

MINUTE
of
CABINET

Minute of Meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock on 20 February 2014.

Present:

Councillor Jim Fletcher (Leader)	Councillor Alan Lafferty
Councillor Tony Buchanan (Deputy Leader)	Councillor Mary Montague
Councillor Danny Devlin	

Councillor Fletcher, Leader, in the Chair

Also Present:

Councillor Gordon Wallace (Item 941 only).

Attending:

Caroline Innes, Deputy Chief Executive; Margaret McCrossan, Head of Accountancy Services; Patrick Murray, Head of ICT; Iain MacLean Head of Environment (Planning, Property and Regeneration); and Paul O'Neil, Committee Services Officer.

Apologies:

Councillors Elaine Green, Ian McAlpine and Vincent Waters.

DECLARATIONS OF INTEREST

940. There were no declarations of interest intimated.

AUDIT AND SCRUTINY COMMITTEE INVESTIGATION ON PROCEDURAL ISSUES

941. The Cabinet considered a report by the Audit and Scrutiny Committee regarding its investigation on procedural issues.

Councillor Fletcher invited Councillor Wallace as Chair of the Audit and Scrutiny Committee to present the report to the Cabinet.

Prior to presenting the report to the Cabinet, Councillor Wallace thanked the members of the Audit & Scrutiny Committee, and in particular the Clerk, for all their work in preparing the report.

Councillor Wallace began by explaining the background to the investigation in the course of which he indicated that the Chief Auditor's Annual Report 2011/12 had included an independent annual opinion on the adequacy and effectiveness of the Council's internal controls for the year ending 31 March 2012. The report highlighted comments on four more significant matters requiring management action, one of which concerned systems access issues and a further one of which concerned employee declarations of interest.

Whilst noting that audits had identified that access to various Council systems was not always as well controlled as it should be and consequently the Chief Auditor had recommended periodic reviews of systems access and identification and deactivation of accounts unused for significant periods of time, Councillor Wallace stated that it had been agreed then to review the position on access issues identified and what the Council's exit check list covered.

Councillor Wallace stated that a further theme of various audits was that staff in specific services were being required to sign annual declarations of interest which were being done to varying degrees. The committee agreed to seek clarification on the extent to which declarations were made and recent recommendations of the Chief Auditor on this had been acted on. Around the same time, the committee had discussed the extent to which employees drive Council vehicles and/or claim related expenses and it was agreed to seek clarification of associated checks done.

He explained that the committee had pursued its work on these issues as a single investigation largely during the period March to December 2013 during which Members reflected on comments made by the Chief Auditor; provisions within the Council's Financial Regulations and Employees Code of Conduct; the content of some corporate personnel circulars (CPCs); and the authority's exit procedures check list.

Concluding his remarks, Councillor Wallace stated that the investigation had now been completed and the final report was attached as Appendix 1 together with an executive summary which had been prepared by the committee and approved by it at its meeting on 16 January 2014. He asked that the Cabinet to give consideration to the report on the committee's investigation on procedural issues and the associated executive summary and agree that response be prepared.

Councillor Fletcher having thanked Councillor Wallace for his presentation, the Cabinet agreed that a response to the report be prepared for consideration in due course.

REVENUE BUDGET MONITORING

942. The Cabinet considered a report by the Director of Finance, providing details of the position in respect of the undernoted revenue budgets for the period 1 April 2013 to 31 January 2014 and making recommendations in respect of the variances which had been identified during that period:-

- (i) Objective and Subjective Summaries;
- (ii) Education;
- (iii) Community Health and Care Partnership;

- (iv) Environment;
- (v) Environment – Support;
- (vi) Chief Executive’s – Community Resources;
- (vii) Chief Executive’s – Support;
- (viii) Finance;
- (ix) Other Expenditure and Other Income and Other Housing; and
- (x) Housing Revenue Account.

The report highlighted that some adjustments had been made to the budgets since they had been approved earlier in the financial year and whilst significant timing variances were identified in the report the expectation was that spend or income in relation to these variances would be in line with the budget at the year end. In terms of the overall budget performance, the current operational underspend of £11,057,461 was largely due to timing issues with the underlying real underspend being £1,902,230 (1.3%) of the profiled budget for the period. It was noted that a significant element of the underspend lay within the Education Department and would therefore be available for virement under devolved school management arrangements.

It was reported that the projected year end underspend was £2,510 million. A number of operational variances were also highlighted that required management action to ensure that expenditure would be in line with budget at the end of the financial year. At this time, it was expected that management action would lead to all overspends being recovered, that all underspends were consolidated wherever possible and that spending up to budget levels did not take place.

The Cabinet, having noted the current financial position at this time, agreed that all service departments:-

- (a) currently showing an overspend position take action to ensure that expenditure was within budget at year-end; and
- (b) ensure that effective control and measurement of agreed operational efficiencies were undertaken on a continuous basis.

TRADING UNDER BEST VALUE

943. The Cabinet considered a report by the Director of Finance, requesting that consideration be given to the classification of Council activities in terms of trading operations as defined by the Local Government in Scotland Act 2003.

The report explained that in terms of the Local Government in Scotland Act 2003, the Council was required to consider its trading operations and on an annual basis determine those which should be regarded as “significant”. Having noting the criteria that required to be met for a trading operation to be considered as “significant” and a further test of significance that required to be taken into account, the report explained that having taken these conditions into account, the result of the review for 2013/14 was that the Council had no “significant” trading operations.

The Cabinet approved that in terms of the Local Government in Scotland Act 2003 there were no trading services operated by the Council that should be classified as “significant”.

WEB CONTENT MANAGEMENT SYSTEM (WCMS) AND HOSTING SERVICES

944. The Cabinet considered and approved a report by the Director of Finance seeking an exemption from tendering procedures in accordance with Clause 6(iv) of the Council's Standing Orders Relating to Contracts, in relation to the provision of a Web Content Management System (WCMS) and hosting services from GOSS Interactive, for a period up to a maximum of 36 months from 1 December 2014 until 30 November 2017 at a cost of £14,570 per annum.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Leader, the Cabinet unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act.

ACQUISITION OF LAND AT AURS ROAD, BARRHEAD

945. The Cabinet considered a report by the Director of Environment seeking approval to acquire an area of land 3.18 acres in size from the current land owner, to facilitate the future straightening of a section of Aurs Road, Barrhead.

The Cabinet approved the acquisition of the 3.18 acres of land adjacent to Aurs Road, Barrhead, subject to the terms and conditions as outlined in the report.

CHAIR