

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 26 JUNE 2014 at 10.00 am.

PRESENT

Provost Tina Murphy (In the Chair)
Councillor Donald Balsillie
Councillor Janet Cadenhead
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 Jim Stalker
Councillor Derek Stewart
Councillor Graham Watt
Councillor Gary Womersley

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Stuart Crickmar, Head of Strategy and Customer Services
Val De Souza, Head of Social Services
Phillip Gillespie, Assistant Head of Social Services (Adult Care)
Alan Milliken, Assistant Head of Education
Graeme Finlay, Principal Planner
Julie Hamilton, Development Services Manager
John Munro, ICT Service Manager
Liz Shaw, Chief Accountant
Mac West, Roads and Transportation Manager
Andrew Wyse, Solicitor, Clerk to the Council

Before the start of business, on behalf of the Council, Councillor Sharp moved a vote of thanks to the Provost for her work in relation to the Clackmannanshire leg of the Queen's Baton Relay - Glasgow 2014 Commonwealth Games. The Provost responded and congratulated officers for their work in showcasing Clackmannanshire in a positive light.

In terms of Standing Order 11.6, the Provost advised the Council that an item of urgent (exempt) business in relation to the proposed lease of Lime Tree House, Alloa, had been submitted for consideration. In terms of Standing Order 11.7, the Provost intimated that this matter would be accepted onto the agenda as agenda item 20 given the Council was going into recess following today's meeting and the matter required a decision before the next meeting of the Council on 14 August 2014.

CC.214 APOLOGIES

Apologies for absence were received from Councillor Alastair Campbell.

CC.215 DECLARATIONS OF INTEREST

None

**CC.216 MINUTES OF MEETING OF THE CLACKMANNANSHIRE COUNCIL HELD
ON THURSDAY 15 MAY 2014**

The minutes of the meeting of the Clackmannanshire Council held on Thursday 15 May 2014 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on Thursday 15 May 2014 were agreed as a correct record of proceedings and signed by the Provost.

**CC.217 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL
MEETING ON 15 MAY 2014**

The Council agreed to note the committee meetings that have taken place since the last Council meeting on 15 May 2014:

- | | |
|--|-----------------------|
| • Housing, Health and Care Committee | 22/05/14 |
| • Education Appeals Committee | 30/05/14 |
| • Appointments Committee | 03/06/14 and 04/06/14 |
| • Enterprise and Environment Committee | 05/06/14 |
| • Regulatory Committee | 10/06/14 |
| • Resources and Audit Sub Committee | 11/06/14 |
| • Planning Committee | 12/06/14 |
| • Education, Sport and Leisure Committee | 19/06/14 |
| • Resources and Audit Committee | 19/06/14 |

CC.218 NOTIFICATION OF CHANGES TO STANDING ORDERS

Notice was given at the meeting of the Council on Thursday 15 May 2014 under Standing Order 20.7 of intention to bring to Council proposals to amend Standing Orders. No such proposals have been submitted and, therefore, no substantive report was submitted to this meeting.

In terms of Standing Order 20.7, Councillor Gary Womersley gave notice that proposals to amend Standing Orders will be brought before the next meeting of the Council on 14 August 2014.

CC.219 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report which sought Council approval of recommendations made by committees during the May to June 2014 cycle of meetings was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed:

- (1) From the Housing, Health and Care Committee of 22 May 2014 in relation to the report entitled "Housing and Community Safety Service Business Plan 2014-2015" to ratify the decision of the Committee to:
 - Approve the new three year community safety strategy with delivery plan.

- (2) From the Education, Sport and Leisure Committee on 19 June 2014 in relation to the report entitled "Consideration of Petitions re Artwork at Fairfield" Approve the action recommended by the Education, Sport and Leisure Committee following presentation of the two petitions in respect of artwork at Fairfield and consideration of the report by the Head of Education
 - The Clerk advised the Council that the Education Sport and Leisure Committee meeting had taken place one day after the agenda for the Council Meeting had been issued and consequently, on the casting vote of the Convenor, (Standing Order 14.4), the Committee had agreed to defer the above item of business until the next meeting of the Committee (02/10/14) and accordingly no action is required at this stage.

