

PUBLIC PROCESSES PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 7th October 2014 at 10.00 a.m.

Present: Councillors Brian McGinley (Chair), Alec Clark, Ian Douglas, Helen Moonie and Alec Oattes.

Apologies: Councillors Peter Convery and Hugh Hunter.

Attending: V. Andrews, Executive Director – Resources, Governance and Organisation, R. Riddiough, Head of Legal and Democratic Services; K. Leinster, Head of Community Care and Housing; D. Burns, Strategic Service Planning Manager; C. Monaghan, Head of Communities; and A. Gerrish, Committee Services Officer.

Also Attending: Councillors Rita Miller (Portfolio holder), Ann Galbraith and William J. Grant (local members).

Chair's Remarks.

The Chair welcomed everyone to the inaugural meeting of this Panel and in particular to Mr. Mark Fletcher, Ms. Wilma Milligan and Mr. Michael Connell from Maybole Community Council.

1. Declarations of Interest.

There were no declarations of interest by Members in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Variation in order of business.

In terms of Council Standing Order No. 13.2, the Panel agreed to vary the order of business as hereinafter minuted.

3. Petitions Protocol.

The Executive Director – Resources, Governance and Organisation summarised the petitions protocol to be followed in hearing petitions as approved by the Council on 19th August 2014 and the Panel noted the procedure.

4. Public Petition - Day Care Services in Maybole.

There was submitted a petition containing 851 signatures, in the following terms, namely:-

"We the undersigned wish to convey our extreme concerns at hearing that the Day Care services offered Rainbow Services in Maybole were to be withdrawn and transferred to Girvan.

Having recently lost similar facilities at the Day Hospital, there are no longer any Day Care provisions in Maybole which, in view of the population of the town and the increasing number of elderly residents, is a disgrace.

With the prospect of poor winter weather and the cost and time of travelling to Girvan, it is vital the services are retained locally.

We would ask South Ayrshire Council to investigate all options available to retain and enhance Day Care services within Maybole.”

Under the provisions of paragraph 31 of the Council’s Standing Orders for meetings, the Chair then invited Mr. Mark Fletcher and Ms. Wilma Milligan to come forward to present their case to the meeting.

Mr. Fletcher, the lead petitioner, welcomed the opportunity to attend this Panel to speak on behalf of the petition;

Mr Fletcher highlighted

- (1) that in the space of six months, Maybole had lost 2 Day Care facilities resulting in residents/patients either travelling to Girvan or losing their placements;
- (2) that the consultation process regarding the decision to close Castle View was unacceptable, that local elected representatives had initially been consulted and had been given assurances that Rainbow Services would be used if placements at Girvan were full or if people did not want to travel to Girvan;
- (3) that none of the local general practitioners had been consulted at any stage of the consultation;
- (4) that the general community (including Community Council) had not been aware of the closure of the Rainbow facility until after the event;
- (5) that the travel time to Girvan was unacceptable for vulnerable older people particularly in bad weather;
- (6) the likely impact of self directed support in the future; and
- (7) that local elected representatives had initially been consulted and had been given assurances that Rainbow Services would be used if placements at Girvan were full or if people did not want to travel to Girvan and that the subsequent closure of that facility was a material change of circumstances affecting the original decision.

The Panel then heard Ms. Milligan in support of Mr. Fletcher’s presentation and highlighting her concerns in relation to the lack of day care facilities in Maybole.

The Chair invited the Portfolio Holder (Councillor Miller) and Local Members (Councillors Galbraith and William J. Grant) to come forward and speak to the petition.

The Chair then invited the Head of Community Care and Housing and the Strategic Service Planning Manager to come forward and present the report (issued) of 8th September 2014 ([link attached](#)) to the meeting which provided background information in response to the petition from Maybole Community Council in relation to the loss of day care services for older people in the town.

The Head of Community Care and Housing was asked questions by Members of the Panel in relation to the issues raised and then the Chair gave Mr. Fletcher the opportunity to sum up.

The Chair, on behalf of the Panel, thanked the members of Maybole Community Council, Local Members and the Portfolio holder for their contributions.

Clarification was sought by Panel members in relation to the Day Care Services consultation process, the numbers of users affected, the availability of services in Ayr for residents of Maybole, the Locality Planning consultation recently carried out, the length of the bus journey from Maybole to Girvan, and the other facilities available in Maybole.

