to applicants and objectors explaining the rules about objections and hearings at meetings of the Committee, advising interested parties of the date of the meeting when their case will be brought to Committee, and for preparing a list of those who desire to, and who are entitled to, appear at those meetings.
- 4 Hearings at meetings of the Committee are conducted in accordance with a standard procedure. The procedure will be notified to interested parties in advance of and at meetings of the Committee by the Deputy Chief Executive for Education, Regulatory and Area Services.
- 5 Where Members move a position against officers' recommendations or against the terms of the development plan then those who move and second the motion shall provide a statement of their planning reasons for that position before a vote is taken, and the Clerk shall note and minute those reasons.
- 6 For appeal submissions in cases where the decision was contrary to officers' recommendation the Deputy Chief Executive for Education, Regulatory and Area Services, in consultation with the Chief Solicitor, shall prepare, or procure the preparation of, the appeal submission. Prior to submitting the statement of the Council's case, the Chair and ward Members shall be consulted. If required, the submission may be made through the use of Standing Order 31.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007, both based on the Development Control Sub-Committee of the Enterprise and Development Committee in existence before that date. With effect from 1 August 2007.

2	5 and 19 May 2009	Council Executive	Change of name from Development Control Committee. Procedures updated to reflect Council decisions in response to the Anderson Report and the Planning etc. (Scotland) Act 2006. With effect from 1 October 2009.
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LICENSING COMMITTEE

A REMIT AND POWERS

- 1 To dispose of applications for non-liquor licences where there is contravention of established council policy, or where objections have been raised by officers, advisers, or members of the general public.
- 2 To consider where appropriate the suspension of such licences granted by the Council.
- 3 To grant or refuse permission for parades and marches and to determine the conditions to be attached to any such permission granted, all in accordance with council policy.
- 4 To grant or refuse applications to the register of private landlords under the Antisocial Behaviour (Scotland) Act 2004, and dispose of other decisions required in the administration of the Council's registration scheme.

B MEMBERSHIP

- 1 7 members.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes allowed, drawn from all Elected Members of the Council.
- 2 All members, including substitutes, require to undergo appropriate training to be arranged by the Clerk.

E MEETINGS

- 1 Once in each cycle of meetings.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to the next meeting of the Committee.

G MISCELLANEOUS

- 1 Hearings of cases by the Committee shall be conducted in accordance with standard rules of procedure. The Clerk shall be responsible for the issuing of those rules of procedure to interested parties before and at meetings of the Committee.
- 2 The Clerk shall be responsible for lawfully citing parties to attend at meetings of the Committee, and shall report to the Committee any failure in such citation before its

consideration of each case.

- 3 The Council's Scheme of Delegations to Officers confers powers on officers to grant licences and other applications, and cases are referred to the Committee for decision where those powers do not apply.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the adoption of the Council Executive structure, following the interim arrangement adopted on 10 May 2007, both based on the former Sub-Committee of Enterprise and Development Committee. Remit extended to cover parades and marches, formerly within the remit of the Community Safety Committee. With effect from 1 August 2007.
2	23 December 2008	Council Executive	Paragraph A.4 of remit added to cover registration of private landlords scheme cases. Paragraph G.3 added for clarification. With effect from 1 January 2009.

SENIOR OFFICER APPOINTMENT COMMITTEE

A REMIT AND POWERS

- 1 To select, interview and appoint candidates to vacancies for the posts of Chief Executive, Deputy Chief Executive and Head of Service, and in particular:-
 - to select a long leet of candidates for assessment,
 - from the long leet, to select a short leet for interview,
 - to conduct interviews of short leet candidates, and
 - to select and appoint the successful candidate.

B MEMBERSHIP

- 1 5 members to be appointed by the Council for each such appointment as and when required.
- 2 Members require to undergo appropriate training arranged by the Clerk.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes allowed, drawn from all Elected Members of the Council who have undergone appropriate training arranged by the Clerk.

E MEETINGS

- 1 *Ad hoc* meetings when required to deal with appointments referred to it by the Council.
- 2 The Committee first meets in accordance with arrangements made by the Clerk in consultation with the members of the Committee. Thereafter, the Committee meets in accordance with a timetable agreed at the first stage meeting.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to the next meeting of the Committee.
- 2 Appointments made by the Committee are to be reported to the next available meeting of the Council by the Deputy Chief Executive for Corporate, Operational and Housing Services.

