Clackmannanshire Council

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Kilncraigs, Alloa, Scotland, FK10 1EB (Tel.01259-450000)

Meeting of Clackmannanshire Council

Thursday 14 May 2015 at 10.00 am.

Venue: Council Chamber, Patons Building,
Kilncraigs, Greenside Street, Alloa, FK10 1EB

Contact Strategy and Customer Services, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB
Phone: 01259 452106/452004 Fax: 01259 452230 E-mail: customerservice@clacks.gov.uk Web: www.clacksweb.org.uk

Date	Time

Clackmannanshire Council

There are 32 Unitary Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at the 9 weekly meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

Details of all of our Council and Committee dates and agenda items are published on our website at www.clacksweb.org.uk

If you require further information about Council or Committee meetings, please contact Strategy and Customer Services by e-mail at customerservice@clacks.gov.uk or by telephone on 01259 452106 or 452004.

06 May 2015

A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 14 MAY 2015 at 10.00 am.

ELAINE McPHERSON
Chief Executive

BUSINESS

			Page No.
1.	Apologies		--
2.	Declaration of Interests		--
	Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.		
3.	Confirm Minutes of Meetings (Copies herewith):		
	(a)	Meeting of Clackmannanshire Council held on Thursday 5 March 2015	07
	(b)	Special Meeting of Clackmannanshire Council held on Thursday 26 March 2015	13
4.	Committee Meetings Convened Since the Previous Council Meeting on 23/10/14 *(For information Only)*		- -
	(a)	Planning Committee 12/03/15 & 21/04/15	
	(b)	Regulatory Committee 24/03/15 & 12/05/15	
	(c)	Licensing Board 26/03/15, 31/03/15 & 28/04/15	
	(d)	Housing, Health and Care Committee 02/04/15	
	(e)	Local Review Body 21/04/15	
	(f)	Education, Sport and Leisure Committee 23/04/15	
	(f)	Resources and Audit Committee 30/04/15	
5.	Leader's Briefing - report by the Leader of the Council (Copy herewith)		17
6.	Committee Recommendations Referred to Council - report by the Chief Executive (Copy herewith)		19

Page No.

7.	Representation on Outside Bodies: Children's Hearing Scotland, Clackmannanshire Area Support Team - report by the Head of Strategy and Customer Services (Copy herewith)	23
8.	An Overview of Local Government in Scotland - report by the Chief Executive (Copy herewith)	27
9.	Budget Strategy Update - report by the Depute Chief Executive (Copy herewith)	43
10.	Clackmannanshire Council Local Scrutiny Plan 2015 - report by the Chief Executive (Copy herewith)	51
11.	Clackmannanshire Alliance Governance Arrangements - report by the Head of Strategy and Customer Services (Copy herewith)	61
12.	Fifth Review of Electoral Arrangements - Proposals for Ward - report by the Chief Executive (Copy herewith)	75
13.	Interim Arrangements for Appointments to Proper Officer Roles - report by the Head of Resources and Governance (Copy herewith)	81
14.	Adoption of the Clackmannanshire Local Development Plan and Associated Documents - report by the Head of Development and Environment (Copy herewith)	85
15.	Annual Property Review 2015/16 - report by the Head of Development and Environment (Copy herewith)	97

Clackmannanshire Council – Councillors and Wards

Councillors

Wards

Provost	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Les Sharp	1	Clackmannanshire West	SNP
Councillor	Jim Stalker	1	Clackmannanshire West	LAB
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Archie Drummond	2	Clackmannanshire North	INDP
Councillor	Walter McAdam, MBE	2	Clackmannanshire North	SNP
Councillor	Bobby McGill	2	Clackmannanshire North	LAB
Councillor	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Graham Watt	3	Clackmannanshire Central	LAB
Councillor	Gary Womersley	3	Clackmannanshire Central	SNP
Councillor	Janet Cadenhead	4	Clackmannanshire South	LAB
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	SNP
Councillor	Alastair Campbell	5	Clackmannanshire East	CONS
Councillor	Irene Hamilton	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LAB

THIS PAPER RELATES TO ITEM 3 (a) ON THE AGENDA

Clackmannanshire Council
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MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 5 MARCH 2015 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 Jim Stalker
Councillor Derek Stewart
Councillor Graham Watt
Councillor Gary Womersley

Rev Sang Y Cha, Appointed Member (Church of Scotland) (Item 5)
Father Michael Freyne, Appointed Member (Roman Catholic Church) (Item 5)

