

For discussion

Virtual/hybrid

Reference – Current constitution page & paragraph detail		Proposed amendment
Part A The Constitution	Page 6 3	<p>Policy Framework</p> <p>Amend reference to following updated terms and documents:</p> <p>Performance Improvement Framework Children and Young Peoples Plan Argyll and Bute Local Development Plan Decarbonisation Plan</p> <p>Remove reference to:</p> <p>Community Care Plan Anti-Social Behaviour Strategy Early Years Development Plan Food Law Enforcement Plan Local Transport Strategy Economic Development Action Plan</p> <p>Risk Management Strategy</p>
Part A The Constitution	Page 11 7	<p>Overview and Scrutiny</p> <p>Amend reference from Planning and Performance Management Framework to Performance Improvement Framework</p>
Part A The Constitution	Page 12 9	<p>Area Committees</p> <p>Amend wording to</p>

		(1)The Council will appoint area committees reflecting the Council's Political Management Arrangements.
Part A The Constitution	Page 12	Executive Directors The Executive Directors have responsibility for the Council's Service Departments. As a general Note – the designations in relation to: Executive Director – Customer Services; and Executive Director – Development and Infrastructure Services; will be revised throughout the Constitution to reflect the designation of; Executive Director with Responsibility for; and will reflect he appropriate service and any further consequential revisals to ensure accurate nomenclature
Part A The Constitution	Page 13 4&5	Amend Strategic Management Team Reference as follows: Executive Leadership Team The Chief Executive, 2 Executive Directors and Chief Officer of the HSCP form the Council's Executive Leadership Team. The Executive Leadership Team ELT will act as programme board for change and improvement activity, consider strategic issues, oversee budget planning and deal with any urgent issues (i.e. those issues currently raised through departmental updates).
Part A The Constitution	Page 13 12 (1)	The Monitoring Officer The Executive Director with responsibility for Legal and Regulatory Support Services is the Council's Monitoring Officer in terms of Section 5 of the Local Government and Housing Act 1989.
Part A The Constitution	Page 13 13	The Chief Financial Officer

		The Executive Director with responsibility for Development and Infrastructure Services is the Council's Chief Financial Officer in terms of Section 95 of the Local Government (Scotland) Act 1973 as amended and has responsibility for the administration of the financial affairs of the Council and for the provision of financial advice to the Council.
Part B Standing Orders for Meetings	Page 28 1.2	<p>ORDINARY MEETINGS</p> <p>Ordinary meetings of the Council will be held on the dates and at the times which the Council decide. These meetings will normally be held in Kilmory Castle, Lochgilphead, but the Council or the Provost may decide that alternative arrangements can be made, such that a meeting may be held elsewhere, or an ordinary meeting may be held on a wholly virtual basis by electronic means or in circumstances whereby some Councillors attend in person and others take part on a virtual basis.</p>
Part B Standing Orders for Meetings	Page 29 2.1	<p>Public Notice</p> <p>Three clear days at least before a meeting of the Council, the Executive Director with responsibility for Legal and Regulatory Support will display a notice at the Council's Headquarters saying when and where the meeting will be held and any associated arrangements. In the event the meeting is being held on a virtual/hybrid basis details on how to access the meeting will be included in the Notice and published on the Council website. If a meeting is called at shorter notice in case of urgency then the notice will be displayed at the time it is called ["Clear days" excludes the day of publication and the day of the meeting and does not include Saturdays, Sundays or public holidays].</p>
Part B Standing Orders for Meetings	New Paragraph	No sound, film, videotape, digital or photographic recording of the proceedings of any meeting shall be made without the prior approval of the Council or the Provost, other than recording of the proceedings of meetings agreed by the Council for webcasting or as a back-up for a live webcast, or as an alternative where live webcasting is not possible.
Part B	Page 31 4.1	Quorum