G MISCELLANEOUS

- 1 The Chief Executive, as Head of Paid Service, has delegated powers to appoint employees up to but not including Heads of Service.
- 2 The appointments of Chief Executive, Deputy Chief Executive and Head of Service are reserved to the Council, but the Council may choose to delegate that power to this Committee, or to officers.
- 3 The Committee conducts the business referred to it by the Council through one meeting, albeit that meeting will be adjourned from time to time. Substitutes are allowed at any stage in the procedure (subject to B.2 and D, above), notwithstanding that the Committee may re-convene with different members in

attendance. All reasonable efforts should be made however to have continuity of membership throughout the process for each appointment.

- 4 The Chief Executive or his nominee(s) shall attend meetings of the Committee for all appointments, and the relevant Deputy Chief Executive shall attend meetings of the Committee for appointments of Head of Service. They shall be entitled to participate in discussions at meetings of the Committee (other than in the interview process itself) when invited to do so by the Chair.
- 4 At or prior to the first stage meeting of the Committee, copies of the application forms for all candidates shall be issued to members.
- 5 At the first stage meeting the Committee shall:-
 - choose the Chair from amongst those present,
 - consider the procedure and process to be followed, including the fixing of a timetable and the assessment and interview processes, and
 - agree the long list of candidates for assessment and reserve candidates if so advised.
- 6 At the second stage meeting the Committee shall:-
 - hear a verbal report from the Chief Executive or his nominee(s) on the outcome of the assessment process,
 - agree the short list of candidates for interview, and
 - agree a presentation topic for candidates selected for interview, as recommended by the Chief Executive or his nominee(s).
- 7 At the third stage meeting the Committee shall:-
 - agree questions for each member to ask each candidate from a list supplied by the Chief Executive or his nominee(s)
 - conduct interviews
 - appraise the performance of each candidate at interview
 - cast a vote for one of the candidates, with the Chair having a casting vote in the event of a tie
 - select the successful candidate and instruct the Chief Executive to secure his or her appointment to the post.
- 8 Notwithstanding the votes cast, the members of the Committee shall support the appointed candidate as if the vote had been unanimous.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the adoption of the Council Executive structure, based on the former <i>ad hoc</i> arrangements for senior officer appointments. Powers widened to include the power to appoint a candidate, rather than the previous limited power to recommend a candidate to the Council for

			appointment. With effect from 1 August 2007.
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WEST LOTHIAN LEISURE ADVISORY COMMITTEE

A REMIT AND POWERS

- 1 To monitor the implementation by West Lothian Leisure Limited of its Business Plan, within the context of the Council's overall leisure strategy.
- 2 To monitor the Service Specification and Funding Agreement between West Lothian Leisure Limited and the Council, within the context of the Council's overall leisure strategy.
- 3 To provide a forum for consultation between the Council and West Lothian Leisure Limited, in order to ensure that the Council achieves best value in its operations and expenditure.

B MEMBERSHIP

- 1 7 members to be appointed by the Council.

C QUORUM

- 1 3 members.

D SUBSTITUTES

- 1 Substitutes allowed, drawn from all Elected Members of the Council.

E MEETINGS

- 1 Four scheduled meetings per year, one in each second cycle of meetings.

F REPORTING ARRANGEMENTS

- 1 Minutes to be reported to the next meeting of the Committee.

G MISCELLANEOUS

- 1 The General Manager of West Lothian Leisure Limited or his delegate is to be in attendance. He or she provides a financial report to the Clerk for circulation with the agenda.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007, both based on the West Lothian Leisure Advisory Sub-Committee of the Policy Partnership and Resources Committee in existence before that date. With effect from 1 August 2007.

SOCIAL WORK COMPLAINTS REVIEW COMMITTEE

A REMIT AND POWERS

1 (a) To consider complaints about the Council's social work services in terms of the National Health Service and Community Care Act 1990.

(b) To make recommendations in the form of a report to the appropriate Committee of the Council, as required by directions and guidance.

2 The revocation, amendment, making and adoption of rules of procedure for hearings to be conducted at its meetings.

B MEMBERSHIP

1 To be drawn from a panel of four Elected Members appointed by the Council who have undergone appropriate training arranged by the Clerk, and a panel of suitably qualified independent persons maintained by the Clerk. The membership will normally comprise 2 independent persons (one of whom shall be in the Chair) and 1 Elected Member.

2 All members, including substitutes, require to have undergone an enhanced disclosure check to the satisfaction of the Chief Executive.

