

**MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 11 OCTOBER 2012 at 10.00 am.**

**PRESENT**

Provost Tina Murphy (In the Chair)  
Councillor Donald Balsillie  
Councillor Janet Cadenhead  
Councillor Alastair Campbell  
Councillor Archie Drummond  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Irene Hamilton  
Councillor Craig Holden  
Councillor Kathleen Martin  
Councillor George Matchett, QPM  
Councillor Walter McAdam, MBE  
Councillor Bobby McGill  
Councillor Les Sharp  
Councillor Derek Stewart  
Councillor Graham Watt  
Councillor Gary Womersley

**IN ATTENDANCE**

Elaine McPherson, Chief Executive  
Nikki Bridle, Director of Finance and Corporate Services  
Stephen Crawford, Head of Facilities Management  
Stuart Crickmar, Head of Strategy and Customer Services  
Martin Dunsmore, Accounting and Budgeting Manager  
Belinda Greer, Head of Education  
Derek Barr, Procurement Manager  
Lisa Simpson, Governance Manager  
David Thomson, Solicitor, Legal Services (Clerk to the Council)  
Pat Kenny, External Auditor, Deloitte

**CC.45            APOLOGIES**

Apologies for absence were received from Councillor Jim Stalker.

**CC.46            DECLARATIONS OF INTEREST**

None

**CC.47                    EXTERNAL AUDIT FINAL REPORT TO MEMBERS ON THE 2012 AUDIT**

The report presented to Council the report by our new external auditors, Deloitte, on the Council's 2012 Audit. The report represented the completion of the first year of Deloitte's audit appointment. The Council heard from Mr Kenny, External Auditor, Deloitte, and thereafter had opportunity to put questions to him.

**Motion**

That the Council notes the content of the external audit report and approves the audited accounts for 2011/12.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

**Decision**

The Council unanimously agreed to note the content of the external audit report and approves the audited accounts for 2011/12.

**CC.48                    MINUTES OF MEETING: THURSDAY 16 AUGUST 2012**

The minutes of the meeting of the Clackmannanshire Council held on Thursday 16 August 2012 were submitted for approval.

Councillor Watt advised the undernoted amendment:

CC.40 Under Abstain (Not Voting), remove "Councillor Gary Womersley" and insert "Councillor Graham Watt".

**Decision**

Subject to the above amendment, the minutes of the meeting of the Clackmannanshire Council held on Thursday 16 August 2012 were agreed as a correct record of proceedings and signed by the Provost.

**CC.49                    COMMITTEE MEETINGS CONVENED SINCE PREVIOUS COUNCIL MEETING**

At its meeting on 1 June 2012, the Council agreed that a standing item would appear on each Council agenda indicating which committees had convened since the previous Council meeting and also indicating whether minutes of those committee meetings had been placed on the Members' Portal.

The Council noted the committee meetings that have taken place since the last Council meeting held on 16 August 2012.

**CC.50                    LEADER'S BRIEFING**

The Council noted a briefing by the Leader of the Council covering the period from August - September 2012 which outlined relevant key issues and activities.

## CC.51 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

The purpose of the report was to advise Council of recommendations which have been made by Committees which require approval by Council. Standing order 8.4 requires that where a committee passes a report to Council, the full committee report shall not be included again on the council agenda and that officers should prepare a brief report that refers to the relevant committee report and recommendation(s).

The Chief Executive advised that recommendation 2.1(b) is to be considered as part of the Budget Strategy report set out in Item 9 on the Agenda.

### Motion

That Council:

- a) from the **Housing, Health & Care Committee of 23 August** in relation to the report entitled **Strategic Housing Investment Plan (SHIP) and Strategic Local Programme (SLP)**:
  - *approves the option set out at paragraph 3.10.2 of the report to Committee as the basis of its Strategic Local Programme submission to the Scottish Government and revises its Strategic Housing Investment Plan 2012-15 accordingly.*
- b) from the **Housing, Health & Care Committee of 23 August** in relation to the report entitled **Energy Efficiency Initiatives**:
  - *agrees to draw forward up to £200k from the 2013/14 energy efficiency funding allocated in the HRA Capital Plan to make best use of the available grant funding in 2012/13. This is to be considered as part of Item 9 of the Budget Strategy Report (Paragraph 2.6.1) on today's Council Agenda.*
- c) from the **Enterprise & Environment Committee of 6 September** in relation to the report entitled **Clackmannanshire Apprenticeship Initiative**:
  - *agrees to support the Clackmannanshire Apprenticeship Initiative by providing £120,000 of funding over 3 financial years towards the overall cost of delivering the initiative.*
- d) from the **Enterprise & Environment Committee of 6 September** in relation to the report entitled Finalisation of **Clackmannanshire Biodiversity Action Plan 2012-2017**:
  - *notes the amendments made by the Committee and approves the Final Plan.*

