

To: Council

On: 21 December 2017

Report by: Director of Finance and Resources

Heading: Governance Arrangements

1. Summary

- 1.1 The purpose of this report is to seek approval to a number of changes to the Council's governance arrangements.
- 1.2 At present the Community Asset Transfer Review Sub-Committee is made up of members from the Communities, Housing and Planning Policy Board. It is proposed that this is changed to the Infrastructure, Land and Environment Policy Board.
- 1.3 The remit for the Regulatory Functions Board requires to be changed to explicitly include functions relating to Houses in Multiple Occupancy (HMOs).
- 1.4 The Council at its meeting held on 28 September 2017 noted the resignation of the representative of Paisley Action for Churches Together as this organisation had now closed and agreed that a nomination for the third church representative be sought from the Renfrewshire Evangelical Alliance of Churches. Unfortunately, no response has been received to date and it is proposed therefore that an advertisement be placed in the local and national press and on the Council's website seeking nominations for the third church representative. Details are provided at paragraphs 3.3 to 3.5 below.

- 1.5 There is currently no delegated power to send members to conferences or seminars without prior Board approval. The Council has previously approved a number of conferences in respect of which no further approval is required. It is proposed to add to this that members be permitted to attend any conference/seminar which is free of charge and which is held in Scotland.
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2. Recommendations

- 2.1 That the membership of the Community Asset Transfer Review Sub-committee be drawn from the Infrastructure, Land & Environment Policy Board to comprise any five members of the Policy Board provided three are from the Administration and two from the opposition groups or parties. The Sub-committee to be chaired by either the Convener or Depute Convener of the Board;
- 2.2 That the Remit of the Regulatory Functions Board be extended to cover Part 5 of the Housing (Scotland) Act 2006.
- 2.3 That it be delegated to the Head of Corporate Governance to make the necessary changes to the Council's Scheme of Delegated Functions.
- 2.4 That an advertisement be placed in the local and national press and on the Council's website seeking nominations for the third church representative to the Education and Children's Services Policy Board.
- 2.5 That members be permitted to attend any conference/seminar which is free of charge and which takes place in Scotland and that the list of approved conferences be amended to reflect this.
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3. Background

Community Asset Transfer Review Sub-committee

- 3.1 The existing arrangements for the Community Asset Transfer Review Sub-committee (which had been established previously in terms of the Community Empowerment (Scotland) Act 2015) is that the sub-committee's membership is drawn from the Communities, Housing & Planning Policy Board to comprise any five members of the Policy Board provided three were from the Administration and two from the opposition groups or parties; the Sub-committee to be chaired by either the Convener or Depute Convener of the Board. However, to acknowledge that the remit of the sub-committee is to consider property issues and the delegation to consider any property issues arising from the Community Empowerment (Scotland) Act 2015 lies with the

Infrastructure, Land & Environment Policy Board, it is therefore proposed that the membership of the sub-committee is drawn from that Board rather than from the Communities, Housing & Planning Policy Board.

Regulatory Functions Board

- 3.2 It is proposed that in relation to the Board's HMO licensing role in terms of Part 5 of the Housing (Scotland) Act 2006, that this should be explicitly included within the Board's remit.

Third Church Representative on Education and Children's Services Policy Board

- 3.3 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 must be filled in accordance with the Act by a nomination from the Church of Scotland and one by the Roman Catholic Church.
- 3.4 In the selection of the third person the Act specifies that the authority shall have regard (taking account of the representation of the Roman Catholic Church and the Church of Scotland) to the comparative strength within the area of all the churches and denominational bodies having duly constituted charges or other appointed places of worship therein.
- 3.5 The Council at its statutory meeting held on 18 May 2017 agreed to the appointment of Reverend Graham Currie, the nominee of Paisley Action for Churches Together. That organisation has now closed and Reverend Currie has resigned from the Education and Children's Services Policy Board.

Elected Member Attendance at Conferences and Seminars

- 3.6 The Council has previously approved a list of regular events that elected members may attend. The attendance at any other events not included on the list, even where the events are free of charge requires prior Board approval. This is considered to be unduly restrictive and it is proposed that elected members are able to attend any conference and seminar provided that it is free of charge and is held in Scotland.

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** – N/A

List of Background Papers - None

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