C QUORUM

1 3 members, of whom 2 should be outside members (see B.1, above).

D SUBSTITUTES

1 Substitutes to be allowed, drawn from the panel of members who have undergone appropriate training (subject to B.2, above).

E MEETINGS

1 *Ad hoc* meetings arranged by the Clerk in consultation with the Director of the Community Health and Care Partnership, to deal with business arising, and in terms of the Council's policy on complaints in relation to social work services.

F REPORTING ARRANGEMENTS

1 Minutes to be reported to the Council for noting.

2 The Director of the Community Health and Care Partnership shall as soon as practicable and in accordance with the relevant legislation report the Committee's decision to the Council Executive in order that it can consider whether or not to accept any recommendations made, and to instruct appropriate action to be taken, if any.

G MISCELLANEOUS

1 The Social Work Complaints Review Committee is an advisory Committee in terms of section 57 of the Local Government (Scotland) Act 1973.

2 Hearings of cases by the Committee shall be conducted in accordance with standard rules of procedure. The Clerk shall be responsible for the issuing of those

rules of procedure to interested parties before and at meetings of the Committee.

- 3 All independent members appointed to the panel from which members of each Social Work Complaints Review Committee may be drawn should have knowledge of social work matters and the conduct of proceedings before a review body or tribunal.
- 4 In the event that an insufficient number of independent members is available to form a Committee, the Clerk shall be permitted to use independent members from panels maintained by other local authorities for the same purpose.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	<p>Re-established as part of the of the adoption of the Council Executive structure, following the interim Committee set up on 10 May 2007, both based on the former Committee of the same name. With effect from 1 August 2007.</p> <p>No longer a “special Committee”, the distinction between “main Committee” and “special Committee” having been removed from Standing Orders from that date.</p>

LOCAL AREA COMMITTEES

LOCAL AREA COMMITTEES (ONE PER ELECTORAL WARD)

A REMIT

- 1 (a) To be a forum for the discussion of ward issues, and

(b) To facilitate community engagement at the ward level;
- 2 To act as a focus for frontline council staff;
- 3 To scrutinise council policies at ward level;
- 4 To make representations and comments on ward issues to the Council; and
- 5 To take decisions binding on the Council and to exercise powers and responsibilities in policy areas and within limits and guidelines delegated from time to time by Council, Council or Education Executives.

B MEMBERSHIP

- 1 The three or four Elected Members for the relevant electoral ward.
- 2 The Chair and Vice-Chair shall be appointed by the Council.
- 3 Each Local Area Committee is able to invite such third parties as it deems appropriate to attend its meetings, either on a regular or *ad hoc* basis. The extent to which those third parties are to be permitted to participate in the business of the Committee is to be determined by the Chair.

C QUORUM

- 1 The quorum for all Local Area Committees shall be three Members, regardless of the number of Members in the ward.
- 2 In the event that a quorum is not present then so long as two Members are present, the meeting may proceed and its business may be transacted, but the resolutions made at the meeting shall require to be reported by the Lead Officer to the Council Executive for ratification before becoming effective.
- 3 No meeting shall take place and no business shall be transacted at a meeting of a Local Area Committee if only one Member is present.

D SUBSTITUTES

- 1 Substitutes are not permitted at meetings of Local Area Committees.

E MEETINGS

- 1 Arrangements are to be made for initial meetings by Council at its first meeting after each local government election. At those initial meetings each Local Area Committee shall agree a schedule of regular meetings for the following calendar year and submit those arrangements to the Council Executive for approval. In each succeeding year, each Local Area Committee shall on or before 30 April agree a schedule of regular meetings for the succeeding twelve months and shall submit

those arrangements to the Council Executive for approval.

- 2 In addition to the schedule of regular meetings, each Local Area Committee shall have the power to fix such additional meetings as it shall deem appropriate from time to time.
- 3 The Chair shall have the power to call a special meeting, which shall be convened and shall be governed by the terms of Standing Order 5. Other Members have no right to call a special meeting.
- 4 The preparation of the agenda for each meeting shall be carried out by the Lead Officer in consultation with the Chair, and the arrangements for doing so, including any pre-meeting, shall be as determined by the Chair in consultation with the Lead Officer and the Clerk.

D REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of each Local Area Committee for approval in accordance with Standing Order 12.
- 2 Any recommendation or representation to be made to Council, or Council or Education Executives, shall be noted and reported or communicated as appropriate by the Lead Officer on behalf of the Committee.

