
Report to Clackmannanshire Council

Date of Meeting: 24 September 2020

Subject: Council Governance

Report by: Lindsay Thomson, Senior Manager Legal & Governance

1.0 Purpose

- 1.1. This report concerns a number of matters relating to the scheduling of Council and Committee meetings and also seeks authority to review Standing Orders.

2.0 Recommendations

- 2.1. It is recommended that Council
- 2.2. Agree to change the date of the December Council meeting from 17 December 2020 to 10 December 2020
- 2.3. Agree that the Emergency Decision Making Forum (EDMF) should continue as a permanent committee to take decisions in an emergency, noting that it is likely to meet only in exceptional circumstances
- 2.4. Note that the usual cycle of committee meetings will begin from next month and all that all meetings will continue to be held using MS Teams until at least January 2021 when there will be a further review and
- 2.5. Note that this paper gives notice of a proposal to change to Standing Orders for the next full meeting of Council in October 2020.

3.0 Considerations

- 3.1. December Council
- 3.2. The Council approved its schedule of meetings for the next 3 years in 18 April 2019. This year has been exceptional in terms of the number of special meetings of Council, the development of virtual meetings, the introduction of the EDMF and the need for governance on a number of some very significant policy areas, the Be the Future programme and the budget position.
- 3.3. It is recognised that there is almost two months between the October and December Council meetings currently and this may be undesirable in terms of dealing with an anticipated volume of business at regular meetings. It

therefore considered prudent to move the scheduled December meeting forward by a week to allow business to be considered expediently and to allow decisions of December Council to be implemented before the Christmas break.

3.4. EDMF

3.5. As indicated in previous papers, the EDMF has performed an essential function over the initial period of the COVID-19 response. In addition to establishing the first virtual decision making forum, committee officers have also worked hard to produce a decision log and make these available quickly on-line. EDMF decisions were also reported to all councillors by email and then incorporated into the daily dashboard.

3.6. For the last few months EDMF has not been required to convene and decisions have been made through the mechanisms of ordinary and special meetings of Council. This has been made possible by extended our approach to supporting virtual meetings and also has increased transparency as the full recordings of the meetings are available on line.

3.7. The ability to hold full meetings of Council virtually does make it less likely that we would require to hold an EDMF. It is also recognised that it is preferable to hold full meetings so that all members can participate fully in the decision making process. However it is still considered prudent to retain the EDMF as a mechanism for speedy decision making should the need arise or should there be some other emergency situation which makes holding a full meeting of Council difficult. The last few months have demonstrated that the need for flexibility in governance structures is critical to allowing an organisation to be responsive, provided accountability, participation and transparency are not diminished.

3.8. Meeting cycle

3.9. Council is also invited to note that the committee cycle with all service committees, audit, planning, regulatory committees and Licensing Board will resume from next month. There have already been a number of full Licensing Boards and also Licensing sub-committees to deal with outdoor drinking occasional licences over the summer months. The planning committee has also scheduled an additional meeting to begin the process of determination on some significant planning applications.

3.10. The legislative changes as a result of COVID-19 mean that meetings can continue to take place virtually. This approach is recommended for this meeting cycle and then further consideration can be given to whether physical meetings can take place in the new year. In addition the Council is investigating whether some new IT solution may offer increased opportunities/solutions for Council meetings.

3.11. Standing Orders

3.12. Council's Standing Orders have been amended incrementally recently to address changes in the way meetings are held. It is now considered that a more detailed review should take place to ensure that they remain fit for purpose. As current Standing Orders require notice of proposals of changes

to be given at the meeting before the meeting at which draft changes are laid, authority is sought in this paper to carry out the review.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. *Staffing*

6.0 Exempt Reports

6.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
 Yes No

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
 Yes (please list the documents below) No

Author(s)

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Approved by

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