Standing Orders for Meetings		Add to end of paragraph. For the avoidance of doubt a member that is attending the meeting virtually in accordance with the arrangements for the meeting will be considered as present.
Part B Standing Orders for Meetings	Page 32 5.4	Amend with The Member who is presiding at the meeting must do so from the specified location for the meeting unless alternative arrangements have been made.
Part B Standing Orders for Meetings	Page 33 7.4	Replace: that they are removed from the Council Chamber to – that they are removed from the meeting
Part B Standing Orders for Meetings	Page 37 11.2	Amend with Where an ordinary meeting is held on a wholly virtual basis by electronic means or in circumstances whereby some Councillors attend in person and others take part on a virtual basis a vote will be taken by calling the roll. In meetings where all members are present in the same physical location a vote will be taken by a show of hands except in the following circumstances,
Part B Standing Orders for Meetings	Page 38 12.2	Amend to read The Council may adjourn any meeting for a reasonable interval or to another date as the Council may agree then, or that failing, the Provost may decide then or afterwards. The vote on such a motion, on being seconded, will be taken without amendment or discussion and by roll call vote. A similar motion to adjourn to another day will not be competent within a period of one hour after the decision on the earlier motion.
	Page 39	How a member submits a motion for the next meeting

		The requirements for written notification at 13.1 and 13.2 shall also be satisfied by an email of the motion being submitted by individual members via their Council email account.
	Page 42 18.3	Amend with Every application for a deputation must be in writing, signed by a representative of the organisation or group wishing to be heard, indicating whether they wish to be present in person or virtually, and setting out the matter on which they wish to be heard and delivered to the Executive Director with responsibility for Legal and Regulatory Support Services no later than three working days before the meeting concerned; but the Provost (i) may, at her/his sole discretion allow an application to be considered at shorter notice and (ii) will determine whether a deputation will be held in person or virtually. The requirements for written notification at 18.3 shall also be satisfied by an email of the deputation being submitted by individual members via their Council email account.
	Page 43 20.1	Amend to include reference to virtual/hybrid meeting arrangements. The Chair of a Committee (or in whose absence the Vice-Chair) may for good cause cancel or alter the date, time, place or virtual/hybrid arrangements for a meeting of a Committee, but not after the summons for the meeting has been issued. The Chair (or in whose absence the Vice-Chair) may call a meeting of the Committee on dates in addition to those already decided by the Council.
	Page 44 20.4	Amend to include reference to virtual/hybrid meeting arrangements. The dates of meetings of a Short Life Working Groups will be decided by the Group. The Chair of a Short Life Working Group (or in whose absence the Vice-Chair) may for good cause cancel or alter the date, time, place or virtual/hybrid arrangements for a meeting, but not after the summons for the meeting has been issued
	Page 46 23.6	In reference to Declarations of Interest replace "leave the room in which the meeting is taking place" with "leave the meeting."

	Page 49	Revised Protocol for virtual /hybrid meetings See Appendix 1 at end
Part C Scheme of Delegation	Page 60 1.4.2	Executive Positions Add the Provost to the list of Executive positions on the basis that the Local Government Scotland Act 1994, as amended, now allows a Provost office to be terminated via Standing Orders.
Part C Scheme of Delegation	Page 70	Community Services Committee Communities and Culture Remove reference to “the relevant functional areas relating to community learning and development, libraries and culture, and leisure and sport”; and replace with: To scrutinise performance and contract management arrangements in respect of Community Learning and Development and the operation of all services transferred to the Live Argyll Trust and to consider and comment on any policy proposals in respect of these services. The Council's Education Service will undertake the client role and remain as the key contact for liaison with Education Scotland, Live Argyll will be responsible for ensuring that the four statutory obligations, as set out in the Community Learning and Development (Scotland) Regulations 2013, are met.
Part C Scheme of Delegation	Page 72 2.4.5	Area Committees To determine applications for bridging finance from voluntary groups in accordance with criteria to be agreed by the Council from time to time and subject to the approval of the Policy and Resources Committee if