E MISCELLANEOUS

- 1 Local Area Committees were established as a specific type of working group, without decision-making powers, with a general consultative and advisory remit. Subsequently, they were reconstituted as Committees of the Council, retaining their initial remit but acquiring decision-making powers in specified areas from Council or Council or Education Executives.
- 2 Except where specific powers are delegated from time to time, Local Area Committees do not have power to make decisions for or on behalf of the Council, nor to speak for or make representations on behalf of the Council. Their actions and decisions are always subject to Standing Order 35.
- 3 Each Local Area Committee has a Lead Officer appointed by the Chief Executive. The Lead Officer's role is:-
 - to assist in the planning of the Committee's work and meetings,
 - to build and prepare agendas in conjunction with the Chair and Clerk,
 - to arrange for the preparation and submission of reports and other papers for meetings,
 - to carry out routine correspondence on behalf of the Committee in connection with its meetings and business,
 - to co-ordinate discussion,
 - to submit reports as required to Council or Council or Education Executives on behalf of the Committee,
 - to assist in the implementation of its business, and
 - to advise the Chair and Members, in conjunction with the Clerk, of the Committee's powers and remit and the limitations on them.
- 4 Through the Lead Officers, the Committee is able to call on the services of officers

of the Council to attend its meetings and provide reports, comment or advice on its business.

- 5 In exercising any aspect of its scrutiny function, Local Area Committees should have regard to the scrutiny functions of the Performance and Audit Committees and the Policy Development and Scrutiny Panels and should plan their business in a way which avoids duplication of the work of those bodies.
- 6 Local Area Committees should take steps to ensure the most effective and efficient conduct of their business, and in particular should have regard to the pressures of time on council officers and whether their attendance at meetings is always required.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph C2 added to make it clear that meetings are to be advertised and open to the public in the same way as Committee meetings (to reflect the Council's decision on 27 September 2008). With effect from 26 February 2008
3	26 February 2008	Council Executive	Sub-paragraph E.5 added for all Local Area Committees. With effect from 26 February 2008
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.
5	5 May 2009	Council Executive	Reconstituted as Committees and remit adjusted accordingly, entries in Scheme of Administration for each Local Area Committee replaced by this generic entry.. With effect from 1 June 2009

C. THE SUB-COMMITTEES

(None.)

D. THE WORKING GROUPS

JOINT CONSULTATIVE GROUP (JCG)

A REMIT

- 1 (a) To provide a means of regular consultation and to facilitate negotiations between the Council and its employees in order to prevent differences and to adjust them should they arise, always provided that no question of an individual's pay, wage, grading, discipline, promotion or efficiency shall be within the scope of the Group.

(b) To consider and offer observations on any proposals made by the Council involving substantial administrative re-organisation to the extent to which it affects the pay and conditions of employment of the employees of the Council.

(c) To consider and report on any matter which may be referred to the Group by West Lothian Council or by any of the Trade Unions and in this connection the Group shall have the right to invite the attendance of any official of the Council or any other person or persons to act in an advisory capacity at any meeting of the Group.

(d) It shall be within the discretion of either side to refer to the National Joint Council for Local Authorities' Services (Scottish Councils) or other negotiating body, for advice and guidance, any matter brought before the Group.

B MEMBERSHIP

- 1 7 Elected members to be appointed by full council, one of whom shall be the member of the Executive Committee holding the Partnership and Resources Portfolio.
- 2 12 representatives of the Single Status and Craft Staff of the Council appointed by Unison, Transport and General Workers Union, Amalgamated Electrical and Engineering Union, General, Municipal and Boilermakers' Union and the Union of Construction Allied trades and Technicians.
- 3 The group shall appoint a Chair and Vice-Chair from amongst its members. The offices of Chair and Vice-Chair shall alternate annually between each side, and those offices shall not be held by the same side in any year.

C QUORUM

- 1 3 Elected members and 3 staff-side members.

D SUBSTITUTES

- 1 Substitutes for Elected Members to be allowed, drawn from all Elected Members of the Council.
- 2 Substitutes on the staff side are allowed, and shall represent the trade union making the substitution.

E MEETINGS

- 1 Four meetings each year fixed by the Council.

- 2 After consultation with both sides, if it emerges that a meeting is not required then the Clerk shall, in consultation with both sides, be entitled to cancel the meeting.

