

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2025

BY: Executive Director for Council Resources

SUBJECT: Summer Recess Arrangements 2025

1 PURPOSE

- 1.1 To advise Members of the arrangements for dealing with urgent Council business during the summer recess 2025, and to seek approval of the addition of a Recess Committee to the Scheme of Administration.

2 RECOMMENDATIONS

Council is requested to:

- 2.1 Note the application of the recess business arrangements, in accordance with Standing Order 15.6, outlined at Section 3.1;
- 2.2 Approve the addition of a Recess Committee to the Scheme of Administration, and the terms of reference for that committee (set out in Appendix 1); and
- 2.2 Note that a summary of business carried out during the recess period, including the minutes of Recess Committee meetings, will be brought to the Council meeting of 26 August 2025, and that copies of all reports approved during the recess period will be lodged in the Members' Library.

3 BACKGROUND

- 3.1 Rule 15.6 of the Council's Standing Orders states that:

Between the last scheduled Council meeting prior to the summer/election recess and the first meeting following the summer/election recess, a minimum of two of the Provost, Depute Provost, Leader, Depute Leader (if appointed), together with the Convener/Depute Convener of the appropriate committee, will deal in their discretion with the urgent business of the Council

presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf.

For the avoidance of doubt, matters that require approval of two-thirds of Councillors cannot be dealt with under this Standing Order.

- 3.2 Section 56 of the Local Government (Scotland) Act 1973 states that a local authority may discharge its functions by committee of the authority, sub-committee, officer or another authority. To ensure the Council is adhering to these requirements during recess periods, it is proposed that the council formalises the arrangements set out in Standing Order 15.6 detailed above by formally establishing a Recess Committee within the Scheme of Administration. The draft terms of reference of the Committee are attached at Appendix 1.
- 3.3 The deadline for business being submitted under the above arrangements is noon on 11 August 2025. This will allow time for the Recess Committee to be convened and for the Council report to be prepared in accordance with the deadlines for the Council meeting of 26 August.
- 3.4 Business dealt with under delegated powers and submitted to the Members' Library will continue to be processed using the normal procedures.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
- 6.2 Personnel – None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders

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DATE	28 May 2025

**Standing Orders – Scheme of Administration
Recess Committee**

A Remit and Powers

The following business and functions are delegated by the Council to the Recess Committee:

1. To decide any matter of urgency arising during any recess period and to exercise all functions of the Council or Committee, which would otherwise have dealt with the matter that:
 - (a) cannot await the resumption of the normal meetings timetable; and
 - (b) cannot appropriately be decided by the Chief Executive or Executive Director in accordance with urgency provisions within the Standing Orders.

B Membership and Attendance

1. The membership of the Recess Committee shall consist of:

Leader of the Council (Convener)
Provost (Depute Convener)
Depute Leader of the Council (if appointed)
Depute Provost (if appointed)
Convener/Depute Convener of the appropriate committee

C Quorum

1. 2 Council Members

D Substitutes

1. There shall be no substitutes.

E Meetings

1. Meetings shall take place in accordance with Standing Order 4.

F Reporting Arrangements

1. The Clerk shall be responsible for taking minutes of the meetings of the Recess Committee.
2. All matters dealt with by this committee will be reported by way of a summary report to the first Council meeting of following the recess, detailing the nature of the business and which Members were involved in taking the decisions. A minute of the committee meeting(s) will also be presented to Council for approval.

3. All reports submitted in accordance with SO15.6 will be published in the Members' Library.

G Miscellaneous

1. The Committee arrangements are set out in Standing Order 15.6, which states:

Between the last scheduled meeting of the Council prior to the summer/election recess and the first meeting following the summer/election recess, a minimum of two of the Provost, Depute Provost, Leader, Depute Leader (if appointed), together with the Convener/Depute Convener of the appropriate committee, will deal in their discretion with the urgent business of the Council presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf.

Matters that require approval of two-thirds of Councillors cannot be dealt with under this Standing Order.

2. Non-elected representatives appointed to the Education and Children's Services Committee will be consulted on education-related matters coming forward to the Recess Committee, in accordance with the Local Government (Scotland) Act 1973.