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Stephen Coulter, Head of Resources and Governance
Stuart Crickmar, Head of Strategy and Customer Services
David Leng, Head of Education
Val de Souza, Head of Social Services
Gordon McNeil, Head of Development and Environment
Andrew Wyse, Team Leader, Legal Services - Clerk to the Council
Gillian White, Business Support to the Council - Minutes

CC.280 APOLOGIES

None

CC.281 DECLARATION OF INTERESTS

None

CC.282 MINUTE OF MEETING OF THE CLACKMANNANSHIRE COUNCIL HELD ON 18 DECEMBER 2014

The minutes of the Meeting of the Clackmannanshire Council held on Thursday 18 December 2014 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on Thursday 18 December 2014 were agreed as a correct record of proceedings and signed by the Provost.

CC.283 MINUTE OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL HELD ON 24 FEBRUARY 2015

The minutes of the Special Meeting of the Clackmannanshire Council held on Tuesday 24 February 2015 were submitted for approval.

Amendment

The Clerk advised that there had been some amendments to the dates listed on **CC.278 General Services and HRA Revenue and Capital Budget 2014/15.** An updated copy had been circulated to members.

9. a 0% increase in the level of Council Tax for **2014/15**, resulting in Band D remaining at £1,148 (paragraph 5.5) **- the dates in bold should be 2015/16**;

18. the financing limits placed on capital investment for **2014/15** - 2019/20 based on the underpinning assumptions in Table 7 and paragraph 8.11 - **the dates in bold should be 2015/16**;

19. the General Services Capital Budget for **2014**-2020 (Appendix M) - **the date in bold should be 2015**;

20. the HRA Capital Budget for **2014**-18 based on the HRA Financial Business Plan (Appendix N), having taken account of the amendments set out in Appendix O **- the date in bold should be 2015**;

Moved by Councillor Les Sharp. Seconded by Councillor Donald Balsillie.

Decision

Subject to the above amendments, the minutes of the Special Meeting of the Clackmannanshire Council held on Tuesday 24 February 2015 were unanimously agreed as a correct record of proceedings and signed by the Provost.

CC.284 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 14 AUGUST 2014

The Council agreed to note the committee meetings that had taken place since the last Council meeting on 18 December 2014:

(a) Enterprise and Environment Committee 15/01/15
(b) Licensing Board 20/01/15 & 03/03/15
(c) Regulatory Committee 27/01/15
(d) Housing, Health and Care Committee 29/01/15
(e) Education, Sport and Leisure Committee 05/02/15
(f) Resources and Audit Sub Committee 18/02/15
(f) Resources and Audit Committee 26/02/15

CC.285 ABERCROMBY PRIMARY SCHOOL DEVELOPMENT - OPTION APPRAISAL

The report, submitted by the Head of Education, informed members of the results of the initial Abercromby Primary School options appraisal exercise and sought Council permission for the Education Service to carry out informal public consultation on three of the appraised options.

Religious Representatives on the Education, Sport and Leisure Committee - Reverend Sang Y Cha and Father Michael Freyne were in attendance as voting members for this item.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Ellen Forson.

Decision

The Council and Religious Representatives unanimously agreed to undertake an informal public consultation in relation to appraisal options 5, 7 and 9 for a new school(s) including the option to include civic centre provision on the site of the existing civic centre and adjoining land.

Action

Head of Education

Reverend Sang Y Cha and Father Michael Freyne withdrew from the meeting prior to the following item of business.

CC.286 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

The report, submitted by the Chief Executive, sought Council approval of recommendations which were made by Committees during the December 2014 - February 2015 cycle of meetings.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Irene Hamilton.

Decision

The Council agreed unanimously to approve:

1. from the Enterprise and Environment Committee of 15th January, 2015 in relation to the report entitled "Clackmannanshire Local Employability Partnership Employability Strategy Final Report"

    - that the 2 key priority programmes for the Council to deliver under the employment strategy:

    i) the expansion of a modern apprenticeship programme within the Council, employing 16-24 year olds throughout Council services.

ii) to build on the positive destination programme for our school leavers, to increase the number of school leavers moving and sustaining positive employment, study and career destinations; and to note a further report detailing the proposed activity outcomes and objectives to deliver the 2 key programmes set out above will be brought back to a future Enterprise and Environment Committee.