F REPORTING ARRANGEMENTS

- 1 Minutes of the Group shall be reported to the next meeting of the group.
- 2 Minutes of the Group shall be reported to full council for noting.

G MISCELLANEOUS

- 1 The JCG is a working group of the Council.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Re-established as a working group as part of the adoption of the Council Executive structure, following the interim JCG set up on 10 May 2007, both based on the former working group of the same name. No changes made to the previous arrangements. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Quorum reduced for staff-side members from 5 to 3 following a request made by the trade unions. With effect from 26 February 2008.

JOINT CONSULTATIVE GROUP (TEACHING STAFF)

A REMIT

1 (a) To provide a means of regular consultation and facilitate negotiations between the Council and teaching staff employees, always provided that no question of an individual's pay, grading, discipline, promotion or efficiency shall be within the scope of the Group.

(b) To consider matters specifically raised by the teaching staff representatives, which they wish to draw to the attention of the Council.

(c) To consider and report on any matter, which may be referred by the Council for the views of the Group.

B MEMBERSHIP

1 7 members to be appointed by the Council, one of whom shall be the member of the Council Executive holding the portfolio for Education.

2 The teachers' representative appointed to the relevant Committee in terms of section 124 of the Local Government (Scotland) Act 1973 shall be a member.

3 8 members being nominated representatives of the teaching staff of the Council appointed by the trade unions as follows:-

- 5 members of the Educational Institute for Scotland
- 2 members of the Scottish Secondary teachers Association
- 1 member of the National Association of School teachers.

4 The Group shall be chaired by the member of the Council Executive holding the portfolio for Education.

QUORUM

1 3 members from the Council and 4 members from the other representatives.

D SUBSTITUTES

1 Substitutes for Elected Members to be allowed, drawn from all Elected Members of the Council.

E MEETINGS

1 Four meetings in each year on dates fixed by the Council.

2 After consultation with both sides, if it emerges that a meeting is not required then the Clerk shall, in consultation with both sides, be entitled to cancel the meeting.

F REPORTING ARRANGEMENTS

1 Minutes of the Group shall be reported to the next meeting of the group.

2 Minutes of the group shall be reported to the Council for noting.

G MISCELLANEOUS

- 1 The JCG (Teaching Staff) is a working group of the Council.
- 2 The three religious appointed members of the Education Executive shall be entitled to attend meetings of the Group and to participate in its business.
- 3 Arrangements shall be made for the attendance of advisers as are appropriate, but in all cases arrangements shall be made for the attendance of one Primary head teacher Adviser and one Secondary Head Teacher Adviser.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Re-established as a working group as part of the adoption of the Council Executive structure, following the interim JCG set up on 10 May 2007, both based on the former working group of the same name. No changes made to the previous arrangements. With effect from 1 August 2007.

E. THE POLICY DEVELOPMENT AND SCRUTINY PANELS

PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

1 The remit of the Executive Councillor holding the Partnership and Resources Portfolio, as follows:-

(a) Financial resources of the Council - capital plan; prudential indicators; revenue budget,

(b) Financial functions of the Council – valuation, rates and council tax; treasury management; external audit; Council's accounts; financial regulations and Standing Orders,

(c) Strategic property resources - corporate asset management planning; property disposal programme,

(d) Human resource policies relating to all employees (including teaching staff),

(e) Standing Orders and Codes of Conduct,

(f) Council's political and management structures,

(g) Information technology policies and services,

(h) Council-wide services - registration of births, deaths and marriages; customer access and information; public relations, publicity and corporate communications,

(i) Community Planning and Development - community councils; community development; Community Planning and Partnership,

(j) Partnership, co-operation and liaison with other public bodies,

(k) Housing Partnership and Strategy - Council's Strategic Housing Plan,

(l) Best value and competitive services,

(m) Democratic renewal,

(n) Parliamentary and electoral affairs,

(o) Social justice, equal opportunities, race relations, and Council's equality policies and duties, and

(p) Emergency planning.

B MEMBERSHIP

1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the

Partnership and Resources Portfolio.

- 2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Partnership and Resources Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
 - (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,
 - (b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and
 - (c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.
- 3 The panel has the right to develop policies of its own instigation, and also requires

to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.

- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work and to guide it in the conduct of its business.
- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.
6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph D2 added to make it clear that meetings are to be advertised and open to the public in the same way as Committee meetings (to reflect the Council's decision on 25 September 2007). With effect from 26 February 2008
3	26 February 2008	Council Executive	Paragraph F6 added for all PDSPs. With effect from 26 February 2008.
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

CULTURE AND LEISURE POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

- 1 The remit of the Executive Councillor holding the Culture and Leisure Portfolio, as follows:-
 - (a) Sport and leisure facilities including community use,
 - (b) Sport and leisure participation,
 - (c) West Lothian Leisure Limited,
 - (d) Arts and Cultural Services - music making, arts and cultural developments, arts development,
 - (e) Museums and related facilities,
 - (f) Library Service, including schools library service,
 - (g) Local festivals and pageants,
 - (h) Councillors' Local Disbursement Fund,
 - (i) Civic twinning, and
 - (j) Community education.

B MEMBERSHIP

- 1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Culture and Leisure Portfolio.
- 2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Culture and Leisure Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
 - (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,
 - (b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and
 - (c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.
- 3 The panel has the right to develop policies of its own instigation, and also requires to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.
- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work and to guide it in the conduct of its business.
- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.
6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph D2 added to make it clear that meetings are to be advertised and open to the public in the same way as committee meetings (to reflect the Council's decision on 25 September 2007). With effect from 26 February 2008
3	26 February 2008	Council Executive	Paragraph F6 added for all PDSPs. With effect from 26 February 2008.
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

DEVELOPMENT AND TRANSPORT POLICY DEVELOPMENT AND SCRUTINY
PANEL

A REMIT

1 The remit of the Executive Councillor holding the Development and Transport Portfolio, as follows:-

- (a) Economic Development - creating and maintaining employment, business development, research, development and training relevant to the needs of business, providing loans, grants and support packages,
- (b) Strategic planning - strategic planning framework, structure and city/region planning,
- (c) Local planning - development control, enforcement action, local plan and supplementary planning guidance and policy,
- (d) Transportation planning – strategic transportation framework, local and regional transport strategies,
- (e) Public transport and concessionary travel,
- (f) Building control including dangerous buildings and improvement and repairs grants,
- (g) Property management including rents and charges for non-operational properties,
- (h) Property development and land management,
- (i) Tourism,
- (j) Town Centre strategy and management,
- (k) Village strategy and links,
- (l) International links and Initiatives,
- (m) Economic twinning, and
- (n) Funding from European programmes.

B MEMBERSHIP

1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Development and Transport Portfolio.

2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
- other Elected Members

- non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Development and Transport Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
- (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,
 - (b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and
 - (c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.
- 3 The panel has the right to develop policies of its own instigation, and also requires to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.
- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work

and to guide it in the conduct of its business.

- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.

6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph D2 added to make it clear that meetings are to be advertised and open to the public in the same way as committee meetings (to reflect the Council's decision on 25 September 2007). With effect from 26 February 2008
3	26 February 2008	Council Executive	Paragraph F6 added for all PDSPs. With effect from 26 February 2008.
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

EDUCATION POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

- 1 (a) The remit of the Executive Councillor holding the Education Portfolio, as follows:-
 - (b) Primary education,
 - (c) Secondary education,
 - (d) Placing in schools,
 - (e) Catchment areas,
 - (f) Additional Support for Learning,
 - (g) Early Years services including nursery education and Wraparound Care,
 - (h) Lifelong Learning,
 - (i) Education for Work,
 - (j) Liaison with further education providers, and
 - (k) Youth strategy.

B MEMBERSHIP

- 1 6 Elected Members to be appointed by the Council and drawn from all the Elected members of the Council, but one of whom is to be the Executive Councillor holding the Education Portfolio. and
- 2 One of the four appointed members in terms of section 124 of the Local Government (Scotland) Act 1973.
- 3 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - other non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 4 The Executive Councillor holding the Education Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

- 2 For the appointed member, a substitute is allowed from the other three appointed members under section 124 of the Local Government (Scotland) Act 1973.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
 - (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,
 - (b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and
 - (c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.
- 3 The panel has the right to develop policies of its own instigation, and also requires to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.
- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work and to guide it in the conduct of its business.
- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.
6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is

likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph D2 added to make it clear that meetings are to be advertised and open to the public in the same way as committee meetings (to reflect the Council's decision on 25 September 2007). With effect from 26 February 2008
3	26 February 2008	Council Executive	Paragraph F6 added for all PDSPs. With effect from 26 February 2008.
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