- (3) From the Education, Sport and Leisure Committee on 19 June 2014 in relation to the report entitled "Expansion of Entitlement to 600 Hours Early Learning and Childcare to Two Year Old Children" to ratify the decision of the Committee to:
 - Approve the amended recommendation as follows:
 - (a) £300k of interim capital funding be allocated from the uncommitted element of the Making Clackmannanshire Better (MCB) Programme.
 - (b) the required capital works at the five properties identified as suitable for the accommodation of two year old children.
 - (c) the reimbursement of the MCB interim funding on receipt of confirmation of allocated capital funds from Scottish Government.

Action

Chief Executive/Depute Chief Executive

CC.220 LEADER'S BRIEFING

A briefing report which informed elected members of a range of issues and activities which the Council Leader has been engaged with in the past quarter was submitted by the Leader of the Council. The intention of the report was to assist in raising awareness amongst elected members of a number of matters which affect the Council or the area and, as such, future workstreams.

The Council agreed to note the information set out in the report.

**CC.221 PROPOSED CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN,
OPEN SPACE STRATEGY AND DOLLAR/MUCKHART CONSERVATION
AREA APPRAISAL**

A report which sought approval of the Council's 'Schedule 4' responses and the Council's responses to the Directorate of Planning and Environmental Appeals (DPEA) was submitted by the Executive Director. The report also described the process undertaken to date and what will happen once the responses are agreed by Council.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to approve:

- (a) the Schedule 4 responses to the representations received for submission to the Directorate for Planning and Environmental Appeals (DPEA) for consideration by a Reporter or Reporters
- (b) the associated Statement of Conformity with Participation Statement (appendix 1 of the report).
- (c) the Open Space Strategy subject to minor changes (appendix 2 of the report)
- (d) the Muckhart Conservation Area Appraisal subject to minor changes (appendix 3 of the report)
- (e) the Draft Dollar Conservation Area Appraisal for consultation

Action

Development Services Manager

CC.222 SHARED SERVICES

A report which sought Council's approval to achieve deeper integration of Education and Social Services across Clackmannanshire and Stirling by moving to full lead authority models for the provision of each of those services, subject to the development of appropriate business case(s) was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.
Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously:

- (a) to note the findings of the report.
- (b) to affirm the further development of shared social work and education services with Stirling Council.
- (c) to confirm the principle that the intention is to take forward that further development according to the lead authority model.
- (d) that full business cases be carried out on the lead authority model; and
- (e) that, prior to implementation of the model, full business cases are reported back to both councils for a final decision.

Action

Chief Executive

CC.223 HEALTH AND SOCIAL CARE INTEGRATION

A report which set out the background to health and social care integration, the outcomes that integration is seeking to achieve and a proposal for a model of governance to take forward the legislative requirements was submitted by the Chief Executive.

The Chief Executive pointed out a typographical error at paragraph 2.1(e) (page 67). The sentence should refer to a 'Scheme of Integration' and *not* a 'Scheme of Delegation'.

Motion

That Council agrees the recommendations set out in the report.
Moved by Councillor Gary Womersley. Seconded by Councillor Les Sharp.

Decision

The Council agreed unanimously:

- (a) to note the provisions and requirements of the Public Bodies (Joint Working) (Scotland) Act 2014 as set out in the report.
- (b) to pursue health and care integration based on a body corporate model of governance

- (c) that, as far as possible, integration should be on a joint approach with Stirling Council consistent with shared service arrangements.
- (d) that the existing Partnership Board and Joint Management Team structures act as shadow bodies for the purposes required by legislation.
- (e) to note that a Scheme of Integration will be presented for approval to a future meeting of the Council.

Action

Chief Executive

CC.224 JOINT INSPECTION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE IN CLACKMANNANSHIRE

A report which brought to Council's attention the publication of the report of the recent Joint Inspection of Services for Children and Young People in Clackmannanshire was submitted by the Chief Executive.

The joint inspection was undertaken by a team of inspectors from Education Scotland, the Care Inspectorate, Healthcare Improvement Scotland and HM Inspectorate of Constabulary and looked at services for children and young people in the Clackmannanshire community planning area and covered the full range of work including services provided by health visitors, school nurses, teachers, doctors, social workers, police officers and the voluntary sector.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Amendment 1

Amendment to 2.1c

Removal of "agrees that the Resources and Audit Sub Committee should receive monitoring reports on the implementation of the action plan", and replace with

"agrees that both the Resources and Audit Sub Committee and the Resources and Audit Committee should receive monitoring reports on the implementation of the action plan.