Action

Chief Executive

CC.287 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 unanimously agreed to note the information set out in the report.

CC.288 HEALTH AND SOCIAL CARE INTEGRATION SCHEME

The report, submitted by the Chief Executive, sought approval for the Draft Scheme for Health and Social Care Integration so that it can be submitted to the Scottish Government by the required deadline.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Janet Cadenhead.

Decision

The Council unanimously agreed to:

a. approve the draft Integration Scheme (as appended to the report) for submission to the Scottish Government;

b. note the position in respect of the recruitment of the Chief Officer; and

c. note the work programme of the Integration Board in the coming year.

Action

Chief Executive

CC.289 REALIGNING CHILDREN'S SERVICES - PROPOSAL TO PARTICIPATE

The report, submitted by the Chief Executive, informed the Council of the Realigning Children's Services (RCS) Strategic Commissioning Programme and sought Council's approval for an application to be made to participate in the Programme.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Ellen Forson.

Decision

The Council unanimously agreed to:

a. apply to participate in the RCS Programme;

b. recommend to the Clackmannanshire Alliance its participation in the Programme; and

c. note that the financial contribution required from the Council would be sources from the Council's existing Spend to Save fund.

Action

Chief Executive

CC.290 APPOINTMENT TO OUTSIDE BODY

The report, submitted by the Head of Resources and Governance, provided information on the changes to governance arrangements by our pension fund provider, Falkirk Council, as they directly affect Clackmannanshire Council and recommended that an elected members takes up the Council's position on the new Pension Board due to be established on 1st April 2015.

Motion

That Council agrees the recommendations set out in the report and appoints Councillor Archie Drummond as the Council's representative on the new Pension Board with Councillor Donald Balsillie as substitute..

Moved by Councillor Les Sharp. Seconded by Councillor Bobby McGill.

Decision

The Council unanimously agreed to:

1. note the changes to the governance arrangements for Falkirk pensions and the disestablishment of the Pension Panel;

2. appoint Councillor Archie Drummond as the Council's representative on the new Pension Board; and

3. nominate Councillor Donald Balsillie as a substitute representative on the new Pension Board.

Action

Head of Resources and Governance

CC.291 TREASURY MANAGEMENT STRATEGY STATEMENT 2015-2016

The report, submitted by the Chief Accountant, presented the Council's Treasury Management Strategy Statement for 2015/16.

Motion

To agree the recommendation as set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Donald Balsillie.

Decision

The Council unanimously agreed to approve the Treasury Management Strategy Statement for 2015/16, attached as Appendix A to the report.

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, Paragraph 9.

CC.292 PROPOSED SALE CLAREMONT PRIMARY, ALLOA

The report, submitted by the Head of Development and Environment, sought approval for the sale of the Claremont Primary School site.

The Chief Executive and Councillor Earle withdrew from the meeting during questions to the officers.

Motion

To defer consideration of the report subject to more detailed information being provided and a members' briefing being arranged for all members. The revised report will be brought back to a Special Meeting of the Council.

Moved by Councillor Les Sharp. Seconded by Councillor Bobby McGill.

Decision

The Council unanimously agreed to defer consideration of the report subject to more detailed information being provided and a members' briefing being arranged for all members. The revised report will be brought to a Special Meeting of the Council.

Ends: 12:55 pm

THIS PAPER RELATES TO ITEM 3 (b) ON THE AGENDA

Clackmannanshire Council
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MINUTES OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 26 MARCH 2015 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 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
Gordon McNeil, Head of Development and Environment
Ahsan Khan, Head of Housing and Community Safety
Andrew Wyse, Team Leader, Legal Services - Clerk to the Council
Gillian White, Business Support to the Council - Minutes

***

The Provost advised that under Standing Order 6.5 she had called the Special Meeting of the Council to consider the three items on the Agenda. She was satisfied that all three are items which require urgent decisions prior to the next ordinary meeting of the Council.

***

CC.293 APOLOGIES

Apologies were submitted by Councillor Alastair Campbell and Councillor George Matchett, QPM.

CC.294 DECLARATION OF INTERESTS

None.

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 items of business on the grounds that they involved the likely disclosure of exempt information as detailed in Schedule 7A, Paragraph 9 of Schedule 1 of the Act

CC.295 ACQUISITION OF LAND AT PRIMROSE STREET, ALLOA

The report, submitted by the Head of Housing and Community Safety, sought Council approval for the acquisition of land at Primrose Street, Alloa, subject to due diligence measures. The acquisition will be fully funded by the Scottish Government's affordable housing and will contribute to the ongoing regeneration of Alloa Town Centre.