- 1 The remit of the Executive Councillor holding the Environment Portfolio, as follows:-
 - (a) Public roads and path network,
 - (b) Traffic management, traffic lights, road signs and pedestrian crossings,
 - (c) Road Safety,
 - (d) Street naming and nameplates, and street lighting,
 - (e) Festive lighting,
 - (f) Environmental Health,
 - (g) Food hygiene,
 - (h) Refuse and waste collection and disposal and abandoned vehicles,
 - (i) Pest control and dog warden services,
 - (j) Public toilets,
 - (k) Disposal of the dead,
 - (l) Trading Standards,
 - (m) Weights and Measures,
 - (n) Safety of consumer goods,
 - (o) Credit industry,
 - (p) Fair trading and trade descriptions,
 - (q) Enterprise Act functions,
 - (r) Animal health and welfare,
 - (s) Hazardous/polluting substances,
 - (t) Sustainability and Local Agenda 21,
 - (u) External environment - public open spaces, countryside parks, children's play areas,
 - (v) NETS, and

(w) Licensing – miscellaneous licensing functions, street parades.

B MEMBERSHIP

- 1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Environment Portfolio.
- 2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Environment Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
 - (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,
 - (b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and

(c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.

- 3 The panel has the right to develop policies of its own instigation, and also requires to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.
- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work and to guide it in the conduct of its business.
- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.
6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph D2 added to make it clear that meetings are to be advertised and open to the public in the same way as committee meetings (to reflect the Council's decision on 25 September 2007). With effect from 26 February 2008
3	26 February 2008	Council Executive	Paragraph F6 added for all PDSPs. With effect from 26 February 2008.
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

HEALTH AND CARE POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

- 1 The remit of the Executive Councillor holding the Health and Care Portfolio, as follows:-
 - (a) Promotion and monitoring of good health outcomes in West Lothian residents,
 - (b) Community health development,
 - (c) Review and scrutiny of use of grant funding for community health initiatives,
 - (d) Relationships and alliances with local health and social care agencies,
 - (e) Liaison and co-operation with NHS Lothian,
 - (f) West Lothian Community Health and Care Partnership,
 - (g) Integration of council services to maximise impact on public health, and
 - (h) Development and monitoring of council policies and responsibilities in respect of the health of its employees

B MEMBERSHIP

- 1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Health and Care Portfolio.
- 2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Health and Care Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
 - (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,
 - (b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and
 - (c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.
- 3 The panel has the right to develop policies of its own instigation, and also requires to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.
- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work and to guide it in the conduct of its business.
- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.
6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
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			the public in the same way as committee meetings (to reflect the Council's decision on 25 September 2007). With effect from 26 February 2008
3	26 February 2008	Council Executive	Paragraph F6 added for all PDSPs. With effect from 26 February 2008.
4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

SERVICES FOR THE COMMUNITY POLICY DEVELOPMENT AND SCRUTINY
PANEL

A REMIT

1 The remit of the Executive Councillor holding the Services for the Community Portfolio, as follows:-

- (a) Housing revenue and capital budget,
- (b) Council house rent setting and collection,
- (c) Local Housing Strategy,
- (d) Homelessness,
- (e) Affordable Housing Strategy,
- (f) Supporting People services,
- (g) Tenant/tenancy support and supported accommodation,
- (h) Temporary accommodation for those in housing need,
- (i) Private sector improvement and repair grants and adaptations to properties,
- (j) Council house sales,
- (k) New-build houses for rent,
- (l) Tenant participation strategy,
- (m) Housing repairs and maintenance services,
- (n) Meeting Scottish Housing Quality Standard,
- (o) Housing advice and information service,
- (p) Community Safety Strategy and policy,
- (q) Anti-social behaviour,
- (r) Neighbourhood Response Team,
- (s) Safer Neighbourhood Team,
- (t) Noise Nuisance Team,
- (u) Supporting victims of crime and abuse including domestic abuse,
- (v) Reducing accidental injuries, deaths and fires in conjunction with police and fire

services,

(w) Reducing crime and the fear of crime, and

(x) Police and fire services.

B MEMBERSHIP

- 1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Services for the Community Portfolio.
- 2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Services for the Community Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

- 1 The panel is a form of working group of the Executive Committee.
- 2 Its role is:-
 - (a) to develop policies with a view to making recommendations for their adoption by the Council Executive or the Education Executive,

(b) to review the working of existing policies of the Council, and to make recommendations about their working, amendment or replacement to the Council Executive or to the Education Executive, and

(c) to prepare and follow insofar as practicable a forward work plan to assist the continuous flow of policy and the best use of council resources.

