

Governance, Risk and Best Value Committee

10.00am, Thursday, 12 November 2015

Present

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

Also present: Councillors Rankin and Bill Cook for consideration of item 7.3 and B1.2 and Councillor Rose for consideration of item B1.1

1. Property Conservation

(a) Deputation – by Edinburgh Residents for Statutory Notice Reform

Gordon Murdie, representing the Edinburgh Residents for Statutory Reform explained to the Committee why he believed that Programme Momentum was flawed and would not recover the money that the Council were expecting. He explained that there was doubt on whether the work was necessary in many cases and whether the cost of the work carried out was appropriate. Programme Momentum did not take necessary account of all relevant information and this had been borne out on some cases following an investigation. Gordon Murdie offered a presentation to the relevant Councillors, Council officials and representatives from Deloitte and Morton Fraser which would explain the flaws in Programme Momentum's processes.

(b) Report – Property Conservation: Programme Momentum Review

An update was provided on Programme Momentum which commenced in June 2014 and was an end-to-end process across all workstreams relating to the legacy statutory notice issues. This report had been previously considered by the Finance and Resources Committee in September 2015 and had been requested for scrutiny by the Governance, Risk and Best Value Committee.

Councillors Rankin (Convener of the Finance and Resources Committee) and Bill Cook (Vice-Convener of the Finance and Resources Committee) attended for the consideration of this item.

Decision

- 1) To note the report.
- 2) To ask that information being provided to the Finance and Resources Committee regarding the breakdown of the costs of recovery efforts by the City of Edinburgh Council compared to monies collected be provided to the Governance, Risk and Best Value Committee in January 2016.

- 3) To provide to the Governance, Risk and Best Value Committee in January 2016 the report considered by the Finance and Resources Committee in July 2014 on the policies, principles, methodology and procedures underpinning the project.

(References – Finance and Resources Committee 24 September 2015 (Item 8); report by the Deputy Chief Executive, submitted.)

Declaration of Interest

Councillor Tymkewycz declared an interest in the above item as an owner of a small portfolio of properties in Edinburgh.

2. Resolution to consider in private

The Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for item 3 on the grounds that they involved the disclosure of exempt information as defined in Paragraph 6 of Schedule 7(A) of the Act.

3. Property Conservation – Irrecoverable Sum, Debt Recovery and Settlements

Information was provided on irrecoverable sums and settlements agreed under delegated authority. This report had been previously considered by the Finance and Resources Committee in September 2015 and had been requested for scrutiny by the Governance, Risk and Best Value Committee.

Councillor Rankin (Convener of the Finance and Resources Committee) and Bill Cook (Vice-Convener of the Finance and Resources Committee) attended for the consideration of this item.

Decision

To note the report.

(References– Finance and Resources Committee 24 September 2015 (item 29); report by the Deputy Chief Executive, submitted.)

4. Common Good Asset Register

This report had previously been considered by the Committee on 13 August 2015. The Committee at that meeting had requested that Andy Wightman be invited to discuss community involvement regarding the registering of common good land.

Andy Wightman was heard in regard to this item.

Decision

- 1) To note the report.
- 2) To refer the report to Corporate Policy and Strategy Committee, recommending that officers be instructed to update the Common Good Asset Register. A strand of this work should be to explore innovative ways of involving higher education establishments, historical societies and other community groups.

- 3) The report should also ask the Leader of the Council to write to COSLA suggesting that Common Good is put on the agenda for a future meeting, in order that local authorities can establish a uniform position on Common Good.

(Reference – Governance, Risk and Best Value Committee 13 August 2015 (item 4); report by the Deputy Chief Executive, submitted.)

5. Minute

Decision

To approve the minute of the Governance, Risk and Best Value Committee of 19 October 2015 as a correct record.

6. Outstanding Actions

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

Decision

- 1) To agree to close actions 4, 6, 7, 11, 16, 20 and 21.
- 2) To note the remaining outstanding actions.

(Reference – Outstanding Actions - November 2015, submitted.)

7. Work Programme

Decision

To approve the Work Programme.

(Reference – Governance, Risk and Best Value Work Programme – November 2015, submitted.)

8. Governance Arrangements and Council Support to Community Centre Management Committees

The Education, Children and Families Committee had referred a report on the arrangements including escalation of issues, service management and interaction with neighbourhood partnerships, and Council support to community centre management committees following a request by the Governance, Risk and Best Value Committee to look into this area.