### Voting

The Clerk advised that any of items (a-d) could be voted on separately in the event that there was not unanimity. Those which were agreed could be voted en-bloc.

The Provost confirmed that as there was a division on item (a), it would be voted on separately. The remainder of the motion would be voted en-bloc.

The voting on the motion (items b, c, and d) was as follows:

For the motion	17 votes
Against the motion	0 votes
Not voting	0 abstentions

The voting on the motion (item a) was as follows:

For the motion	10 votes
Against the motion	0 votes
Not voting	7 abstentions

### Decision

The Council unanimously agreed:

- b) from the **Housing, Health & Care Committee** of **23 August** in relation to the report entitled **Energy Efficiency Initiatives**:
- *to draw forward up to £200k from the 2013/14 energy efficiency funding allocated in the HRA Capital Plan to make best use of the available grant funding in 2012/13. This is to be considered as part of Item 9 of the Budget Strategy Report (Paragraph 2.6.1) on today's Council Agenda.*
- c) from the **Enterprise & Environment Committee** of **6 September** in relation to the report entitled **Clackmannanshire Apprenticeship Initiative**:
- *to support the Clackmannanshire Apprenticeship Initiative by providing £120,000 of funding over 3 financial years towards the overall cost of delivering the initiative.*
- d) from the **Enterprise & Environment Committee** of **6 September** in relation to the report entitled Finalisation of **Clackmannanshire Biodiversity Action Plan 2012-2017**:
- *to note the amendments made by the Committee and approves the Final Plan.*

On a division of 10 votes to 0 with 7 abstentions, the Council agreed:

- a) from the **Housing, Health & Care Committee** of **23 August** in relation to the report entitled **Strategic Housing Investment Plan (SHIP) and Strategic Local Programme (SLP)**:
- *to approve the option set out at paragraph 3.10.2 of the report to Committee as the basis of its Strategic Local Programme submission to the Scottish Government and revises its Strategic Housing Investment Plan 2012-15 accordingly.*

### Action

Chief Executive

## **CC.52 CORPORATE PRIORITIES 2012 - 2017**

The purpose of the report was to present to Council corporate priorities for the period 2012-2017.

### **Motion**

That the Council:

1. notes feedback on the consultation exercise;
2. adopts "Taking Clackmannanshire Forward" as its Corporate Priorities for 2012-17; and
3. agrees to review the Corporate Plan at the same time as the revised SOA for Clackmannanshire is approved in March 2013, to ensure full strategic alignment, and thereafter to an annual review each year in line with good practice.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

### **Voting**

The voting on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not voting	8 abstentions

### **Decision**

On a division of 9 votes to 0 with 8 abstentions, the Council agreed to:

1. note feedback on the consultation exercise;
2. adopt "Taking Clackmannanshire Forward" as its Corporate Priorities for 2012-17; and
3. review the Corporate Plan at the same time as the revised SOA for Clackmannanshire is approved in March 2013, to ensure full strategic alignment, and thereafter to an annual review each year in line with good practice.

### **Action**

Head of Strategy and Customer Services

## **CC.53 BUDGET STRATEGY UPDATE**

The purpose of the report was to update Council on progress made in delivering its approved Budget Strategy. A particular focus of this report is on further revisions to the indicative funding gap up to 2014/15, an update on the 2012/13 outturn position, and further information on how the budget strategy will be applied to bridge the indicative funding gap.

The Director of Finance and Corporate Services advised that within Paragraph 2.6.1 of the report, the bracketed information should refer to paragraph 4.11.

