

Meeting: Overview and Scrutiny Committee

Date: 2nd July 2012

Title: Extended Chronology on Advice Obtained from James Goudie QC

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Service: Legal Services

Directorate: Chief Executive's Office

Wards affected: All

1. Purpose of Report

This report is provided in follow up to a request made by the Overview and Scrutiny Committee at its meeting on 28 May 2012, to receive an extended chronology providing information about securing the recent advice of James Goudie QC concerning the Budget and Council Plan.

2. Recommendations

The Committee is requested to receive and note the extended chronology attached at Appendix 1.

3. Information

- 3.1 At its extraordinary meeting held on 9 May 2012, Overview and Scrutiny Committee requested clarification on a number of issues arising within the context of its consideration of the draft Implementation Plan. One request was that the Committee be provided with a chronology which would provide information about securing the recent advice of James Goudie QC concerning the Budget and Council Plan, and which should detail who originally asked for the advice and the authority to secure the advice prior to 1 March 2012.
- 3.2 In response to that request a chronology for that purpose was provided to the Committee for consideration at its meeting on 28 May 2012. On that date the Committee requested that the chronology be expanded to include details of what was discussed at each occasion advice was requested.

3.3 A revised and expanded chronology is attached at Appendix 1 for this purpose. The advice given to the Council by Mr Goudie, as referred to in the chronology, has been provided to members in the form of the Briefing Notes referred to in the chronology, further copies of which can be provided as required. The procedural advice obtained on 5 January was explained in detail in the procedural guidance notes issued by the Monitoring Officer during the 2012/13 budget setting process to Leaders, Deputy Leaders and Finance Spokespersons for each Group, firstly on 26 January 2012 and subsequently in revised/updated form.

3.4 Further, it was agreed at the meeting of Overview and Scrutiny Committee on 28 May that the Chief Executive would write on behalf of the Council to the Department of Communities and Local Government to request clarification as to the position in relation to review of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 and any timescale involved. A copy of the Chief Executive's email to CLG of 31 May, and of CLG's response of 14 June, are attached at Appendix 2.

4. Appendices:

1. Extended Chronology
2. Copy correspondence between the Chief Executive and CLG.