

**CONSTITUTION, MEETINGS AND PROCEEDINGS
OF COMMITTEES AND SUB-COMMITTEES****34. COMMITTEES**

34.1 At its Statutory Meeting, the Council will appoint:-

- (i) Standing Committees, together with any other bodies required for statutory purposes. The powers of the Committees will be set out in their terms of reference,
- (ii) A Convener, Depute Convener and Members for each.

34.2 The number of Members on each Committee and the quorum for each will be as set out below:-

STANDING COMMITTEES

Committee	Membership	Quorum
Policy and Resources Committee	8	3
<i>Education Committee</i>	12 plus 3 representatives of denominational bodies as required by Section 124 of the 1994 Act; 2 non- voting, serving Falkirk Council teacher representatives; 2 parental, non- voting representatives and 2 non-voting young people to be nominated by the Falkirk Schools' Council	4 elected Members
<i>Environment and Community Safety Committee</i>	12	4
<i>Economic Strategy and Development Committee</i>	12	4
<i>Leisure, Tourism and Community Committee</i>	12	4

Housing and Social Care Committee	12	4
Planning Committee	12	4
Civic Licensing Committee	12	4
Audit Committee	6	4
Appeals Committee	8	3
Investment Committee	6	3
Appointments Committee	6 Plus the Convener of the relevant Scrutiny Committee on an ad hoc basis where he/she is not already a Member of the Committee; where there is more than one Scrutiny Committee to which the appointee would principally report, the Conveners should agree amongst themselves which Member will attend.	3
Joint Consultative Committee	10 Elected Members and 12 Trade Union Representatives	3 Elected Members and 3 Trade Union Representatives
Emergency Committee	The Members of the Policy and Resources Committee	3
Bo'ness Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3

Falkirk Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3
Grangemouth Common Good Fund Committee	The Provost, Depute Provost and Members of the former Burghal area	3

- 34.3 The ***Education Committee, the Environment and Community Safety Committee, the Economic Strategy and Development Committee, the Leisure, Tourism and Community Committee and the Housing and Social Care Committee*** are collectively referred to as the Council's 'Scrutiny Committees'.
- 34.4 The Convener of the Policy and Resources Committee will be the Convener of the Emergency Committee.
- 34.5 The Council may appoint special Committees for such purposes as it may from time to time consider expedient.
- 34.6 The Policy and Resources Committee may at any time appoint Sub-Committees or panels and may authorise the appointment of such Sub-Committees and panels by any of the Scrutiny Committees. Such bodies' terms of reference and the delegation of any powers to them must be explicit and within the appointing Committee's terms of reference.
- 34.7 A Member of a Sub-Committee or panel must be a Member of the Committee appointing it.
- 34.8 With the exception of the Common Good Fund Committees, Membership of all Committees and Sub-Committees will reflect the political balance of the Council. Seats allocated to Political Groups will be as resolved by the Council at the Statutory Meeting or at any other meeting of the Council as required to comply with the provisions of the 1989 Act or any Regulations made thereunder.
- 34.9 The Director of Law and Administration is authorised to appoint, nominate and convene Committees, boards and panels for specific statutory purposes. These include:-
- (i) Council Tax and Housing Benefit Review Boards;
 - (ii) Access to Personal Files Review Boards (Education, Housing and Social Work);

- (i) all references to “Provost” and “Depute Provost” will be read as “Convener” and “Depute Convener” respectively;
- (ii) the quorum for any meeting will be as set out in Standing Order 34.2 and, in the case of a Sub-Committee, by the parent Committee appointing it;
- (iii) at any meeting of the **Planning Committee**, the Convener may extend the period for transaction of business if (s)he considers that it will enable the Committee to complete its business;
- (iv) the time limit for meetings will not apply to the Appeals Committee, the Appointments Committee or any of the bodies referred to in Standing Orders 34.9 and 34.10;
- (v) no report need accompany an item on the Agenda for any of the Scrutiny Committees unless:-
 - (a) the Policy and Resources Committee issues a prior written direction to that effect, or
 - (b) the item on the Agenda requires consideration by the Committee of recommendations from officers;
- (vi) the Convener of any of the Scrutiny Committees may, in the interests of securing open debate, dispense in regard to any item on the Agenda with the requirements respecting rules of debate, procedural motions and points of order and will announce to the meeting that (s)he is so dispensing. Any such dispensation will be minuted and may be recalled by the Convener should the requirements of good order and expeditious dispatch of business require it. The aim of the Scrutiny Committees is for the Convener to conduct the meeting in a manner which will encourage interest and participation and without unnecessary formality such as would inhibit or discourage involvement.
- (vii) A Councillor may attend any Council Committee, Sub-Committee or panel meetings, even when they are not appointed to them, but they cannot vote. They may attend all parts of the meeting, whether or not the Committee has excluded the press and public, with the following exceptions:-
 - (a) Councillors who are not appointed Member of the Appeals Committee, Appointments Committee may not attend any part of these meetings;
 - (b) Councillors who are not appointed Members of any of the bodies referred to in Standing Orders 34.9 and 34.10 may not attend any part of these meetings;

