

SCRUTINY COMMITTEE

Minute of Meeting of the Scrutiny Committee held in the Committee Room, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 20 April 2011 at 2.00pm.

Present: Councillors K Baird, W Lumsden, I Campbell, A Gaunt, D Scott, B Vaughan and A Wylie.

In Attendance: G Taylor, T Yule, I Innes (from Art 208) F Mackay and M Kay (all Chief Executive's Service); M Walker, Depute Director (Education and Children's Services) (from Art 208); P McAvoy and J Gilchrist (both Education and Children's Services); D Burke, Executive Director (Housing and Community Care); L Cameron and J Mayglothling (both Housing and Community Care); D Littlejohn, B Stanford and F Crofts (all the Environment Service).

Apologies for Absence: Mr I Jackson and Mr D Stewart.

Councillor Baird, Convener, Presiding

206. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

207. MINUTES OF PREVIOUS MEETINGS

(i) Scrutiny Committee

The Minute of Meeting of the Scrutiny Committee of 9 February 2011 (Arts 68 – 74) was submitted, approved as a correct record and authorised for signature.

(ii) Special Meeting of Scrutiny Committee

The Minute of the Special Meeting the Scrutiny Committee of 23 February 2011 was submitted, approved as a correct record and authorised for signature.

(iii) Audit Sub-Committee

The Minute of Meeting of the Audit Sub-Committee of 12 January 2011 was submitted and noted. (*Appendix I*)

M WALKER AND I INNES ENTERED THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

208. SUMMARY REPORT ON HMle AND CARE COMMISSION INSPECTIONS

There was submitted a report by the Executive Director (Education and Children's Services) (11/170) providing (1) an overview of the key findings of HMle and Care Commission Inspections carried out over 2010/11 and (2) setting out the Education and Children's Service's approach to implementing improvement actions both generally and those arising out of inspections.

M Walker and P McAvoy, Education and Children's Services, were present to answer members' questions on the report.

In response to questions on the degree of scrutiny of HMle reports currently carried out by the Lifelong Learning Executive Sub-Committee (Inspections); on whether the structure of the Sub-Committee required to be reviewed to allow each report to be considered separately, and how best to ensure that information on completion of recommended actions is reported back to members, P McAvoy explained that the scrutiny by the Sub-Committee was only one element of an improvement framework which both challenged and supported head teachers, but suggested that, to address concerns expressed, officers review the process of reporting back on follow up actions.

M Walker was asked for information on improvement areas for learning committees and day care establishments in Pitlochry and on inspection regimes.

Resolved:

- (i) The contents of Report 11/170 be accepted.
- (ii) The Executive Director (Education and Children's Services) be asked to review the current arrangements for the scrutiny of HMle reports, and for feedback to members on follow-up actions, and to report back to this Committee in due course.

209. FREEDOM OF INFORMATION PERFORMANCE REPORT 2010 (Art. 365/10)

There was submitted a report by the Head of Legal Services (11/171) providing information on the continuing good performance of the Council in respect of Freedom of Information (FOI) for 2010.

I Innes, Head of Legal Services, was present to answer Members' questions on the report in relation to (1) processes following receipt of FOI requests; (2) response times; (3) the emphasis on publishing and improving information on the Council's website with a view to reducing the number of FOI requests, thereby enabling officers to concentrate on service delivery; (4) the identification of action to senior management teams which would address issues raised; and (5) the retention, management and retrieval of records to provide audit trails of decisions taken.

Resolved:

The contents of Report 11/171 be noted.

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I INNES, M WALKER, P MCAVOY AND J GILCHRIST LEFT THE MEETING AT THIS POINT.

210. DEVELOPMENT MANAGEMENT PERFORMANCE REVIEW (Art. 79)

There was submitted a report by the former Head of Planning, Roland Bean, (11/59) providing an update on the performance of development management including a review of the planning enforcement function. The Committee noted that Report 11/59 had been approved by the Development Control Committee at its meeting on 16 February 2011.

D Littlejohn, Head of Planning and Regeneration, and B Stanford, The Environment Service, were present to answer members' questions on the report in relation to (1) the significant progress made on improving performance; (2) performance on Strategic Performance Indicators against targets; (3) the number of householder and non-householder applications and the impact of current economic conditions on applications received, (4) the length of time elapsing before enforcement action was progressed; (5) action being taken to ensure the accuracy of reports, (6) arrangements for placing information on Public Access and the need to ensure that updates are made timeously and any extensions in response dates recorded; (7) the allocation of developer contributions; (8) the need to make planning guidelines more explicit on policies to aid applicants, in particular in relation to education contributions; (9) the volume of reviews being heard by the Perth and Kinross Local Review Body, the number of appeals upheld; (10) the likely timescales for introduction by the Scottish Government of permitted development rights; and (11) the Scottish Government's position on fee levels.

Resolved:

- (i) The contents of Report 11/59 and the improvement made in development management performance be noted.
- (ii) The progress made in terms of enforcement activity be noted.
- (iii) The recommendation that no change be made to the Enforcement Charter meantime be endorsed.
- (iv) The Head of Planning and Regeneration be requested to submit any similar report in future to the Scrutiny Committee.
- (v) The Head of Planning and Regeneration be asked to expand on performance information provided in the Service's Annual Report to take account of issues raised, to include the effect of the most recent upgrade of Public Access.

D LITTLEJOHN, B STANFORD AND F CROFTS LEFT THE MEETING AT THIS POINT.

IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1973.

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211. MINUTES

(i) Social Work Complaints Review Committee of 17 February 2011

There was submitted the Minute of Meeting of the Social Work Complaints Review Committee of 17 February 2011.

The Executive Director (Housing and Community Care) and the Head of Strategy and Support confirmed that the Review Committee's recommendations had been taken forward.

Resolved:

The Minute of the Meeting of the Social Work Complaints Review Committee of 17 February 2011 be approved.

(ii) Social Work Complaints Review Committee of 24 February 2011

There was submitted the Minute of Meeting of the Social Work Complaints Review Committee of 24 February 2011.

The Executive Director (Housing and Community Care) and the Head of Strategy and Support confirmed that the Review Committee's recommendations had been taken forward.

Resolved:

The Minute of the Meeting of the Social Work Complaints Review Committee of 24 February 2011 be approved.

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