

Minutes

Governance, Risk and Best Value Committee

10.00 am, Thursday, 19 June 2014

Present

Councillors Balfour (Convener), Blacklock, Child, Gardner, Keil, Lunn, Main, Mowat, Munro, Orr and Tymkewycz.

Also Present

Councillors Bill Cook and Rankin (for items 5 and 6).

1. Minute

Decision

To approve the minute of the Governance, Risk and Best Value Committee of 22 May 2014 as a correct record, subject to noting that the lack of an asset disposal policy had been drawn to the attention of the Convener and Vice-Convener of the Finance and Resources Committee.

2. Outstanding Actions – June 2014

Details were provided of the outstanding actions arising from decisions taken by the Committee.

Decision

- 1) To agree to close actions 8, 10 and 17.
- 2) To request that a verbal update be provided to the Committee in November 2014 on action 4 (Tram Project update)

(Reference – Outstanding Actions June 2014, submitted.)

3. Governance, Risk and Best Value Work Programme - June 2014

Approval was sought for the Governance, Risk and Best Value Work Programme for June 2014.

Decision

- 1) To approve the work programme.
- 2) To request that Internal Audit reviews the implementation of the cycling budget motion from February 2012 Full Council and, if necessary, any subsequent Transport (or other) Committee policies or motions on the cycling budget. The review to include how and whether only appropriate expenditure items were allocated to the cycling budget, and to identify, at a high level, any potential improvements to the way that the cycling budget was administered.

(Reference – Work Programme June 2014, submitted.)

4. Resolution to consider in private

The Committee, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for consideration of item 5 below on the grounds that it involved the disclosure of exempt information as defined in Paragraph 12 of Schedule 7(A) of the Act.

5. Property Conservation – Debt Recovery

The Finance and Resources Committee on 5 June 2014 had considered a report providing details of the sums recovered by the Council and the amounts written off in relation to statutory repairs. The report had been brought to this Committee for scrutiny.

The Convener and Vice-Convener of the Finance and Resources Committee were in attendance.

Decision

To note the report and to thank the Convener and Vice-Convener of the Finance and Resources Committee for their attendance.

(References – Finance and Resources Committee 5 June 2014; report by the Director of Corporate Governance, submitted.)

6. Property Conservation – Complaints Resolution

The Finance and Resources Committee on 5 June 2014 had considered a report on the Council's current approach to the issues arising from legacy statutory notice projects, and agreed a number of actions to accelerate and streamline the approach. The report had been referred to this Committee for scrutiny.

The Convener and Vice-Convener of the Finance and Resources Committee were in attendance.

In response to questions from the Committee, the following comments/points were made:

- The project had highlighted the need for better communication between officers and Elected Members. Elected members were not initially aware that a skills shortage was inhibiting progress.
- Elected members had a leadership role as one of their duties and it was important that this role was recognised by officials.
- The recovery of monies owed to the Council was the biggest risk from a political perspective. The Convener of the Finance and Resources Committee was satisfied that a much more robust and coherent process was now in place to achieve this.
- An assessment of the pilot process for complaints resolution carried out by Maclay Murray and Spens (MMS) had shown that it was not helping to achieve a timely resolution of complaints and that a different approach was needed. The MMS pilot would be wound down.
- It was important that a consistent approach was applied to the debt recovery process.
- It would be helpful if the same round-table approach adopted for the tram project could be introduced for property conservation.
- It was not yet possible to give a definite end date for the process, but more detailed management information should be available by September 2014 and elected members would be kept fully informed.
- The lessons learned from the former Property Conservation service would be used to inform the re-design of the new enforcement service. It was hoped that a report on the design and resource requirements for the new service would be submitted to either Council or the Finance and Resources Committee after the summer recess.
- The Finance and Resources Committee would be looking to review the new enforcement service at the earliest possible opportunity.

Decision

- 1) To note the report and the decisions of the Finance and Resources Committee.
- 2) To thank the Convener and Vice-Convener of the Finance and Resources Committee for their attendance.