39.1 In addition to the persons referred to in Section 124 of the 1973 Act as being entitled to be Members of the *Education Committee*, six other persons will be invited to sit on the Committee.

39.2 These six members will include:-

- two serving teachers employed within schools managed by Falkirk Council
- two parental representatives
- two young people to be nominated by the Falkirk Schools' Council

39.3 The six Members referred to in Standing Order 39.2 will not be entitled to vote on any matter before the Committee but will otherwise have the same rights as elected Members.

40. SPECIAL MEETING

40.1 The requirement to hold a Special Meeting of any Committee, except the Emergency Committee, will be determined by the Director of Law and Administration. Notice of the time and place of the meeting and the business to be transacted will be in terms of Standing Orders 8 and 9.

SCRUTINY COMMITTEES

1. The Council has appointed 5 Scrutiny Committees as follows:

- (i) Education Committee**
- (ii) Environment and Community Safety Committee**
- (iii) Economic Strategy and Development Committee**
- (iv) Leisure, Tourism and Community Committee**
- (v) Housing and Social Care Committee**

Terms of Reference

2. The Scrutiny Committees will advise the Policy and Resources Committee on policy matters relating to the following areas:-

Committee	Policy areas
<i>Education</i> (Where required for any statutory purposes, this Committee will be the Council's Education Committee)	<ul style="list-style-type: none">• <i>The Council's education functions;</i>• <i>Early years' education;</i>• <i>Lifelong learning;</i>• <i>Other education matters referred from Policy and Resources Committee;</i>
<i>Environment and Community Safety</i>	<ul style="list-style-type: none">• <i>Community health, safety and wellbeing;</i>• <i>Crime reduction and criminal justice;</i>• <i>Consumer protection, environment health and trading standards;</i>• <i>Road safety, traffic management and lighting</i>• <i>Sustainability</i>• <i>Waste</i>• <i>Other environment and community safety matters referred from Policy and Resources Committee;</i>
<i>Economic Strategy and Development</i>	<ul style="list-style-type: none">• <i>Economic regeneration and development;</i>• <i>Strategic transport and infrastructure planning;</i>• <i>Business advice;</i>• <i>Inward investment;</i>• <i>Employment training;</i>• <i>Town centre commercial and economic development;</i>• <i>Development of structure and local plans and planning policy, generally;</i>

	<ul style="list-style-type: none"> • <i>Other economic strategy and development matters referred from Policy and Resources Committee</i>
<i>Leisure, Tourism and Community</i>	<ul style="list-style-type: none"> • <i>Libraries, museums, arts and community festivals;</i> • <i>Parks, open spaces and countryside;</i> • <i>Community development, support, regeneration and investment;</i> • <i>Sport, community and leisure facilities and participation;</i> • <i>Conservation and built heritage;</i> • <i>Tourism;</i> • <i>Cemeteries and crematoria;</i> • <i>Other leisure, tourism and community matters referred from Policy and Resources Committee;</i>
<i>Housing and Social Care</i> (Where required for any statutory purpose, this Committee will be the Council's Social Work Committee)	<ul style="list-style-type: none"> • <i>Housing;</i> • <i>Social policy;</i> • <i>Community care;</i> • <i>Welfare and social services;</i> • <i>Child care;</i> • <i>Equal opportunities;</i> • <i>Opportunities and services for older people;</i> • <i>Other housing and social care matters referred to it by the Policy and Resources Committee.</i>

