

Department of Corporate and Community Services

Deputy Chief Executive: Caroline Innes BSc (Hons)

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Date: 20 March 2020

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TO: Provost Fletcher; Depute Provost Cunningham; and Councillors Aitken, Bamforth, Buchanan, Convery, Devlin, Gilbert, Grant, Ireland, Lafferty, Macdonald, McLean, Merrick, Miller, O'Kane, Swift and Wallace.

EAST RENFREWSHIRE COUNCIL

A meeting of the East Renfrewshire Council will be held within the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on **Monday 23 March 2020 at 10.00 am.**

The agenda of business is as listed below.

Yours faithfully

Caroline Innes

C INNES
DEPUTY CHIEF EXECUTIVE

Prior to the commencement of the meeting the Provost will make a statement that the meeting will be webcast live and recorded for later publicly accessible archive viewing.

PROGRAMME OF BUSINESS

1. **Report apologies for absence.**
2. **Declarations of Interest.**
3. **Proposed Emergency Decision-Making Arrangements – Report by Chief Executive (copy attached, pages 3 - 6).**

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EAST RENFREWSHIRE COUNCIL**23 March 2020****Report by Chief Executive****PROPOSED EMERGENCY DECISION-MAKING ARRANGEMENTS****PURPOSE OF REPORT**

1. To seek approval for temporary decision-making arrangements to reduce the need for face-to-face meetings during the ongoing Covid-19 outbreak.

RECOMMENDATIONS

2. That the Council agree:-
- (a) to suspend on a temporary basis all delegations to committees with the exception of the Emergencies Committee referred to in (d) below;
 - (b) that delegated authority be granted to the Chief Executive all directors and heads of service, and the Chief Officer – Legal and Procurement to take operational decisions in respect of matters within their respective areas of operation that would normally require Council/committee approval;
 - (c) that if the proposed decision would be contrary to existing Council policy, would be seeking an amendment to an existing policy, or for any other reason would require political approval, the matter be referred to the Emergencies Committee for a decision;
 - (d) that an Emergencies Committee be established, the membership of which comprises the Leader and Depute Leader of the Administration and the Leader of the main Opposition Group, with the terms of reference as set out in the report; and
 - (e) that the temporary extension of the delegated authority be kept under review in order that it may be revoked at the appropriate time.

BACKGROUND

3. Members will be aware that to protect the capacity of public services, the Scottish Government has advised that organisers should cancel or postpone all mass events of 500 people or more. Given the likelihood of the impact of the pandemic increasing in severity over the next few weeks it is likely that government guidance at both Scottish and UK level will introduce further measures to minimise contact.

4. In view of these developments it is proposed that the Council take immediate steps to put in place revised decision-making arrangements in order to reduce the need for committee and other meetings.

REPORT

5. The Council's Scheme of Administration sets out the terms of reference of each of the bodies set up by the Council. It also provides details of those matters that are not delegated and need to be determined by the Council itself.
6. The Scheme of Administration is supported by the Scheme of Delegated Functions. This latter scheme sets out those matters in respect of which decisions can be taken by officers without Council or committee approval.
7. To reduce the need for meetings to take place it is proposed to suspend on a temporary basis the delegations to all committees and to grant delegated authority to the Chief Executive, directors, heads of service and the Chief Officer - Legal and Procurement to take operational decisions in respect of matters within their service areas that would in normal circumstances require Council or committee approval.
8. Whilst this will reduce the number of matters that would require to be dealt with by the Council or committees, there will still be a number of issues where Elected Members would still need to be involved in the decision making process. For example, this may be where a proposed decision is contrary to an existing policy, where a change in policy is required, or any other reason where a political decision was required.
9. To address this it is proposed that the Council establish an Emergencies Committee. Membership of the committee would comprise 3 members, these being the Leader and Depute Leader of the Council and the Leader of the Conservative Group. The terms of reference of the committee would be:-
 - To determine those matters not able to be determined by officers in accordance with the temporary extension of delegated powers;
 - To take any future decision on whether to suspend delegations to committees and temporarily extend delegated powers to officers
10. Participation in the meeting would normally be in person but could be by tele/videoconferencing if necessary.

CONSULTATION

11. Consultation has taken place with the Chief Executive, Corporate Management Team Leader and Depute Leader of the Council and the Leader of the Conservative Group.

IMPLICATIONS OF THE PROPOSALS

12. There are no staffing, property, IT, State Aid, equalities or sustainability implications. There are legal implications in that the proposals if approved will see a permanent change to the Scheme of administration and a temporary change to the Scheme of Delegated Functions.

CONCLUSIONS

13. The introduction of the new arrangements, if approved, will minimise the need for Members to meet in committee. Longer-term, it will also mean that any future decisions on suspending delegations to committees and temporarily extending delegated powers to officers can be taken by the Emergencies Committee without the need to convene a meeting of the Council.

RECOMMENDATIONS

14. That the Council agree:-

- (a) to suspend on a temporary basis all delegations to committees with the exception of the Emergencies Committee referred to in (d) below;
- (b) that delegated authority be granted to the Chief Executive all directors and heads of service, and the Chief Officer – Legal and Procurement to take operational decisions in respect of matters within their respective areas of operation that would normally require Council/committee approval;
- (c) that if the proposed decision would be contrary to existing Council policy, would be seeking an amendment to an existing policy, or for any other reason would require political approval, the matter be referred to the Emergencies Committee for a decision;
- (d) that an Emergencies Committee be established, the membership of which comprises the Leader and Depute Leader of the Administration and the Leader of the main Opposition Group, with the terms of reference as set out in the report; and
- (e) that the temporary extension of the delegated authority be kept under review in order that it may be revoked at the appropriate time.

Report author

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