

To: Council

On: 18 May, 2017

Report by: Director of Finance and Resources

Heading: Term of Office of Provost and Depute Provost of the Council

1. Summary

- 1.1 In terms of the Local Government etc (Scotland) Act 1994 the Council is required to appoint a convener and may appoint a depute convener. The Council has previously agreed that the convener and depute convener be known as Provost and Depute Provost.
- 1.2 The Council is permitted to make provision within its standing orders fixing the duration of the term of office of the convener and depute convener, and also setting out a procedure for the early removal from office of the convener and depute convener. The relevant paragraphs in the Council's standing orders are as follows:

Standing Order 11(d)

"The convener of the Council shall hold office as convener until the next ordinary election, or until ceasing to be a Councillor, whichever is the earlier" and

Standing Order 11(e)

"Notwithstanding the foregoing provisions, the Council may specify a shorter period for the term of office of convener, at the time of his/her being elected to that office"

- 1.3 The Council may therefore determine at this meeting, following the election of the convener, the period of office which the convener will serve.
- 1.4 Standing orders do not contain provisions regulating the term of office of the depute convener and therefore the Council may also at this meeting determine the period of office which the depute convener will serve.

2. Recommendations

- 2.1 That the Council decide whether the duration of the term of office of the Provost should be to the next ordinary election of the Council or for a shorter period.
- 2.2 That the Council decide whether the duration of the term of office of the Depute Provost should be to the next ordinary election of the Council or for a shorter period.

Implications of this report

- 1. **Financial Implications** – none
- 2. **HR and Organisational Development Implications** – none
- 3. **Community Plan/Council Plan Implications** – none
- 4. **Legal Implications** – as detailed in the report.
- 5. **Property/Assets Implications** – none
- 6. **Information Technology Implications** – none
- 7. **Equality and Human Rights Implications**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
- 8. **Health and Safety Implications** – none
- 9. **Procurement Implications** – none
- 10. **Risk Implications** – none
- 11. **Privacy Impact** – none

List of Background Papers – none

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