

PERTH AND KINROSS COUNCIL

20 May 2020

DECISION MAKING AND COMMUNICATION ARRANGEMENTS

Report by Chief Executive (Report No. 20/91)

The purpose of the report is to brief the Council on the current decision making structure and elected member engagement in response to Coronavirus (COVID-19), as well as outline arrangements for continued decision-making during the response, recovery and renewal periods.

1. BACKGROUND

- 1.1 In response to the emerging situation in relation to Coronavirus (COVID-19), and following discussion with all political groups, the following information was issued by the Depute Chief Executive to all elected members on 16 March 2020:

“As part of measures in response to the Coronavirus (COVID-19), the decision has been taken in consultation with the Provost and relevant Group Leaders to cancel all scheduled meetings of the Council until further notice. This includes the Council, Committees, Sub-Committees, MOWGs, the Local Review Body and appeal hearings.

The Council’s current Scheme of Administration was approved by the Council with effect from January 2020. Section 15.5 of the Scheme states the following:

The Chief Executive, Depute Chief Executive or any Executive Director is authorised to take such measures as may be required in emergency situations, subject to reporting to Council or the relevant Committee as soon as possible on any matters for which approval would normally be necessary.

In the event that there are any urgent decisions to be made during this period that normally require Council approval, where it is practical to do so the Chief Executive / Depute Chief Executive / Executive Director will liaise with elected member representatives that will include Group Leaders as well as a representative on behalf of both the Independent and Scottish Labour Group and Councillors Purves / Stewart prior to making any decision. This group of elected members was called the Sounding Board.

The interim suspension of meetings will be kept under review in light of the information available and members will be informed immediately of any change.”

- 1.2 In the initial period, the views of the Sounding Board were sought on a number of areas with the following decisions then taken by the relevant Gold Command member in line with section 15.5 of the Scheme of Administration.
- An emergency grant of £10,000 to support local food banks running low on supplies.
 - Provision of payments to families usually in receipt of free school meals during both term time and the Easter holidays.
 - Waiving of the 3% increase for burial and cremation charges for 2020/21.
 - The setting of reserved places for schools for session 2020/21.
 - Variation to the School Admissions Policy for session 2020/21 in relation to the criteria for placing requests received from out with the local authority area.

2. CURRENT SITUATION

- 2.1 Following this, the Chief Executive sought, and was given, the agreement of all the members of the Sounding Board to begin virtual meetings of the Sounding Board. The first meeting of the Board took place on 3 April 2020. Membership of the Board is as outlined in section 1.1 above, with the meetings chaired by the Chief Executive, attended by the Executive Director of Housing and Environment, as the capacity as the Council's Gold Commander, and minuted by Committee Services.
- 2.2 The following are the standing items on the Sounding Boards agenda:
- Note from previous meeting
 - Operational Update by Chief Executive and Gold Commander – Verbal update by Chief Executive (Appendix 1)
 - Emergency Powers – Record of Decisions (Appendix 2)
 - Governance Process – Verbal update by Chief Executive
 - Latest Guidance/Legislation considered by Gold Command (Appendix 3)
 - Financial Update – Report by Head of Finance
 - Latest Statistics
 - Members Q & A
- 2.3 In addition, further items have been included for decision/information including the Coronavirus Act; the Council's Covid 19 Command, Control and Response structure; modelling for additional deaths; an update on current planning guidance and virtual users groups for Blairgowrie Recreation Centre and the replacement school in Perth. It was also agreed that the normal process for agreeing Service Business Management and Improvement Plans, along with Annual Performance Reports, would be halted. This allows services to focus on the current emergency, while ensuring future development of these documents is based on the Council's strategic direction in relation to future emerging issues, recovery and renewal, underpinned by the availability of budgets.
- 2.4 Following agreement with the Sounding Board, and in line with Scottish Government guidance in relation to the importance of a continued support to

the planning, a virtual Planning and Development Management Committee was held on 29 April 2020. As agreed with the Sounding Board, as a result of the successful use of technology, further consideration can now be given to examining the current governance arrangements put in place on 16 March 2020. Any changes to the agreed position need to reflect the ongoing response to the Covid 19 emergency, including the focus on the Council's 18 essential services, along with our emerging approach to recovery and response, while adhering to the UK and Scottish Government's most up to date guidance on physical distancing.

- 2.5 The Sounding Board also noted the expansion of the officer representation at the meeting. As such, from 11 May 2020, the Executive Director of Education and Children's Services and the interim Chief Operating Officer also attend Sounding Boards.
- 2.6 This Special Council meeting allows another opportunity to test the ability to undertake Council governance in a virtual environment. In addition, a virtual Integrated Joint Board meeting for the Health and Social Care Partnership will take place on 29 May 2020.
- 2.7 It should also be noted that SOLACE is undertaking work across the whole of Scotland to ensure that there is a consistent approach to elected member decision-making amongst all local authorities.

