

## **PUBLIC PROCESSES PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 21st June 2016 at 10.00 a.m.

Present: Councillors Brian McGinley (Chair), Alec Clark, Ian Douglas, Hugh Hunter, Helen Moonie and John Wallace.

Apology: Councillor Peter Convery.

Attending: V. Andrews, Executive Director – Resources, Governance and Organisation; R. Riddiough, Head of Legal and Democratic Services; C. Cox, Planning and Development Manager; P. Wilkes, Co-ordinator (Registration, Records and Information); and J. McClure, Committee Services Lead Officer.

### **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. Call-ins from Leadership Panel.**

The Panel noted that there had been no call-ins from the Leadership Panel meeting which had taken place on 14th June 2016.

### **3. Minutes of previous meeting.**

The Minutes of the Public Processes Panel of 10th May 2016 (issued) ([link attached](#)) were submitted and approved.

### **4. Action Log and Work Programme.**

There was submitted the Action Log and Work Programme (issued) ([link attached](#)) as a guide for the Panel.

**Decided:** to note the current status of the Action Log and Work Programme.

### **5. Petitions Received but not Accepted.**

There was submitted a report (issued) ([link attached](#)) of 10th June 2016 by the Head of Legal and Democratic Services reporting on petitions that had been submitted but did not meet the criteria of this authority's Petitions Protocol and, therefore, would not be brought to the Panel.

The Head of Legal and Democratic Services advised of two petitions that had been received which did not meet the criteria and explained the reasons for this and a full discussion then took place in relation to the "six month rule" and the role of community engagement and prior consultation on proposals for decision by Council.

The Executive Director – Resources, Governance and Organisation outlined that the Petitions Protocol and Standing Orders were always open to review by Council and that the Petitions Protocol was a matter which could be considered by the Member/Officer Working Group – Pre-2017 Local Government Election.

**Decided:** having scrutinised the report, to note the contents of the report and to request that the Member/Officer Working Group – Pre-2017 Local Government Election examine the function and role of petitions.

## **6. Records Management Plan.**

There was submitted a report (issued) ([link attached](#)) of 10th June 2016 by the Head of Legal and Democratic Services providing an update on steps the Council must take in relation to the Public Records (Scotland) Act 2011 ('the Act').

Questions were raised by Panel Members in relation to work being undertaken with Internal Audit; whether target dates set were achievable; and whether guidelines were provided from the Keeper for producing a Records Management Policy; and the Co-ordinator (Registration, Records and Information) responded accordingly.

Following a comment from a Panel Member regarding confidential information being disposed of in the correct manner by Elected Members and Council staff, the Executive Director – Resources, Governance and Organisation advised that matters such as Data Protection and Information Security would be addressed at induction training for newly Elected Members following the 2017 Local Government Election and in the meantime a briefing note would be issued to all Elected Members advising of best practice in relation to personal information and consideration given to other appropriate training for members.

### **Decided:**

- (1) to note the contents of the report; and
- (2) to request that a further report be submitted to the next meeting of this Panel providing an updated work plan.

## **7. Protocol for Councillors Dealing with Planning Matters and Pre-Application Discussions.**

There was submitted a joint report (issued) ([link attached](#)) of June 2016 by the Head of Legal and Democratic Services and the Head of Enterprise, Development and Leisure seeking approval of a 'Protocol for Councillors Dealing with Planning Matters and Pre-Application Discussions'.

The Head of Legal and Democratic Services outlined that this protocol expanded on the Code of Conduct and offered guidance to Councillors in complying with the Code; and offered advice to members of the public involved or interested in a planning matter so that they could understand why Councillors might respond to a certain discussion in a particular way.

A full discussion then took place in relation to those major planning applications when all Elected Members had an involvement in decision making at full Council; the role of Community Councils as statutory consultees; the role of Elected Members at Community Council meetings when Planning matters were raised/discussed; and declarations of interest.

**Decided:** after considering the terms of the draft 'Protocol for Councillors Dealing with Planning Matters and Pre-Application Discussions,' as outlined in Appendix 1 of the report, to agree to recommend its adoption to Council, subject to minor amendments.

**8. Chair's Remarks.**

The Chair reminded all observers of the Panel that they should behave in an appropriate manner and not disrupt the meeting or they would be asked to leave.

The meeting ended at 11.00 a.m.