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

Voting on Amendment 1

The amendment was carried unanimously.

Amendment 2

I propose the following amendment to item 11 on the agenda.

In the recommendations at 2.0 on page 79 :

At 2.1(a) Delete - "notes the findings of the report" and insert - "notes that the Care Inspectorate is not confident in the quality and effectiveness of services to protect children".

And at 2.1(e) Insert - "action plan and" between "notes that the" and "follow up report" and add "for their consideration" after "the Council"

Moved by Councillor Archie Drummond. Seconded by Councillor Bobby McGill.

The Provost agreed to adjourn the meeting at this point in the proceedings (1230 hrs) to allow consideration of Amendment 2. When the meeting resumed at 1235 hrs, 17 members remained present.

Voting on Amendment 2

The amendment was carried unanimously.

Councillor Drummond withdrew from the meeting at this point in the proceedings (1312 hrs). Sixteen members remained present.

Decision

The Council agreed unanimously to support the motion as amended by amendments 1 and 2.

Accordingly, the Council agreed :

- (a) to note that the Care Inspectorate is not confident in the quality and effectiveness of services to protect children.
- (b) to note that the community planning partnership is preparing an action plan to address the improvement areas referred to in the inspection report.
- (c) that both the Resources and Audit Sub-Committee and the Resources and Audit Committee should receive monitoring reports on the implementation of the action plan.
- (d) to note that the inspection team will review the partnership's progress in taking forward these actions in a year's time, and
- (e) to note that the action plan and follow-up report will also be presented to the Clackmannanshire Alliance and the Council for their consideration.

The Provost adjourned the meeting at this point in the proceedings (1320 hrs).

Councillor McAdam and Councillor McGill withdrew from the meeting at this point.

When the meeting resumed at 1350 hrs, 14 members remained present.

**CC.225 NHS FORTH VALLEY SUPPORTED BUS SERVICES IN
CLACKMANNANSHIRE**

A report which updated Council on NHS Forth Valley proposals for replacement of their current H1 and H2 Bus Services linking Clackmannanshire to Forth Valley Royal Hospital was submitted by the Senior Service Manager. The report provided an opportunity for the Council to be consulted on NHS Forth Valley proposals which it is understood was considered by their Performance and Resources Committee on 24 June 2014, subject to any subsequent comments from the Council.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Balsillie.

Decision

Having considered and commented on the proposals contained in the NHS Forth Valley report attached as Appendix 1 to the report, the Council agreed unanimously that notwithstanding the identification by the Project Team of Option 10a as the most viable option a letter based on a draft produced to councillors by Councillor Balsillie be issued to NHS Forth Valley stating the Council's preference for Option1(a) in the report to retain the status quo until such time as a workable solution can be found. It was further agreed that consultation would take place between the respective political groups on the terms of the letter to be sent.

Action

Chief Executive

CC.226 SUMMER HOLIDAY HEALTHY LUNCH SCHEME

A report which updated Council on the provision of a summer holiday healthy lunch scheme from the 30 June 2014 to the 18 August 2014 for primary school children who ordinarily receive free school meals was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Jim Stalker.

Decision

The Council agreed unanimously to note :

- (a) arrangements in place to provide access to a healthy lunch on week days to all primary school children who ordinarily receive free school meals, throughout the course of the forthcoming summer holidays starting 30 June 2014.
- (b) engagement with parents of children entitled to free school meals, and the latest update on likely uptake.
- (c) engagement to date with potential community partner organisations across Clackmannanshire.
- (d)/

- (d) that the Head of Strategy and Customer Services will prepare an evaluation report on conclusion of the scheme.

Action

Head of Strategy and Customer Services

CC.227 ANNUAL REVIEW OF DEBTORS 2013-14

A report which provided Council with an update on income collection rates, arrears positions and provided recommendations for writing off those arrears classified as irrecoverable or 'bad debts' was submitted by the Revenues and Payments Manager.

