

SCRUTINY AND GOVERNANCE MANAGEMENT PANEL

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 8th December 2009 at 10.00 a.m.

Present: Councillors Ian Douglas (Chair), Stan Fisher, Elaine Little, Helen Moonie, Robin Reid and Winifred Sloan.

Attending: J. G. Peterkin, Depute Chief Executive and Executive Director – Development and Environment; D. Russell, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; A. MacLeod, Business and Performance Manager; C. Gardner, Senior Strategic Planning and Performance Officer; and E. Wyllie, Committee Administrative Officer.

1. Minutes of previous meeting.

Decided: to note the Minutes of the previous meeting of 29th September 2009 (issued).

2. Work Programme for 2009/10.

The Head of Legal and Administration commented on the suggested Work Programme for 2009/10 (issued) and highlighted that this Programme would lead towards the production of the Annual Report for 2010 as follows:-

(1) Decision-making process and Scrutiny:-

- attendance as observers at Standing Scrutiny Panels – May / June 2010;
- survey of all Elected Members on scrutiny functions – July / August 2010;
- Standing Scrutiny Panels reminded of Guidance on Scrutiny Reviews – December 2009; and
- review annual statistics on numbers/outcome of Call-ins – April / May 2010;

(2) Delivering Good Governance Framework:-

- Workshop - November 2009;
- monitor progress - December 2009 to March 2010;
- finalise Report - March, April 2010; and
- review publication of Members' expenses – May 2010

(3) Member Training:-

- keep under review Training and Development Plan for Elected Members (including PDP) – ongoing;
- workshop on scrutiny – roles / objectives – January 2010; and
- keep under review programme of Elected Member Workshops – ongoing; and

(4) Annual Report:-

- prepare for Council – October / November 2010.

The Head of Legal and Administration also advised that this Work Programme should not be viewed as being restrictive as other issues would emerge throughout the year.

Decided: that the Work Programme for 2009/10, outlined at (1) to (4) above, be implemented as part of the ongoing work of this Panel which, in turn, would assist with the production of the Annual Report.

3. **Delivering Good Governance in Local Government.**

With reference to the Minutes of 29th September 2009 (Page 541, paragraph 1), the Senior Strategic Planning and Performance Officer provided an update in relation to Delivering Good Governance in Local Government and

- (1) advised of the outcome of the recent workshop which had covered three of the six principles which underpinned the framework;
- (2) emphasised the links with Best Value and the Improvement Agenda and that he had prepared a Note for circulating to all Members on the outcome of the workshop;
- (3) highlighted that discussion had taken place at the workshop relating to Scrutiny and that this could be further explored at a Scrutiny workshop to be programmed in January/February 2010 to establish a common understanding of scrutiny and how it might best be facilitated within the Council; and
- (4) requested that Members of this Panel give consideration as to how to proceed with overseeing the development of the framework, bearing in mind that the next scheduled meeting of this Panel would take place on 23rd February 2010.

A full discussion took place and a request was made by a Member of the Panel that, as one of the key messages from the Accounts Commission was significant focus on Corporate Governance and Scrutiny arrangements, the framework should take cognisance of these aspects together with the relationship between Elected Members and Officers. The Head of Policy, Performance and Communication provided that assurance, this being consistent with the approach being taken.

Decided:

- (a) that an informal meeting of this Panel should take place prior to the next meeting of this Panel on 23rd February 2010; and
- (b) to note that the Senior Strategic Planning and Performance Officer would circulate the feedback from the recent workshop to all Members.

4. The Councillors' Code of Conduct – Consultation Document by Scottish Government.

In terms of Council Standing Order No. 8 and in view of the urgency involved, there was submitted a Scottish Government consultation document on the Councillors' Code of Conduct (tabled) which advised

- (1) that this consultation paper had set out proposals for amendments to the Code drawn from recommendations made by a Review Group established to undertake a limited review of the Code with the scope of the review being to address two key areas; and
- (2) that responses to this public consultation should be received prior to 18th February 2010.

The Head of Legal and Administration referred to this recently received document and advised that the various amendments were highlighted throughout the document and indicated that Councillors wishing to respond could do so either on an individual basis and/or as a group and that the consultation was also open to the public.

The Chair asked if this Panel should take a view on the document and various questions were raised by Members of the Panel in relation to some of the proposed amendments and the timescales involved. A full discussion took place in relation to the role of the Panel in this regard and the Depute Chief Executive and Executive Director – Development and Environment and the Head of Legal and Administration responded accordingly.

Decided:

- (a) to note that the consultation document would be circulated to all Elected Members;
- (b) that a Special Meeting of this Panel be arranged to take place on Tuesday, 26th January 2010 with the purpose of this meeting being to discuss the content of the document and that an invitation be extended to all Elected Members to participate, and
- (c) that, following discussion at this Special Meeting, the Panel would take a view as to whether a collective response should be submitted to the Scottish Government by 18th February 2010, bearing in mind that Members could also submit their own response.

5. Valedictory.

The Chair referred to Mr. Dan Russell's forthcoming retirement from the Council and, on behalf of the Panel, thanked him for his valuable contribution to the work of the Council and wished him a long and very happy retirement.

The meeting ended at 10.25 a.m.