

To: Council

On: 27 February 2020

Report by: Director of Finance and Resources

Heading: Governance Arrangements

1. Summary

1.1 The purpose of this report is to consider the Church of Scotland's representative on the Education & Children's Services Policy Board; the appointment of the Chair to Clyde Muirshiel Park Authority Joint Committee and the Council's representative to the Improvement Service's Annual General Meetings; and an amendment to the Terms of Reference of the Regulatory Functions Board.

2. Recommendation

2.1 That the resignation by Mr Keith as the Church of Scotland's representative on the Education & Children's Services Policy Board be noted and that the Council appoint the Church of Scotland's replacement nominee, Ms Bird.

2.2 That the Council appoint Councillor Audrey Doig as Chair of the Clyde Muirshiel Park Authority Joint Committee;

2.3 That the Council agree that the Chief Executive be the Council's representative at Annual General Meetings of the Improvement Service or where unable to attend to appoint a proxy to represent the Council; and

- 2.4 That the Council agrees to amend paragraph 2 of the Terms of Reference of the Regulatory Functions Board so that it reads: “To develop and review the Council's policies, and to exercise the functions of the Council in relation to applications for licences, permits, permissions, and or registrations **or other matters arising out of the above Acts** which are not otherwise specifically allocated to another Policy Board.”
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3. **Background**

- 3.1 **Education & Children’s Services Policy Board** - Section 124 of the Local Government (Scotland) Act 1973 provides that where an education authority appoints a committee whose purposes include advising the authority on any matter relating to the discharge of their functions as education authority or discharging any of those functions of the authority on their behalf, three of the members to be appointed (who shall not be members of the education authority) shall be church representatives. One of the three places requires to be filled in accordance with the Act by a nomination from the Church of Scotland. Mr Iain Keith was appointed as the Church of Scotland representative on the Education & Children’s Services Policy Board at the statutory meeting of the Council held on 17 May 2017. The Church of Scotland has intimated Mr Keith’s resignation from this position and have indicated that they have nominated Mary Jane Bird as their new representative.
- 3.2 **Clyde Muirshiel Park Authority Joint Committee** – At the meeting of the Council held on 5 December 2019 it was agreed that Councillor Audrey Doig replace Councillor Steel as one of the Council’s representatives on the Joint Committee. Councillor Steel had been Chair of the Joint Committee and the Administration has proposed that in terms of the Minute of Agreement which states “The Renfrewshire Council shall nominate the Chair and North Ayrshire and Inverclyde Councils a member each to act as Vice Chair of the Park Authority”, that Councillor Audrey Doig be nominated as Chair of the Park Authority.
- 3.3 **Improvement Service** - The Council, like all other Scottish Councils, is a member of the Improvement Service. It is proposed that the Chief Executive be the Council’s representative at Annual General Meetings of the Improvement Service or where unable to attend to appoint a proxy to represent the Council.
- 3.4 **Regulatory Functions Board** - With regard to the proposed change to Paragraph 2 of the Terms of Reference relating to the Regulatory Functions Board, it has emerged, in discussions relating to possible changes to the appointment of taxi ranks, that the current Terms of

Reference for the Board do not provide authority to the Board to agree consultation proposals in respect of new taxi ranks or to appoint new taxi ranks following public consultation. Where the Council is considering the appointment of new taxi ranks, a statutory consultation process is required. Under the existing Scheme of Delegated Functions it is not certain which Board has delegated authority to consider this issue. The Council has not changed the position of taxi ranks in Renfrewshire since 1997, at which time these matters were delegated to the Corporate Services Committee. The Regulatory Functions Board has within its Terms of Reference all licensing applications falling within the terms of the Civic Government (Scotland) Act 1982, including taxi licence applications, and policies of the Council relating to licensing applications. Council may wish to amend the Terms of Reference for the Regulatory Functions Board accordingly.

Implications of the Report

1. **Financial - *None***
2. **HR & Organisational Development – *None***
3. **Community/Council Planning – *None***
4. **Legal – *None***
5. **Property/Assets – *None***
6. **Information Technology – *None***
7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety – *None***
9. **Procurement – *None***

10. **Risk – *None***
 11. **Privacy Impact – *None***
 12. **Cosla Policy Position – *None***
 13. **Climate Risk – *None***
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List of Background Papers

- (a) Background Paper 1 – None
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Author: Lilian Belshaw – Democratic Services Manager

Telephone: 0141 618 7112

Email: lilian.belshaw@renfrewshire.gov.uk