The Head of Housing and Community Safety advised that there was an error in paragraph 2.1.3 of the report. It should state "set out in 4.7 of the report" not 4.9.

Motion

To approve the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to:

1. approve the acquisition of the former Co-op site at Primrose Street, Alloa, as shown on the plan attached as Appendix 1, subject to due diligence measures;

2. approve the use of Scottish Government affordable housing supply budget to fund the acquisition of this site; and

3. note the risk to the Council, set out in 4.7 of the report.

Action

Head of Housing and Community Safety

CC.296 PROPOSED SALE OF FORMER CLAREMONT PRIMARY SCHOOL, ALLOA

The report, submitted by the Head of Development and Environment, sought Council approval for an off-market sale of the Former Claremont Primary School site to Bellway Homes Limited in order that they can extend their adjoining housing development on the former Alloa Academy site.

Motion

That Council agrees to accept the unconditional offer from Bellway Homes Limited for the sale of the former Claremont Primary School site (as marked "A" on Appendix 1 Plan) on the terms and at the price detailed in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Les Sharp.

Decision

That Council agreed unanimously to accept the unconditional offer from Bellway Homes Limited for the sale of the former Claremont Primary School site (as marked "A" on Appendix 1 Plan) on the terms and at the price detailed in the report.

Action

Head of Development and Environment

CC.297 PROPOSED SALE OF GREENFIELD HOUSE, ALLOA

The purpose of the report, submitted by the Head of Development and Environment, was for Council to consider four expressions of interest which were submitted following a closing date on 30 January 2015.

Motion

That Council considers the four valid bids summarised in Appendix 1 of the report and agree upon which party to confer preferred bidder status.

Moved by Councillor Les Sharp. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to consider the four valid bids summarised in Appendix 1 of the report and agree upon which party to confer preferred bidder status.

The Provost agreed to adjourn the meeting at this point in the proceedings (11.10 am) to allow consideration the four valid bids. When the meeting resumed at 11.35 am, 16 members remained present.

The members put forward the following options for approval:

Option 2 (as set out in the table at 5.6 of the report) - Kapital Residential Limited

To confer preferred bidder status on Kapital Residential Limited

Moved by Councillor Sharp. Seconded by Councillor Balsillie.

Option 1 (as set out in the table at 5.6 of the report) - Mr and Mrs A Bradie

To confer preferred bidder status on Mr and Mrs A Bradie

Moved by Councillor McGill. Seconded by Councillor Stewart.

The Provost advised that, as there are two options for consideration, the matter would be put to the vote.

Voting

For Option 2 - Kapital Residential Limited	8 votes
For Option 1 - Mr and Mrs A Bradie	8 votes

On a division of 8 votes to 8, Option 2 - Kapital Residential Limited, was carried on the casting vote of Provost Tina Murphy.

Decision

On a division of 8 votes to 8, on the casting vote of the Provost, the Council agreed to confer preferred bidder status on Kapital Residential Limited and that officers proceed to negotiate a sale to the preferred bidder on the basis of the terms submitted in their bid.

Action

Head of Development and Environment

Ends: 12 noon

THIS PAPER RELATES TO ITEM 5 ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Date of Meeting: 14 May, 2015

Subject: Leader's Briefing

1.0 Purpose

1.1 The purpose of this briefing is to inform all elected members of a range of issues and activities which I have been engaged with in the past quarter. It is also intended to assist in raising awareness amongst members of a number of matters which affect the Council or the area and, as such, inform future workstreams.

1.2 Should any member of the Council wish to discuss any of the issues in this report in more detail, I will be happy to meet with them.

