

DATA LABEL: PUBLIC



WEST LOTHIAN COUNCIL

ELECTION OF PROVOST AND DEPUTE PROVOST

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To secure the election of members as Provost and Depute Provost

B. RECOMMENDATIONS

1. To note that the council must elect its Convener (Provost) at the first meeting of the council following the local government election, or at any adjournment of it
2. To note that the council may elect a Depute Convener (Depute Provost) and that must be considered at the first meeting of the council following the local government election, or at any adjournment of it
3. To elect a member to each of the positions of Provost and Depute Provost

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Local Government etc. (Scotland) Act 1994; Local Government (Scotland) Act 1973; Standing Orders for the Regulation of Meetings; Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007; Local Government (Allowances and Expenses) (Scotland) Regulations 2007
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	N/a
V	Relevance to Single Outcome Agreement	N/a
VI	Resources - (Financial, Staffing and Property)	N/a
VII	Consideration at PDSP	None required
VIII	Other consultations	None

D. TERMS OF REPORT

- 1 The council must elect a Convener, or Provost. That must be the first substantive item of business at the first meeting of the council following each local government election. The Provost is the council's Civic Head and chairs meetings of full council. The position carries statutory remuneration, presently £29,361, and a maximum amount of £3,000 for civic expenses incurred. No other remuneration can be paid.
- 2 The council may elect a Depute Convener, or Depute Provost. Standing Orders require that to be on the agenda at that first meeting. Filling the position is not compulsory. The Depute Provost chairs meetings of full council in the absence of the Provost. There is no automatic right to a higher level of remuneration. They may however receive a Senior Councillor payment if the council so determines.
- 3 The chair of a meeting has no casting vote when making councillor appointments. Tied votes are resolved by lot, using a method determined by the Clerk (Chief Executive). The voting procedure is as follows:-
 - A mover and a seconder are required for each candidate
 - Any vote takes place amongst all candidates at the same time
 - Where one candidate has an absolute majority of the votes cast that candidate is appointed
 - If not, the candidate with the fewest votes is eliminated and another vote is taken amongst the remaining candidates. If required, that is repeated until one candidate has an absolute majority of the votes cast
 - Where there is a tie between the candidates with fewest votes, there is an extra vote to decide which to eliminate. If that vote is tied then the elimination is decided by lot
 - A tie between the last two candidates remaining is decided by lot
 - Voting is by electronic voting where available, which failing by roll call vote or show of hands
- 4 There are no issues in relation to connections and interests. Councillors may vote for themselves.

E. CONCLUSION

- 1 Election of members to the positions of Provost, and Depute Provost (if desired), will ensure compliance with the law and Standing Orders.

F. BACKGROUND REFERENCES

- 1 None

Appendices/Attachments: None

Contact Person: James Millar, Governance Manager, Chief Executive Office, West Lothian Civic Centre, Howden Road South, Livingston, EH54 6FF, 01506 281613
james.millar@westlothian.gov.uk

Graham Hope, Chief Executive

Date of meeting: 12 May 2022