3. PROPOSALS

- 3.1 It is essential that elected members continue to provide strategic direction and scrutiny of the work of the Council. It is also vital that sufficient time is provided to officers to continue to respond to the current crisis and prepare the Council's approach to recovery and renewal, which will be presented at the next Council meeting.
- 3.2 To enable this, it is intended to re-establish Council meetings and other committees at the earliest opportunity, in line with the proposals noted in paragraph 3.4 below.
- 3.3 In addition, briefing sessions for all elected members will be scheduled which will cover a range of areas including finance, the capital programme, the Perth and Kinross Offer and the approach for recovery and renewal – *'building back an even better council'*. It is likely that the Council will need to consider setting a revised revenue budget for 20/21 and beyond, linked to SG and UK budget developments. This will have an impact on the capital budget decision making which was due to take place at the June Council meeting.
- 3.4 Taking these considerations into account, the following actions are proposed.
 - (i) The emergency powers as outlined in paragraph 1.1 remain in place, with a review date of 30 September 2020

Council Meetings

- (ii) A Council meeting is scheduled for 24 June 2020, with a focus on the Council's approach to recovery and renewal. This would also include any other reports which would normally require relevant committee approval.
- (iii) The Council meetings which are already in the diary for the remainder of the year will take place as planned

Finance

- (iv) Approval of the Council's capital programme and the Blueprint for the Future is delayed until later in the year when the Council's financial position is clearer
- (v) The need to set a new revenue budget will be kept under review, along with the potential for a Special Council meeting to approve this
- (vi) All financial reports will also be tabled at Council meetings for discussion and approval.

Quasi-judicial meetings

- (vii) Committees and Boards linked to the quasi-judicial role of the Council, Licensing Board, Licensing Committee, Local review Body, a second Planning and Development Management Committee and Placing Request appeals will be arranged to take place in June 2020.

Common Good

- (viii) Decisions required by Common Good Committees will be taken at a Council meeting or, for financial assistance requests, this would be undertaken by email agreement of the members of each CG Committee, providing the amount of funding requested can be contained within the approved Financial Assistance Budget for the Fund, or in the absence of an approved Budget, within the estimated annual income for the Fund.

Sounding Boards

- (ix) The work of the Council will continue over the summer period, using the Sounding Board as the agreed forum, with weekly meetings taking place. This will include the Board acting as a Member Officer Working Group to support the recovery and renewal approach for '*building back an even better Council*'
- (x) Service Sounding Board meetings will be established monthly, commencing the week beginning 25 May 2020, chaired by the Executive Director of each service, to provide information and updates

to the convener and vice convener of each relevant committee, along with the nominated spokesperson from each political group.

- (xi) Spokesperson nominations from each group for the Service Sounding Boards are requested

Briefings

- (xii) Virtual briefing sessions for all elected members, including those outlined in paragraph 3.3 will be arranged to take place across June and the summer period

Trade Union meetings

- (xiii) Meetings of the JNC(T) and the JCC will also be convened before the summer period to support the ongoing importance of discussions with unions, particularly in relation to recovery and renewal.

Governance

- (xiv) A governance timetable for all meetings is attached as Appendix 4
- (xv) Work is also undertaken across the summer period to develop a revised governance structure for the Council, for approval in August/September, working in consultation with all elected members.
- (xvi) Work is undertaken over the summer period to develop an approach to reintroducing committees, while continuing to take into account the work associated with response and recovery, and the work that all officers across the Council will be required to focus on.

4. FINANCIAL IMPLICATIONS

- 4.1 The actions taken will have financial implications for the Council to varying degrees but it is not possible to fully quantify these at this stage. Additional funding has been provided by Scottish Government which will provide some cover for additional costs and lost income but whether this will be sufficient will depend on how long the current situation goes on for and what actions may need to be taken to keep essential services going. Existing approved budgets can also be re-deployed where necessary. Officers are putting in place measures to ensure additional costs and income lost is recorded and a national method of gathering this information is also in preparation to enable future reporting.

5. CONCLUSION AND RECOMMENDATION

- 5.1 The paper outlines the governance arrangements put in place as a response to the Covid 19 emergency. It also provides proposals for future governance arrangements for Perth and Kinross Council.

- 5.2 It is recommended that Council approve the proposals as outlined in section 3.4 above.

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- Appendix 1** Operational Update by Chief Executive/Gold Commander
Appendix 2 Emergency Powers – Record of Decisions
Appendix 3 Latest Guidance/Legislation considered by Gold Command
Appendix 4 Governance Timetable