1.3 The report covers the period March - April, 2015.

2.0 National Issues Affecting Clackmannanshire

CoSLA

2.1 I attended the CoSLA Leaders' Meeting on 27th March and the Depute Leader attended, on my behalf, the CoSLA Leaders' Meeting on 24th April, 2015. Items discussed at the meetings were:

CoSLA Leaders' - 27th March:

- Membership Issues
- Consultation on Required Reporting of Climate Change Duties
- Improving Wage Levels in the Social Care Sector
- Roads Collaboration a) Governance, b) Programme
- Scotland's Economic Strategy
- Public Procurement Consultation
- Kinship Care Allowances
- Local Government Event on Educational Attainment

CoSLA Leaders' Meeting - 24th April:

- Carers (Scotland) Bill
- The One in Five Campaign: Involving Disabled People in Politics
- Broadband and Digital
- Scottish Business Pledge
- Leaders Work Plan
- Rurality Distribution
- Commission on Local Tax Reform

2.2 Associated papers for these meetings have been placed on the members' portal for members to access.

3.0 Partnership Working

3.1 I attended the following **NHS FV meetings/events**:

- 4th March - Clackmannanshire and Stirling Transitional Board
- 31st March - NHS FV Board Meeting
- 1st April - Clackmannanshire and Stirling Transitional Board
- 1st April - Clackmannanshire and Stirling Transitional Board - Strategic Planning Workshop

3.2 On 6th March, I chaired a meeting of the **Clackmannanshire Alliance**. Items discussed were:

- Alliance Governance, Structure and Resourcing
- Public Protection Matters - Presentation on Criminal Justice Transition
- Children's Services Matters
- Partnership Team Matters
- Health and Social Care Integration Update
- Clackmannanshire Third Sector Report
- Community Planning Outcomes Profile

3.3 I attended the Fife and Forth Valley Criminal Justice Authority Board Meeting on 17th March.

3.4 I attended a meeting on 22nd April with the Chief Executives of Clackmannanshire and Stirling Councils and Leader of Stirling Council regarding Shared Services.

3.5 Associated papers for these meetings have been placed on the members' portal for members to access.

4.0 Staff and Other Visits

4.1 I attended the following events:

- 25th March - I spoke at the Carers' Forum - Celebrating a Year of Care with Confidence
- 30th March - National Health and Social Care Leadership Event - Leading Integration to Deliver Better Outcomes
- 18th April - attended with Provost and Deputy Lord Lieutenant the celebration of Mrs Elizabeth Pollock's 100th Birthday in Menstrie House
- 28th April - Workers' Memorial Day 2015
- 29th April - Presentation on Police Scotland National Risk and Concern Project

4.2 I would be happy to provide additional information on any of the above events.

[redacted]

Cllr Les Sharp
Leader of the Council
May, 2015

THIS PAPER RELATES TO ITEM 6

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date: 14th May, 2015

Subject: Committee Recommendations Referred to Council

Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to seek Council approval of recommendations which have been made by committees during the February - April, 2015 cycle of meetings.

1.2 Under the Council's decision-making framework, Council has delegated certain matters to committees and has reserved certain powers. Included in the latter are the approval of main policies and strategies (Scheme of Delegation 3.2), the approval of budgets (Scheme of Delegation 3.19) and the spending of money not budgeted for (Scheme of Delegation 3.20).

1.3 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).

2.0 Recommendations

2.1 It is recommended that Council:

1. from the **Resources and Audit Committee** of **26th February, 2015** in relation to the report entitled "*Clackmannanshire Council Internal Audit and Fraud Annual Plan 2015/16*"

- Formally approves the Internal Audit and Fraud Annual Plan 2015/16

2. from the **Resources and Audit Committee** of **26th February, 2015** in relation to the report entitled "*Resources and Audit Forward Plan"*

- Approves the Resources and Audit Forward Plan for 2015/16

3. from the **Housing, Health and Care Committee** of **2nd April, 2015** in relation to the report entitled "*Strategy and Regeneration Update*"

- Promotes a Compulsory Purchase Order to assemble land required for phase 2 of the affordable housing development in Tillicoultry, as detailed in 4.9 and appendix 2 of the report.

2.2 The minutes and reports relating to these items are available on the Members' Portal.

3.0 Sustainability Implications

NA

4.0 Resource Implications

4.1. *Financial Details*

4.2. N/A

4.3. Staffing N/A

5.0 Declarations

5.1 The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

Our communities are more cohesive and inclusive
Vulnerable people and families are supported
The Council is effective, efficient and recognised for excellence

(2) **Council Policies** (Please detail) N/A

6.0 Equalities Impact

6.1 N/A

7.0 Legality

7.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

8.0 Appendices

8.1 None

9.0 Background Papers

a) Resources and Audit Committee Agenda of 26th February, together with Minute

b) Housing, Health and Care Committee Agenda of 2nd April, together with Minute

Author(s)

NAME	**DESIGNATION**	**SIGNATURE**
Elaine McPherson	Chief Executive	

THIS PAPER RELATES TO ITEM 7

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Clackmannanshire Council

Date of Meeting: 14 May 2015

Subject: **Representation on Outside Bodies: Children's Hearing Scotland, Clackmannanshire Area Support Team**

Report by: Head of Strategy & Customer Services

1.0 Purpose

1.1. Councillor Les Sharp has submitted his resignation as the Council's representative on Children's Hearing Scotland, Clackmannanshire Area Support Team. The purpose of this report, therefore, is to seek a decision from Council on its future representation on the Area Support Team.