The Panel raised concerns in relation to: how the consultation had been carried out commenting that the engagement should have been dealt with differently ensuring effective communication with the community; and the transport issues for service users; and after full consideration, the Panel

Decided: to request the Head of Community Health and Care Services to undertake further enquiries, in particular in relation to transportation issues, proposals on future consultation methods with the Community, the number of service users who were not participating in the current provision, and their reasons for this, and the facilities available in Maybole which could be used for social and community care related activities, and report back to the next meeting of this Panel on 10th December 2014.

5. **Panel Remit.**

There was submitted an excerpt from the Council's Scheme of Delegation (issued) ([link attached](#)) relating to the remit of this Panel.

The Executive Director – Resources, Governance and Organisation reported that although a draft version of the “Scrutiny Handbook” had been approved at the Leadership Panel on 30th September 2014, officers were requested to develop the section relating to Scrutiny Reviews for consideration and final approval of the handbook had been remitted to a future meeting of the Audit and Governance Panel.

Decided: to note the position meantime.

6 **Work Programme and Action Plan.**

There was submitted a draft form (issued) ([link attached](#)) that could be used by this Panel to assist them in developing a Work Programme/Action Log.

Members of the Panel commented on the timeslot of this Panel meeting, intimating there might be a need for scheduling more meetings depending on the quantity of Petitions and call-ins received and the Executive Director – Resources, Governance and Organisation advised that she would review the situation in six months. It was noted that decisions of this Panel and the other Scrutiny Panels would be tracked through the Action Log.

Decided: to note the position meantime.

7 Call-ins from Leadership Panel.

The Panel noted there were no call-ins from the Leadership Panel meeting which had taken place on 30th September 2014.

8. FOI/EIR Annual Report.

There was submitted a report (issued) ([link attached](#)) of 30th September 2014 by the Head of Legal and Democratic Services providing an annual update covering the period from 1st July 2013 to 30th June 2014 of the Council's response times and volume of requests under FOISA and EISR by subject matter and by applicant status.

Clarification was sought and provided on the handling process of FOI requests.

Decided:

- (1) to note the response rates and volume of requests under FOISA and EISR for 2013/14 as detailed in Appendix 1 of the report; and
- (2) to agree that current efforts across all Directorates be renewed to ensure that response times were maintained and improved where appropriate.

9. Remit from Leadership Panel – A Strategic Approach to Community Engagement.

Reference was made to the Minutes of the Leadership Panel of 30th September 2014 (Page 6, paragraph 12) when that Panel, having considered a report of 15th September 2014 ([link attached](#)) by the Head of Communities, had agreed

- (1) to note
 - (a) the feedback from the consultation work; and
 - (b) that consultation was still on-going with respect to locality planning and that the Action Plan would be augmented once this work was completed with an update reported to the Public Processes Panel; and
- (2) to agree
 - (a) the Action Plan as set out in Appendix 1 of the report;
 - (b) that future update reports be provided to the Public Processes Panel on a six monthly basis; and
 - (c) to remit this report to the Public Processes Panel to consider further as a basis for that Panel's future workstream.

After hearing the Head of Communities in explanation about the importance of consultation and engagement as services were being modernised and the links between community engagement and the emerging locality planning model for Health and Social Care Integration, and the Community Empowerment Bill, various questions and comments were made by the Panel in relation to:- the need to recognise the political element to engagement and involve local members in engagement activity, timeframes for the community to give their comments, the need to ensure clarity for those consulted to enable full understanding of what the topic of the consultation was and the important

role of Community Councils (and their Link Officers) and other recognised groups in the consultation and engagement process. Members expressed a concern to ensure continued progress with this topic and for regular reporting to this Panel to highlight both current good practice and continued improvements, the Panel

Decided:

- (i) to agree that Community Engagement would be a standing item for the Agenda for this Panel; and
- (ii) to note that progress reports from the Strategy Action Plan would be submitted on a six monthly basis to this Panel.

Councillor Ian Douglas left the meeting during consideration of the above item.

10. Tracking of Council/Panel Decisions.

There was submitted a report (issued) ([link attached](#)) of 1st October 2014 by the Executive Director – Resources, Governance and Organisation seeking approval for the proposals for the scrutiny of the implementation by officers of the decisions taken by the Council and Leadership Panel and other Panels.

After hearing the Executive Director – Resources, Governance and Organisation clarify the purpose of tracking and questions regarding the role of this Panel from Members, the Panel

Decided:

- (1) to note the arrangements that have been piloted to track, manage and report upon the decisions taken by the Council and its Panels; and
- (2) to approve the proposals for future tracking of decisions and reporting mechanisms as contained in paragraph 4 of the report.

The meeting ended at 12.45 p.m.