		the decision is contrary to the recommendation of the Chief Financial Officer.
	Page 73 2.5.3 Page 74 F & g	Executive Director with responsibility for Development and Economic Growth
	Page 76 2.6.2	Amend to The arrangements for meetings of SLWGs will be a matter for the Group concerned, but the chair of a Group may for good cause cancel or alter the place, or virtual/hybrid arrangements, date or time for a meeting of a Group and may call a meeting of a Group on dates in addition to those already decided by the Group, but not after the summons for the meeting has been issued.
	Page 86 12	Remove reference to European from list of elections
	Page 86	EXECUTIVE DIRECTOR OF CUSTOMER SERVICES Executive Director – with responsibility for: Legal & Regulatory Support Services Commercial Services Education Services And consequential changes in nomenclature
	P97	EXECUTIVE DIRECTOR OF DEVELOPMENT AND INFRASTRUCTURE SERVICES Change to Executive Director with responsibility for:- Customer Support Services Road and Infrastructure Services Development and Economic Growth And consequential changes in nomenclature

	Page 108	<p>Head of Financial Services</p> <p>Change to:</p> <p>Chief Financial Officer throughout document</p> <p>Add number 76 – “To act as the Council’s Chief Financial Officer in terms of Section 95 of the Local Government (Scotland) Act 1973 as amended, and as such is authorised to, or designate a suitable Officer to, discharge:-“ (1 to 12 as set out on pages 108/109)</p>
Part D Financial and Security Regulations	Page 114	<p>Head of Financial Services</p> <p>Change to Chief Financial Officer</p> <p>And consequential changes in nomenclature</p>
Part D Financial and Security Regulations	Page 118 4.1	<p>Amend 4.1 to refer to Risk Management Plan and delete reference to strategy</p>
Part E Contract Standing Orders	Page 177 1.1.4	<p>Amend Preliminary, Extent and Application, Clause 1.1.4 to read:</p> <p>The Standing Orders are subject to the over-riding provisions of United Kingdom and Scottish legislation. They are also subject to any UK and Scottish Government guidance on public procurement that may be issued from time to time.</p>
Part E Contract Standing Orders	Page 178 3.2	<p>Amend Advertising Tendering and Contract Management, Clause 3.2 to read:</p> <p>The procedure for the award of any contract depends upon the estimated value of that contract and any related contracts over their intended duration. Detailed provisions in relation to the tendering award of contracts and contract management activity are contained in the Procurement Manual and all Council employees should refer to the Procurement Manual for guidance which can be located here: Procurement Manual 2021 (argyll-bute.gov.uk)</p>

Part E Contract Standing Orders	Page 180 7.2	Amend Specification and Standards, Clause 7.2 to read: All contracts issued by a UK Conformity Assessed (UKCA) Approved Body or other Notified or Approved Body as may exist from time to time
Part E Contract Standing Orders	Page 184 (e)	Insert: PROCUREMENT MANUAL The Council's Procurement Manual can be located here: Procurement Manual 2021 (argyll-bute.gov.uk)
Part F Ethical Framework		Code of Conduct Full document to be replaced with a link to the most recent version. Add a note advising that this section will be updated on an ongoing basis, as and when new versions of the Code are published.
	Annex 2 – part D	Public Interest Disclosure (Whistleblowing) Policy To be removed as an Annex to the Financial Regulations and inserted in the Ethical Framework section as a standalone document, with any consequential revisions required.

Appendix 1

PROTOCOL FOR VIRTUAL & HYBRID MEETINGS

The following protocol shall be adopted in relation to the conduct of any meeting which the Council has determined can be held on a hybrid or virtual basis using electronic means. Participation via remote link will be permitted as determined from time to time by the Provost/Chair of the Meeting.

For the avoidance of doubt Council has determined that the following meetings can be considered for operation on a virtual/hybrid basis where technology permits:

List:

Council

Policy and Resources Committee

Community Services Committee

Environment, Development and Infrastructure Committee

Harbour Board

The Area Committees:-

(a) Mid Argyll, Kintyre and the Islands

(b) Oban, Lorn and the Isles

(c) Bute and Cowal

(d) Helensburgh and Lomond

Planning, Protective Services and Licensing Committee

Audit and Scrutiny Committee

Appeals Committee

The Policy and Resources Asset Transfer Sub-Committee

Short Life Working Groups

The Executive Director with responsibility for Legal and Regulatory Services will, from time to time, issue guidance on matters relating to the arrangements for the conduct of hybrid and virtual meetings.