2.0 Recommendations

2.1. It is recommended that Council:

2.1.1 considers whether or not it wishes to continue to have a representative on the Area Support Team;

2.1.2 should it agree to have a representative on the Area Support Team, nominates the Convenor of Education, Sport & Leisure to the position.

3.0 Considerations

3.1 In June, 2012, the Council nominated Councillor Sharp as its representative on Children's Hearing Scotland, Clackmannanshire Area Support Team. Following Councillor Sharp's appointment as Leader of the Council on 3 November, 2014, there are now conflicting commitments, therefore, Councillor Sharp has submitted a letter of resignation to Children's Hearing Scotland, Clackmannanshire Area Support Team (AST).

3.2 The resulting vacancy, if filled, is required to be determined by Council.

3.3 The role of local authority representative is to have an overview of the Children’s Hearings System and the Children’s Panel in their own area. They will be aware of local issues and act as an important link between the Children’s Panel and local authorities. Given the Convenor of Education, Sport & Leisure is children's champion in Clackmannanshire, there are clearly strong synergies with a role on the Children's Hearing System.

3.4 The representative is required to attend 2 AST meetings and 4 Area Team meetings annually. There is a current proposal to reduce this to 1 AST meeting and 2 Area Team meetings from June 2015, though the dates are still to be agreed.

3.5 In accordance with Section 4 of the Councillors' Code of Conduct, every Elected Member has a personal responsibility to register interests financial and otherwise. The Code advises that Councillors must now register all directorships and positions of office in public bodies, clubs, organisations and societies. Guidance notes on the registration of interests have been issued to every Clackmannanshire Councillor.

3.6 Elected Members nominated to external bodies may be required to undertake training in relation to their duties on that body. This will be provided in-house and Members should be prepared to attend, if possible

3.7 Should the Council nominate an Elected Member to the Area Support Team, that Member will have a personal responsibility to register the position in the register of interests.

4.0 Resource Implications

4.1 *Financial Details*

N/A

4.2 Staffing

N/A

5.0 Exempt Reports

5.1 Is this report exempt? No

6.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

The Council is effective, efficient and recognised for excellence ☐

(2) **Council Policies** (Please detail)

7.0 Equalities Impact

7.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No X

8.0 Legality

8.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

9.0 Appendices

9.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

10.0 Background Papers

10.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

- The Standards Commission for Scotland, Guidance on the Councillors Code of Conduct.
- Cllr Sharp's Letter of Resignation to Children's Hearing Scotland, Clackmannanshire Area Support Team.
- Terms of Reference for representatives on the Area Support Team (available on the Members' portal)

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Eileen McKinsley	Senior Business Support Officer	2011

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Head of Strategy & Customer Services	
Garry Dallas	Executive Director	

THIS PAPER RELATES TO ITEM 8

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 14 May, 2015

Subject: An Overview of Local Government in Scotland 2015

Report by: Chief Executive

1.0 Purpose

1.1. The purpose of this report is to advise Council of the publication by the Accounts Commission of *An Overview of Local Government in Scotland, 2015*, and to bring to Council's attention the key messages, findings and recommendations contained in that report.

1.2 The publication can be found online at:
http://www.audit-scotland.gov.uk/docs/local/2015/nr_150305_local_government_overview.pdf

2.0 Recommendations

2.1. It is recommended that Council:

a) notes the publication by the Accounts Commission of *An Overview of Local Government in Scotland, 2015,* and the key messages, findings and recommendations it contains;

b) notes the commentary offered at section 5 of this report*;* and

c) encourages its elected members to familiarise themselves with the Overview report and to consider the recommendations for councillors that it contains.

3.0 Background

3.1 The Accounts Commission is the public spending watchdog for local government. Its 2015 Overview report draws on the findings from local government audit work in 2014 (e.g. audits of financial statements, Best Value, community planning partnerships and performance reports) and provides a high-level, independent view on how councils are managed and perform.