The report also set out the main improvement actions currently being developed by the service to improve on performance.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

Having commented on the continuing challenges and developments in respect of income collection and recovery arrangements, the Council agreed unanimously to:

- (a) Note the trends in income collection levels and the related arrears positions.
- (b) Approve the write off of £740,908 which represents 1.06% of the total Council debt raised in the year (Table 3 of the report refers)
- (c) Note the continuing challenges and developments in respect of income collection and recovery arrangements.
- (d) Approve the revision proposed in the report to the Corporate Debt and Write Off Policy (paragraphs 6.2 and 6.4 of the report refers)
- (e) Note that ongoing monitoring of performance is being undertaken through the respective Service Committees and corporately through the Resources and Audit Committee (paragraph 8.1 of the report refers)

Action

Revenues and Payments Manager

CC.228 DRAFT FINANCIAL STATEMENTS 2013/14

A report which indicated to Council that it is required by law to prepare a statement of accounts in accordance with 'proper practices' which sets out its financial position at the end of each financial year was submitted by the Depute Chief Executive.

In line with the draft Financial Statements, the report also incorporated a summary of the financial outlook for the Council and replaced the usual update provided as part of the separate Budget Strategy update report.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to:

- (a) approve the 2013/14 draft Financial Statements as presented to 23 June 2014 elected member briefing and summarised in the report
- (b) approve the 2013/14 Clackmannanshire Council Sundry Trust Funds draft Report and Financial Statements as presented to 23 June 2014 elected member briefing and summarised in the report.
- (c) approve the submission of these draft Financial Statements to the Controller of Audit no later than 30 June 2014, and
- (d) otherwise note the information set out in the report.

Action

Depute Chief Executive

CC.229 ANNUAL TREASURY REPORT 2013/14

A report which detailed the Treasury Management activities for the Council for 2013/14 and invited the Council to consider the Annual Report for 2013/14 of the Council's Treasury Management activities was submitted by the Depute Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to note and approve the Annual Report for 2013/14 of the Council's Treasury Management activities.

**CC.230 CLACKMANNANSHIRE COUNCIL ASSURANCE AND IMPROVEMENT
PLAN 2014-2017**

A report which advised Council formally of the publication in June by Audit Scotland of the Clackmannanshire Council Assurance and Improvement Plan (AIP) Update 2014-2017 (attached as an appendix to the report) was submitted by the Chief Executive.

While the Resources and Audit Committee will be invited to review the publication in more detail, given the overarching nature and corporate importance of the AIP, the report was submitted to full Council for information.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to:

- (a) Welcome and note the recent publication by Audit Scotland of the Assurance and Improvement Plan Update 2014-17 for Clackmannanshire
- (b) Note the findings and intended planned scrutiny activity to March 2017.

Action

Depute Chief Executive

Councillor Irene Hamilton withdrew from the meeting at this point in the proceedings (1510hrs).

Thirteen members remained present.

EXEMPT INFORMATION

The Council resolved in terms of Section 50(A) of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 8 (CC.221) and 9 (CC.222).

CC.231 GEOGRAPHIC INFORMATION SERVICES

A report which brought to the attention of Council certain issues in regard to the company thinkWhere (formerly Forth Valley GIS) was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to support the recommendations set out in the report.

Action

Chief Executive

Councillor George Matchett withdrew from the meeting during discussion of the following item (1553 hrs).

Twelve members remained present.

CC.232 PROPOSED SALE OF GREENFIELD HOUSE, ALLOA

A report which advised Council of the outcomes of marketing Greenfield House for sale and to seek agreement on a preferred bidder following the closing date on 4 June 2014 was submitted by the Executive Director.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to support the recommendation set out in the report.

Action

Executive Director

EXEMPT INFORMATION

The Council resolved in terms of Section 50(A) of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 6 and 9.

CC.233 PROPOSED LEASE OF LIME TREE HOUSE, ALLOA

In terms of Standing Order 11.7, the Provost had indicated previously that this item of urgent business in relation to the proposed lease of Lime Tree House, Alloa, would be taken as a matter of urgency given the Council was going into recess following today's meeting and the matter required a decision before the next meeting on 14 August 2014.

A report which advised members of an interest in leasing the Council's former office accommodation at Lime Tree House was submitted by the Executive Director.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to support the recommendation set out in the report.

Action

Executive Director

Ends 1635 hrs

