



MORAY COUNCIL

Procedures in relation to the submission of reports for the Council and Service Committee meetings

Concerns have been expressed for some time in regard to receiving meeting papers on a timescale which leaves sufficient time to be able to give full and proper consideration to their contents. In response to these concerns and in order to ensure compliance with Section 50 (B) of the Local Government (Access to Information) Act 1985 and Section 13 (a) of the Council's Standing Orders the following protocol has been prepared. This procedure has been followed informally and without issue since May and so it will be now be formally implemented by Committee Services with immediate effect:-

Council/Committee Reports

1. The deadlines for the submission of reports are set out in the ['Deadline Diary'](#) and these timescales will be strictly enforced. These timescales have been agreed in order for Committee Services to carry out the required checks prior to passing the agenda and reports to the Monitoring Officer (Head of Legal & Democratic Services) for final scrutiny and signing off the agenda. If a report is not received within the agreed timescales it will not be included on the agenda as 'To Follow'. Only reports received within the agreed timescales will be included on the agenda. It is a matter for individual Departments to

adopt appropriate procedures to ensure the deadline for the submission of reports to Committee Services are adhered to.

2. Only in exceptional circumstances will reports be accepted, which either have not been prepared timeously or not received by the deadline for inclusion with the final papers to be issued by members. Services **MUST** seek the approval of the appropriate Committee Chair and if approved advise the appropriate Committee Officer and include the reasons for the exceptional circumstances within the report under Section 2 '**Reasons for Urgency**'. Committee Services will check with the Convener or appropriate Committee Chair to confirm acceptance of the report.

3. If a report is received after the deadline for the submission of reports, is accepted by the appropriate Committee Chair and can be circulated to members within 3 clear days of the meeting, excluding Saturdays, Sundays and public holidays, it will be added to the agenda as a supplementary item of business and issued on a Supplementary Agenda in the following terms:-

SUPPLEMENTARY AGENDA

The undernoted item(s) has/have been added to the Agenda for the Meeting of the XXXXXXXXXXXXXX Services Committee to be held on (day, date and time).

Rhona Gunn
Head of Legal & Democratic Services

NOTE REFERRED TO:-

Item(No.) – ‘.....’

4. If the terms of 3 above cannot be satisfied the report will be circulated/tabled at the meeting with note/covering letter advising that it has been added to the agenda in terms of Section 50B (4)(b) of the Local Government (Access to Information) Act 1985 on the appropriate Committee Chair accepting the item as urgent business'. Again the reasons for the exceptional circumstances must be included within the report under Section 2 '**Reasons for Urgency**'.

The note/letter advising that the item have been added to the agenda will indicate:-

'The undernoted Report has been added to the Agenda for the meeting of the (Council/Committee) to be held on (Date) at (time)., in terms of Section 50B (4)(b) of the Local Government (Access to Information) Act 1985 by reason of special circumstances on the Convener/Chairman accepting the report as urgent business'.

Notices of Motion

5. The deadline for the submission of a Notice of Motion is by 4.00 p.m on the 14th day prior to the date of the meeting to which the Motion is to be submitted, as per Standing Order 32(a).
6. If a Notice of Motion is received after the deadline for the submission, is accepted by the Convener 'by reason of special circumstances' in terms of Section 50B (4)(b) of the Local Government (Access to Information) Act 1985 and can be included on the main agenda or supplementary agenda for the meeting and is added to the agenda intimating that:-

'Notice of Motion by Councillor XXX and Councillor XXXX : This Motion is submitted to Council/Committee in terms of Standing Order 32 (a) on the Convener accepting the item as urgent business.'

It is realised that these changes will have implications for arrangements within Services. The continued co-operation of Services in achieving an improved service to meet the need of Elected Members and others is greatly appreciated.

Rhona Gunn

Head of Legal & Democratic Services

28 July 2012