3.2 The Overview report is intended to be '*primarily for councillors, as a source of information and to support them in their complex and demanding role*.' The focus of this year's report is the financial context in which councils are operating and how councils are managing the financial challenges. The report also highlights what councils and their partners need to do to help deal with the ongoing and increasing pressures.

3.3 The next sections of this report summarise some of the key messages, findings and recommendations of the annual Overview report. There is also some officer commentary on certain of the findings at Section 5.

4.0 Overview Report - Key Messages & Findings

The Financial Context - Key Messages & Findings

4.1 The first part of the Overview report considers the financial context across Scottish local government. Elected members will recognise many of the findings as they are consistent with the issues which are affecting Clackmannanshire Council.

4.2 *Key messages* on the financial context of Scottish local government in the Overview report are:

a) in the context of overall reductions in public sector budgets, between 2010/11 and 2013/14, Scottish Government funding for councils decreased by 8.5 per cent in real terms (allowing for inflation). Further reductions in the Scottish budget are likely, particularly in 2016/17 and 2017/18.

b) demand for council services is rising because of population changes, in particular demand for services for older people. Alongside this, councils deliver national policies such as those relating to school class size targets and housing quality standards and by deciding to freeze council tax levels.

c) there are other matters which potentially place pressures on councils' finances for example, increasing borrowing costs, equal pay claims and welfare reforms. Almost all councils are now predicting a gap between their income and the cost of providing services.

4.3 Among *the findings* on the financial context of Scottish local government included in the Overview report are that:

a) councils should be able to manage budgetary pressures in 2015/16 but the years beyond that they pose a level of challenge not previously experienced.

b) the funding gap means that to pay for services councils will have to increase their income, improve efficiency, divert money from lower priority services, or a combination of these. If they are unable to do this they will have to use some of their reserves, although this is a short-term option. 20 councils reduced their level of useable reserves in 2013/14.

c) further budget reductions are expected and demands for services are increasing. The challenge for councils is to implement strategies that bridge the funding gaps.

d) as councils' funding is decreasing in real terms, it is important that they consider options to increase the income from fees. However, councils have to consider the benefits that the extra income brings alongside the impact that higher charges have on the people using the services and the administrative cost of collecting these charges.

e) nationally, spending on most of the main services has fallen since 2010/11, except on social work and environmental services. (The increase in social work spending is due in part to increased spending on care for older people, reflecting the population trend. The net increase in environmental services is due mainly to changes in the way that some trading activities are reported in councils' accounts, and a new accounting requirement to plan for the costs of restoring landfill site.

These factors in respect of environmental services do not apply in the case of Clackmannanshire.)

f) some smaller services have generally experienced a higher percentage of budget reductions.

g) some councils have policies against compulsory redundancy which restrict their ability to manage changes or reductions to their workforce and make associated savings.

h) an increasing proportion of councils' budgets will be required to repay debts and other financial commitments; annual interest and debt repayments on borrowing have increased from £946 million in 2009/10 to £1.5 billion in 2013/14.

i) population projections indicate that there will be increasing demand for council services at the same time as financing charges are anticipated to peak.

j) auditors report that so far councils are managing the impact of welfare reform and many are spending money on support for people affected.

k) added to financial pressures is the challenge for councils in establishing effective health and social care partnerships with their health colleagues. This is the most significant change in the public service landscape in Scotland in recent years.

Dealing with the Pressures - Key Messages & Findings

4.4 The second part of the Overview report focuses on how councils are dealing with the pressures which exist because of the financial context.

4.5 *Key messages* on this in the Overview report are:

a) councils have reduced staff numbers to help make savings. They have paid out £352 million in voluntary severance since 2010/11. There is an increasing risk that reductions in staff numbers, and the associated loss of skills and experience, will affect essential support services

b) despite reductions in funding, available data indicates that councils have continued to improve or maintain services. However, sustaining improvement is becoming more challenging and councils face increasingly difficult decisions about providing services.

c) effective financial and performance management help councils relieve pressures through, for example, targeting resources at their priority areas, and identifying better ways to provide services. Councils need to take more account of service users' priorities and get better at using local data and involving communities in planning and delivering services.

d) effective planning and budgeting help councils target resources, but there is limited evidence of longer-term financial planning. 18 councils do not have long-term financial plans covering a period of five or more years. This can limit how well they understand the full implications of their spending and borrowing.

e) governance needs to keep pace with changes in staff, management and political structures. This applies within councils and in joint working between councils and their partners, particularly in community planning.

f) councillors need clear information to help them scrutinise services and make effective decisions. Councillors should also make sure they get the training and support they need to help them fulfil their demanding roles.