Powers

3. The Scrutiny Committees will authorise appropriate responses to consultation documents submitted to the Council in accordance with the remit of each Scrutiny Committee.
4. Scrutiny Committees will decide upon any matter within their remit providing that the decision does not change or materially alter any Council policy, or involve additional resources, or changes to the establishment.
5. The Scrutiny Committees will develop policy proposals referred to them by the Policy and Resources Committee or by Council, within their own terms of reference. The Scrutiny Committees will:-
 - (i) Receive policy proposals from the Policy and Resources Committee;

8. In considering the proposal or issue, the Scrutiny Committee:-
 - (i) will identify the main issues to be addressed, the primary means by which they should be addressed and any financial implications;
 - (ii) may work in partnership with outside bodies in the public, voluntary and private sectors;
 - (iii) may establish working groups, and joint working groups with outside bodies, and consider their reports; and
 - (iv) may consult the public or sections of the public, and establish mechanisms for this purpose.
9. In reporting on the proposal or issue, the Committee should comment on it and may propose amendments.
10. No member of the Policy and Resources Committee may be a standing Member of a Scrutiny Committee.
11. The Scrutiny Committees may not establish Sub-Committees of the Council nor delegate decisions to officers of the Council, unless authorised by Council or the Policy and Resources Committee.
12. Without prejudice to any other power, to the extent that any of the respective areas of remit of the Scrutiny Committees cover any of the client functions of the Council's Direct Labour/Service Organisations, each of the Scrutiny Committees so involved will be responsible directly to Council for monitoring and reviewing the performance of the Direct Labour/Service Organisations within the respective terms of reference of the Committees.

PLANNING COMMITTEE

Terms of Reference

1. To discharge the Council's regulatory and enforcement functions, in accordance with Council policy and so far as not delegated to any other Committee or Officer, which relate (but not exclusively) to:-
 - (i) Town and Country Planning;
 - (ii) Roads and Transportation;
 - (iii) Environmental Health and Trading Standards;
 - (iv) Building Control;
 - (v) Civic and other licensing;

APPOINTMENTS COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) To recommend to the Council, the appointment of the Chief Executive, Chief Officers and their Heads of Service.

AUDIT COMMITTEE

Terms of reference

(1) *The Audit Committee will provide:-*

- (i) independent assurance on the adequacy of the risk management framework and the associated control environment within the authority;*
- (ii) independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment; and*
- (iii) assurance that any issues arising from the process of drawing up, auditing and certifying the authority's annual accounts are properly dealt with.*

(2) *The Functions delegated to this Committee are:-*

- (i) to consider the Council's governance and business management arrangements;*
- (ii) to consider the Council's risk management arrangements and action being taken to address risk related issues identified by auditors and inspectors, including consideration of periodic reports from the Corporate Risk Management Group;*
- (iii) to consider the adequacy of the Council's control environment;*
- (iv) to approve (but not direct) Internal Audit's strategy;*
- (v) to consider and agree Internal Audit Plans, ensuring that work is planned with due regard to risk, materiality and coverage;*
- (vi) to review summary Internal Audit reports and seek assurances that action has been taken to address issues identified;*
- (vii) to consider an Annual Assurance report from the Internal Audit Manager;*
- (viii) to consider the reports of External Audit and other inspection agencies and seek assurances that recommendations made are addressed;*

- (iv) to ensure there are effective relationships between Internal and External Audit;*
- (v) to review the Authority's assurance statements, including the statement on the System of Internal Financial Control or equivalent, to ensure they properly reflect the risk environment.*

COMMON GOOD FUND COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) To consider and determine applications for grants and donations from organisations from Common Good Funds held by the Council as Trustees.

CIVIC EVENTS PANEL

Terms of Reference

The functions delegated to this Committee are:-

- (i) To determine ceremonial matters and hospitality in accordance with the policy of the Council.

EMERGENCY COMMITTEE

Terms of reference

The functions delegated to this Committee are:-

- (i) To take such immediate action as may be necessary (including consultation with such individuals or organisations as the Committee may consider appropriate) to protect the interests of the Council in relation to:-
 - (a) Emergencies arising from industrial action by employees of the Council; and
 - (b) Any other emergency the implications of which, in the opinion of the Convener or the Chief Executive, require to be referred to the Committee.

A Meeting of the Emergency Committee may be called with 24 hours notice.