

FC35. ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT

Council considered a report by the Chief Governance Officer on a review by the Standards Commission of a complaint against Baillie Buchanan.

Council was required to consider the findings, which followed a hearing on 17 April 2013. The findings were appended to the report.

Councillor C Martin, seconded by Councillor D Goldie, moved that Council notes the findings of the Standards Commission.

Councillor Meiklejohn, seconded by Councillor Balfour, moved in substitution for the motion that “Baillie Buchanan be removed from the position of Baillie and that he formally apologise to the chamber”.

The Provost ruled that the amendment was not competent. In terms of Standing Order 5.5(i) an appointee will hold office until the next election unless “otherwise decided by the Council by resolution following a Notice of Motion in terms of Standing Order 29”.

As no notice under Standing Order 29 had been given, the Provost ruled that the amendment was not competent.

Councillor Meiklejohn, seconded by Councillor Balfour moved that the Standing Order be suspended to allow Council to debate the proposed amendment.

Provost Reid stated that, in terms of Standing Order 36.3, Council could suspend any Standing Order if:-

- “(i) either due notice had been given, or Council agrees that it is a case of urgency; and
- (ii) the motion to suspend a Standing Order is moved, seconded and carried without discussion by at least two thirds of the Councillors present and voting at the meeting and an absolute majority of the whole Council.”

The Provost determined that there was general agreement among all members present at the meeting to accept the motion as urgent and to suspend Standing Order 5.5 to allow the amendment to be debated.

Baillie Buchanan then addressed the chamber and apologised.

In terms of Standing Order 22.4(i) a vote was taken by roll call, there being 29 members present with voting as undernoted:-

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillies Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, C Martin, Dr C R Martin, Nicol and Nimmo.

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

Decision

Council noted the findings of the Standards Commission.

Council then adjourned at 10.55 am, reconvening at 11.05 am with all members present as per the sederunt.