- 3 The panel has the right to develop policies of its own instigation, and also requires to consider business referred to it by the Council Executive, the Education Executive, the Council or a Committee of the Council.
- 4 The panel has a Lead Officer appointed by the Chief Executive, and the Lead Officer's role is to liaise with officers and Members, to assist the panel in its work and to guide it in the conduct of its business.
- 5 The panel is able to call on the services of officers of the Council to attend its meetings and provide comment or advice on its business.
6. The Council has chosen as a matter of policy to apply the same rules to information before the panels as apply as a matter of law to council Committees (sections 50A to 50 K and Schedule 7A to the Local Government (Scotland) Act 1973). Some information may therefore be denied to the public, and the public may be excluded from parts of certain meetings of the panels. The agenda will specify where that is likely to happen and it will be for the panel to make an appropriate resolution to that effect.

HISTORY			
	Date	Body	Change
1	26 June 2007	West Lothian Council	Established for the first time as part of the adoption of the Council Executive structure. With effect from 1 August 2007.
2	26 February 2008	Council Executive	Paragraph D2 added to make it clear that meetings are to be advertised and open to the public in the same way as committee meetings (to reflect the Council's decision on 25 September 2007) With effect from 26 February 2008
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4	7 April 2009	Council Executive	Provision for appointment of Vice-Chair. With effect from 5 May 2009.

SOCIAL POLICY POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

- 1 The remit of the Executive Councillor holding the Social Policy Portfolio, as follows:-
 - (a) Social inclusion and social strategies,
 - (b) Anti-poverty strategies,
 - (c) Care and protection services for children,
 - (d) Child Disability Service,
 - (e) Adult and older people's social work services,
 - (f) Community care,
 - (g) Residential and day care,
 - (h) Respite care,
 - (i) Free personal and nursing care,
 - (j) Mental Health Services,
 - (k) Drug Action, and
 - (l) Criminal justice services

B MEMBERSHIP

- 1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Social Policy Portfolio.
- 2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-
 - other Elected Members
 - non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
 - officers
 - representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
 - experts, consultants and advisers from both private and public sectors.
- 3 The Executive Councillor holding the Social Policy Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

- 1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

- 1 Meetings to be arranged by the Clerk in consultation with the Chair and the Lead Officer for the panel.
- 2 Meetings are to be publicised and open to the public, and agendas and reports are to be published and available to the public, as they would be if they were committee meetings (see Standing Order 50).

E REPORTING ARRANGEMENTS

- 1 Minutes will be reported to the next meeting of the panel.
- 2 Any recommendation made by the panel shall be noted by the Clerk, finalised by the Clerk in consultation with the Chair and Lead Officer, and reported by the relevant Deputy Chief Executive to (as the case may be) the Council Executive or to the Education Executive as soon as practicable.

F MISCELLANEOUS

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VOLUNTARY ORGANISATIONS POLICY DEVELOPMENT AND SCRUTINY PANEL

A REMIT

1 The remit of the Executive Councillor holding the Voluntary Organisations Portfolio, as follows:-

- (a) Strategic policy, budgetary and monitoring framework for voluntary organisations,
- (b) Best value review of voluntary organisations,
- (c) Voluntary organisations' role in service delivery,
- (d) Involvement of voluntary organisations in Community Planning arrangements, and
- (e) West Lothian Voluntary Initiatives Fund

B MEMBERSHIP

1 6 members to be appointed by the Council and drawn from all the Elected Members of the Council, but one of whom is to be the Executive Councillor holding the Voluntary Organisations Portfolio.

2 Such other members as may be appointed by the Council, or invited to participate by resolution of the panel from time to time, to be drawn from, for example:-

- other Elected Members
- non-elected members appointed under section 124 of the Local Government (Scotland) Act 1973
- officers
- representatives of partner bodies, public bodies and agencies, voluntary organisations, community councils, licensing forums, Local Area Committees, town centre management groups, etc.
- experts, consultants and advisers from both private and public sectors.

3 The Executive Councillor holding the Voluntary Organisations Portfolio shall be the Chair, and the Council shall appoint a Vice-Chair.

C SUBSTITUTES

1 Substitutes to be allowed, drawn from all Elected Members of the Council.

D MEETINGS

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