### **Motion**

That the Council:

1. note the recent information on the UK fiscal position and economic outlook (set out in Section 3 of the report);
2. note the key issues arising from the Scottish Government's Draft Budget Announcement on 21 September 2012;
3. note the indicative funding gap (set out in Table 2 of the report) reflecting new and updated information; and

4. note the Council's General Services and HRA revenue and capital outturn positions (set out in Table 3 of the report) as reported to the 4th October 2012 Resources and Audit Committee;
5. approve new business cases included at Appendices 3a and 3b in respect of Solar PV Panel installation and property purchase;
6. approve the reprioritisation of Housing Capital Programme to allocate £490K to expedite energy efficiency measures (set out in paragraph 4.11 of the report);
7. note the strategic themes that will form the basis of the Council's Transformation Programme (Appendix 4);
8. endorse the approach to the development of the 2013/14 budget (set out in paragraphs 4.1 to 4.5 of the report); and
9. endorse the approach to the development of service budget reduction targets (set out in paragraphs 5.6 and 5.7).

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

#### **Amendment**

"To replace Appendix 3B with the following:

To defer this decision in order to allow an investigation and business case into providing temporary homeless accommodation following the current successful provision at Backwood Court, Clackmannan, Lochbrae, Sauchie and the planned provision at Hallpark, Sauchie."

Moved by Councillor Janet Cadenhead. Seconded by Councillor Bobby McGill.

#### **Voting**

The voting on the amendment was as follows:

For the amendment	7 votes
Against the amendment	10 votes
Not voting	0 abstentions

The amendment was defeated by 10 votes to 7 with 0 abstentions.

The voting on the motion was as follows:

In terms of Standing Order 14.7, Councillor Walter McAdam MBE asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 members present who were eligible to vote. On the roll being called, the members present voted as follows:

#### **For the Motion (10)**

Provost Tina Murphy  
 Councillor Gary Womersley  
 Councillor Craig Holden  
 Councillor Donald Balsillie  
 Councillor Irene Hamilton  
 Councillor Ellen Forson  
 Councillor Les Sharp  
 Councillor Walter McAdam, MBE  
 Councillor Archie Drummond  
 Councillor Alastair Campbell

**Against the Motion (7)**

Councillor Kenneth Earle  
Councillor Derek Stewart  
Councillor Graham Watt  
Councillor Kathleen Martin  
Councillor Janet Cadenhead  
Councillor Bobby McGill  
Councillor George Matchett, QPM

**Abstain (Not voting) (0)****Decision**

On a division of 10 votes to 7 with 0 abstentions, the Council agreed to:

1. note the recent information on the UK fiscal position and economic outlook (set out in Section 3 of the report);
2. note the key issues arising from the Scottish Government's Draft Budget Announcement on 21 September 2012;
3. note the indicative funding gap (set out in Table 2 of the report) reflecting new and updated information; and
4. note the Council's General Services and HRA revenue and capital outturn positions (set out in Table 3 of the report) as reported to the 4th October 2012 Resources and Audit Committee;
5. approve new business cases included at Appendices 3a and 3b in respect of Solar PV Panel installation and property purchase;
6. approve the reprioritisation of Housing Capital Programme to allocate £490K to expedite energy efficiency measures (set out in paragraph 4.11 of the report);
7. note the strategic themes that will form the basis of the Council's Transformation Programme (Appendix 4);
8. endorse the approach to the development of the 2013/14 budget (set out in paragraphs 4.1 to 4.5 of the report); and
9. endorse the approach to the development of service budget reduction targets (set out in paragraphs 5.6 and 5.7).

**Action**

Director of Finance and Corporate Services

**CC.54 CONTRACT STANDING ORDERS**

The report set out proposed amendments to the Council's Contract Standing Orders (CSOs).

**Motion**

That the Council:

1. approves the revision of Contract Standing Orders that are attached to the report (Appendix 1) and agreed to their adoption for all procurement from 1st January 2013;
2. approves the changes to the Approval to Accept and Award Contracts detailed in Contract Standing Orders section 38, page 27 (Appendix 1);
3. notes the Corporate Procurement Processes "The Procurement Journey" which aims to embed a stronger compliance and governance culture across the Council from 1st January 2013;
4. approves the Sustainable Procurement Policy and delivery plan attached to the report as Appendix 2 and Appendix 3; and

5. notes that, whilst changes to Contract Standing Orders require the approval of Council, changes to the Corporate Procurement Processes may be implemented by the Chief Executive in consultation with the Governance Manager and Procurement Manager.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

#### **Amendment**

"Ask for deferment on this item until Members have had a briefing on it."

Moved by Councillor McGill. Seconded by Councillor Kenneth Earle.