- 3) To request that an update be provided to the Committee's meeting in February 2015 on progress with the historical legacy issues and how the new structure and processes were working.

(References – Governance, Risk and Best Value Committee 6 March 2014 (minute item 3); Finance and Resources Committee 5 June 2014; referral report by the Head of Legal, Risk and Compliance, submitted.)

Declaration of Interests

Councillor Tymkewycz declared a non-financial interest in the foregoing item as an owner of a property portfolio affected by the statutory notice investigation.

Councillor Blacklock declared a financial interest in the foregoing item as a property owner who had submitted a complaint to the Council in regard to a statutory notice, and took no part in the Committee's consideration of the matter.

7. Audit Scotland National Report – An Overview of Local Government in Scotland 2014

Details were provided of the 2014 Audit Scotland overview report which focused on the role of elected members in scrutinising financial management arrangements and securing the delivery of best value.

A representative from Audit Scotland was present for this item

Decision

To note the report.

(Reference – report by the Director of Corporate Governance, submitted.)

8. Corporate Governance Framework 2013-14

The Council operates through a governance framework which brings together an underlying set of legislative requirements, governance principles and management processes.

Details were provided of the Council's self-assessment for the period 1 April 2013 to 31 March 2014.

Decision

- 1) To note the corporate governance framework self-assessment as outlined in appendix one to the Director of Corporate Governance's report.

- 2) To agree that the improvement actions which had been identified would be addressed by implementation of the Corporate Governance Service Plan 2013-2017.

(Reference – report by the Director of Corporate Governance, submitted.)

9. Committee Decisions: Dissemination and Implementation and Update to Member/Officer Protocol

As previously requested by the Committee, an update was provided on the business processes surrounding the dissemination and implementation of committee decisions and the revised approach by directorates to ensure best practice was implemented.

Improvements to the assurance process carried out by both officers and committee was being proposed. In recognition of the Governance, Risk and Best Value Committee's significant scrutiny role, it was also proposed to widen the scope of the existing Member/Officer protocol in relation to access to information and documents.

Decision

- 1) To note the revised committee and directorate business processes for implementation of committee decisions.
- 2) To agree that directorates carry out a quarterly review of actions, arising from Council and committee decisions.
- 3) To agree that a report outlining all decisions taken in the previous year by that committee, update on implementation of decisions and recommendations to discharge actions be presented to the Corporate Policy and Strategy Committee, Executive Committees and the Governance, Risk and Best Value Committee on an annual basis.
- 4) To note that a review of the political management arrangements and associated business processes would be carried out in October 2014.
- 5) Prior to submitting the Member/Officer Protocol to Council for approval, that an update be provided to the Committee in August 2014 on whether it was appropriate to adjust the Protocol to require officers to disclose, to all elected members, information pertinent to an issue being considered at Committee.
- 6) That a spot-checking system on the dissemination of committee decisions to staff be introduced with an update being provided to the Committee every six months.

(References – Governance, Risk and Best Value Committee 30 January 2014 (minute item 3); report by Director of Corporate Governance, submitted.)

10. Redhall House and Lawn – Options for Action

The Finance and Resources Committee on 5 June 2014 had considered a report on options for action in respect of Redhall House and Lawn, which had been produced in response to a petition submitted to the Petitions Committee on 23 January 2014. The report had been referred to this Committee for scrutiny.

Decision

- 1) To note the report and the decisions of the Finance and Resources Committee.
- 2) To request the Acting Director of Services for Communities to report to the Committee in October 2014 on:
 - a) The number of properties sold in the last 3 years valued at over £480,000, and all listed buildings irrespective of value, which had conditions of sale still outstanding.
 - b) The introduction of a new system to keep track of any conditions of sale which were outstanding, including an update on the status of an asset disposal policy.

(References – Petitions Committee 23 January 2014 (minute item 3); Finance and Resources Committee 5 June 2014; referral report by the Head of Legal, Risk and Compliance, submitted.)