

FC37. SCRUTINY COMMITTEE - 12 SEPTEMBER 2013 – SCRUTINY PLAN

Council considered a report by the Chief Governance Officer presenting recommendations from the Scrutiny Committee in regard to the Annual Scrutiny Plan.

The Scrutiny Committee had on 12 September 2013 discussed potential areas for scrutiny. The committee, mindful of experience from the pilot scrutiny panel, had recommended that no more than one scrutiny panel is established at any one time (subject to the proviso that this maximum can be increased to two at the discretion of the committee). The committee also identified two areas for scrutiny as part of the annual plan: the appointment of members to outside bodies and the process for reporting to Council; and the adequacy of consultation with the public and community engagement more generally. The committee had also recommended that a third area for scrutiny be left to the discretion of the committee (with preference to be given to an area identified by the members of the opposition on the committee).

Baillie Paterson, seconded by Councillor McLuckie, moved the recommendations set out in the report.

By way of an amendment, Councillor Meiklejohn, seconded by Councillor Coleman, moved that, in addition, Council requests the Chief Governance Officer to bring a report to the next meeting of Council providing options on mechanisms by which the Scrutiny Committee could scrutinise issues in advance of meetings of the Executive and Education Executive and make recommendations to them.

Councillor McCabe gave notice of a further amendment.

Following discussion, Councillor G Goldie, seconded by Councillor Gow, moved that the question now be put. The Provost noted general agreement among all members present at the meeting to the closure motion and accordingly put the original motion to the vote.

In terms of Standing Order 22.4 (i) a vote was taken by roll call, there being 29 members present with voting as undernoted.

For the motion (16) – Provost Reid; Depute Provost Patrick; Baillie Buchanan and Paterson; Councillors Black, Blackwood, D Goldie, G Goldie, Gow, MacDonald, McLuckie, Mahoney, Martin, CR Martin, Nicol and Nimmo.

For the amendment (13) – Councillors Alexander, Balfour, Bird, Carleschi, Chalmers, Coleman, Hughes, Jackson, McCabe, McNally, Meiklejohn, Ritchie and Turner.

The motion was agreed and became the substantive motion.

Councillor McCabe, seconded by Councillor Jackson moved, in substitution for the motion:-

- (i) that the role of the Scrutiny Committee is identified as being one of genuine scrutiny;

- (ii) Scrutiny Panels will be convened at the discretion of the Scrutiny Committee in singularity:-
 - (i) with a remit to investigate all issues of the Scrutiny Committee,
 - (ii) based upon the Annual Scrutiny Plan;
- (iii) membership of the Scrutiny Panels will be open to all members not members of the Executive Committee; and
- (iv) all reports of the Scrutiny Panels are reported back to the Scrutiny Committee prior to submission to full Council.

The Provost ruled that, in terms of Standing Order 35, part (iv) of the amendment was not competent as a decision on the reporting process had been agreed by Council on 24 April (minute reference FC7) which was within 6 months of the date of the meeting.

Councillor Meiklejohn, seconded by Councillor Balfour, moved suspension of the Standing Orders in order to allow the amendment to be considered.

Provost Reid repeated the tests to suspend Standing Orders and, with no notice of the motion having been given, the first test was that of urgency. Council therefore voted on whether the matter was urgent, with 13 members for and 16 against.

Accordingly, the motion to suspend Standing Orders fell.

Council then adjourned for lunch and reconvened at 2.20pm with all members present as per the sederunt.

Provost Reid confirmed that the motion to suspend Standing Orders had fallen prior to the adjournment. This being so the further amendment by Councillor McCabe was incompetent. The motion therefore stood unopposed.

Decision

Council agreed:-

- 1) that no more than one scrutiny panel will operate at any one time subject to the proviso that the maximum can be increased to two at the discretion of the Scrutiny Committee;**
- 2) the appointment of elected members to outside organisations and the process for reporting to Council,**
- 3) the adequacy of consultation with the public and community engagement more generally; and**
- 4) that the Scrutiny Committee should agree a third area for scrutiny with preference given to a subject suggested by opposition members in the event that they participate in the scrutiny process.**