Councillor Womersley asked for an adjournment to consider the amendment. The Provost agreed to incorporate this adjournment into the adjournment set out in Standing Order 10.25. The Provost adjourned the meeting at this point in the proceedings (12.25 pm). When the meeting resumed at 12.55 pm, seventeen (17) members remained present.

#### **Decision**

The Council agreed unanimously to defer consideration of this item until the next Council Meeting (20 December 2012) to allow the opportunity for a Members' briefing to be held in the interim.

#### **Action**

Governance Manager

### **CC.55 POLICE AND FIRE REFORM**

The purpose of the report was to provide an update on the current position in respect of the police and fire reform and to advise the Council of options for the organisation of local policing.

#### **Motion**

That the Council:

- a. notes the progress in the national reform of the police and fire services;
- b. agree to advise the Chief Constable that the Council's preferred approach to area policing is to have a local commander dedicated to Clackmannanshire;
- c. notes that further discussions will take place with the fire service to determine the designation of a senior officer for Clackmannanshire and to take forward the development of a local plan; and
- d. agrees scrutiny arrangements as set out in paragraph 5.10 of the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Les Sharp.

#### **Amendment**

"To adopt Option 1 and designate the current Superintendent role within Stirling and Clackmannanshire Area Command, Central Scotland Police, as the new Local Police Commander for both the Stirling and Clackmannanshire Council areas."

Moved by Councillor George Matchett QPM. Seconded by Councillor Bobby McGill.

## **Voting**

The voting on the amendment was as follows:

For the amendment	8 votes
Against the amendment	9 votes
Not voting	0 abstentions

The amendment was defeated by 9 votes to 8 with 0 abstentions.

The voting on the motion was as follows:

For the motion	17 votes
Against the motion	0 votes
Not voting	0 abstentions

## **Decision**

The Council agreed unanimously to:

- a. note the progress in the national reform of the police and fire services;
- b. advise the Chief Constable that the Council's preferred approach to area policing is to have a local commander dedicated to Clackmannanshire;
- c. note that further discussions will take place with the fire service to determine the designation of a senior officer for Clackmannanshire and to take forward the development of a local plan; and
- d. the scrutiny arrangements as set out in paragraph 5.10 of the report.

## **Action**

Chief Executive

## **CC.56 ICT STRATEGY**

The report presented to Council "Better Connected Clackmannanshire" an Information and Communications Technology (ICT) Strategy for the period 2012-2017 and the Information Strategy for the same period.

## **Motion**

That the Council adopts the ICT Strategy and Information Strategy for the period 2012-2017 as set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

## **Decision**

The Council agreed unanimously to adopt the ICT Strategy and Information Strategy for the period 2012-2017 as set out in the report.

## **Action**

Director of Finance and Corporate Services

**CC.57                    REVIEW OF PRE-SCHOOL PROVISION AT LADYWELL NURSERY -  
APPROVAL TO CONSULT ON PROPOSALS**

The report sought approval from the Council to conduct a formal public consultation, required under the Schools (Consultation) (Scotland) Act 2010, with a view to a proposed change in nursery provision in Tullibody from stand alone nursery to nursery class.

**Motion**

That Council:

- a. agrees to formal public consultation on the proposals:
  - I. to merge education provision at St. Serf's Primary School and Ladywell Nursery School
  - II. that the merged education provision is managed by the head teacher of St. Serf's Primary School
  - III. that the nursery should be retained in its current building and operate as a nursery class of the primary school
  - IV. that Ladywell Nursery School should be renamed "St. Serf's Primary School Nursery Class".
- b. notes that a report on the findings of the consultation will be brought back to Council on 14 March 2013.

Moved by Councillor Ellen Forson. Seconded by Councillor Walter McAdam MBE.

**Decision**

The Council agreed unanimously to:

- a. formal public consultation on the proposals:
  - I. to merge education provision at St. Serf's Primary School and Ladywell Nursery School
  - II. that the merged education provision is managed by the head teacher of St. Serf's Primary School
  - III. that the nursery should be retained in its current building and operate as a nursery class of the primary school
  - IV. that Ladywell Nursery School should be renamed "St. Serf's Primary School Nursery Class".
- b. note that a report on the findings of the consultation will be brought back to Council on 14 March 2013.

**Action**

Head of Education

Ends: 2.00 pm