Decision

- 1) To note the report.
- 2) To refer the report back to the Education, Children and Families Committee, recommending, on the basis of cases of communication breakdowns brought to the attention of the Committee, that a partnership agreement for relations between the Council and community centre management committees be established. This agreement should define the respective responsibilities of each party, and provide clear lines of communication between each organisation. The

referral report should also recommend that regular training be offered to community centre management teams so they are aware of their duties and responsibilities and adequately supported in carrying them out.

(References – Education, Children and Families Committee 6 October 2015 (item 33); Governance, Risk and Best Value Committee 5 March 2015 (item 1); report by the Executive Director for Communities and Families, submitted.)

9. Internal Audit and Risk Service Delivery Model

Details were provided of the proposals for future service provision for internal audit and risk.

Decision

- 1) To note the proposals for future service provision for internal audit and risk services.
- 2) To refer the report to Council, with a recommendation to exercise the Council's option to extend the existing co-source partnership arrangements with PwC for a further 12 months from 31 March 2016 in relation to the provision of audit services.
- 3) To request an update report to committee in April 2016 informing how work to establish an in-house risk team was progressing and detailing plans for the future.

(Reference – report by the Deputy Chief Executive, submitted.)

10. Governance of Major Projects Review: progress report

Committee were provided with an update of the major projects portfolio, made up of projects with a value of over £5 million or particularly sensitive to the Council's reputation. The upcoming assurance review schedule was also provided.

Decision

- 1) To note the current synopsis of the dashboard reports for the major projects portfolio.
- 2) To note the findings from the latest completed assurance reviews.
- 3) In connection with MP22, to ask that background information on the circumstances surrounding the legacy payment of £10.3m liable under the existing landfill contract until 2020 be circulated to the committee.
- 4) To note that the next progress report would detail the outcome of the Assurance Review health check carried out on Fleet Services.

(Reference – report by the Deputy Chief Executive, submitted.)

11. Spot-checking on the Dissemination of Committee Decisions and Late Committee Reports

Following the decision of the Governance, Risk and Best Value Committee on 19 June, to strengthen existing arrangements and provide greater assurance with regard to the dissemination of committee decisions, a spot-check of actions has been undertaken by directorates to ensure that decisions are being effectively communicated to staff.

An update is also provided on the number of late reports to all committees, covering the period October 2014 to October 2015, including actions taken by directorates to address the issue

Decision

- 1) To note the response to the staff survey on the dissemination of Council policies.
- 2) To note that a spot checking report would be presented to Committee on the dissemination of committee decisions twice a year.
- 3) To note the number of late reports and actions taken by directorates to address the issue.

(References – Governance, Risk and Best Value Committee of 19 June 2014 (item 9); report by the Deputy Chief Executive, submitted.)

12. Capital Monitoring 2015/16 – Half Year Position

The Finance and Resources Committee had referred a report on the overall position of the Council's capital budget at the half year stage and the projected outturn for the year.

Decision

To note the report.

(References – Finance and Resources Committee of 29 October 2015; report by the Deputy Chief Executive, submitted.)

13. Health and Social Care Integration - Update

The Finance and Resources Committee had referred a report updating the committee on the integration of Council social care functions with NHS Lothian functions.

Decision

To note the report.

(References – Finance and Resources Committee of 29 October 2015; report by the Deputy Chief Executive, submitted.)

14. Resolution to consider in private

The Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds

that they involved the disclosure of exempt information as defined in Paragraphs 1 and 15 of Schedule 7(A) of the Act.

15. Monitoring Officer Investigation: Cameron House

The Committee considered the report by the monitoring officer in relation to Cameron House.

Councillor Cameron Rose was heard as part of the consideration of this report.

Decision

- 1) To note that the Monitoring Officer intended to re-investigate the matter that was the subject of the original whistleblowing case in light of new evidence and that this would be concluded by the end of the year with a view to reporting any findings to Council in February or March 2016.
- 2) To note that the Monitoring Officer intended to publish an appropriately redacted version of his report into Cameron House on the Council website.
- 3) To request that the decision of today's meeting be conveyed in writing to the Cameron House Management Committee.
- 4) To ask the Chief Executive/Deputy Chief Executive to form a group comprising of some members of the Cameron House Management Committee, ward councillors, Gillian Tee, Peter Watton and any other relevant officers with a view to identifying an action plan to address the report's findings, with the details of the plan to be reported to the committee in March 2016.
- 5) To request a report from the Strategy and Governance Manager in March 2016 on the Council's document retention policy, its robustness and whether it needs to be amended.
- 6) To note that the Cameron House matter was first highlighted to the committee by the work of Councillor Rose.

(Reference - report by the Deputy Chief Executive, submitted.)