4.6 Among *the findings* in terms of how local government is dealing with the financial pressures are:

a) faced with increasing demand and reduced budgets, councils are finding it harder to continue to improve or maintain the level and standard of services. Although savings plans are in place, councils will need to consider more fundamental changes.

b) as budgets are cut, councils need to review thoroughly how they deliver services and identify new, more efficient or better ways of delivering them. They need to act on the results of the reviews, which should be informed by better use of data and user views, to improve services.

c) as they consider proposals to reduce or stop services, councils need to identify the benefits and risks associated with each option. These include the implications for how services perform, the impact on service users and the effect on longer-term outcomes for people and communities.

d) although councils have reduced their staff numbers to make savings, it is crucial that they understand and manage the effect of these reductions and continue to improve or maintain the impact their services have on people's lives. Councils also need to ensure they have enough people with the right skills to deliver their ambitious change and improvement programmes, both now and in the future.

e) where further staff reductions are planned, it is important that councils have comprehensive workforce plans and strategies to help manage the impact of significant staff reductions.

f) there is a risk that some councils' management teams may now be too small, or lack the skills and experience, to oversee and control their wide-ranging responsibilities. This can make effective leadership and management more challenging.

g) changes to staffing and management structures as a result of workforce reductions and organisational changes affect existing governance arrangements so it is important that councils review governance arrangements when changes are made.

h) reducing staff alone is not sustainable to help manage further budget reductions and councils need to continue:

    - reviewing how they deliver services
    - assessing whether what they are doing is the most efficient and effective option, both in the current circumstances and in the future. If this is not the case, councils need to consider fundamental changes.

i) to target their limited resources effectively, councils need to work with local people to understand what their needs are and what services will have the best and most sustainable impact on their lives. Local people can bring insights and experiences to planning, developing and delivering services, complementing those of council staff.

j) while CPPs continue to improve how they consult with local people, they are not yet working with them to improve local services. Genuinely involving users in decisions about how services are delivered is typically not happening. There is significant potential for councils to improve how they involve the public.

k) there is limited evidence of councils moving towards preventative services. Prevention is an important element in managing future demand for services, and is therefore an important element in securing financial sustainability.

l) responding effectively to the current and continuing financial pressures means that councils will have to be bold and take risks. They cannot afford to be risk averse, so the focus is on being risk aware.

m) effective planning and budgeting help councils target resources, but there is limited evidence of longer-term financial planning. It is important that councils develop and maintain long-term financial plans, looking five to ten years ahead, to direct and control their finances and set the context for annual budgets. Plans should also show whether the council’s finances are sustainable over this period of time.

n) it is important that councils are clear about local priorities and national policies and develop their budgets to target resources at these. There should be clear connections between the local priorities that the council and its partners have set out in their SOA and the way they target the combined resources they have available for public services in the area.

o) councillors need good information to scrutinise services and make effective decisions.

p) councillors need training to help them set budgets and scrutinise performance. It is more important than ever that councillors have appropriate knowledge and expertise to carry out their role effectively.

5.0 Clackmannanshire - Some Commentary on the Overview Report

5.1 In terms of the key messages and findings in respect of the financial context, there is very little in the Overview report which the Council will not recognise. This part of the Overview report reinforces the fact that most other councils in Scotland are facing the same challenges as we are in Clackmannanshire.

5.2 In terms of the section of the report relating to dealing with the financial context, there are certain matters which merit some commentary on the local position as follows:

- *staffing and capacity* - consistent with the trend outlined in the Overview report, Clackmannanshire Council is seeking to reduce its staff numbers as a means of reducing its expenditure. To this end, Council agreed a fund of £1M in its 15-16 budget to support voluntary severance. As has been reported in the Depute Chief Executive's Budget Update report which is also before Council, a number of individuals have been released on this basis. In addition, a number of other staff have been successful recently in gaining positions with other organisations. These combined factors are resulting in reduced capacity in some areas of the Council which will necessitate a period of transition while teams and services settle into revised arrangements

- *staffing and vacancy management* - there was a general freeze on recruitment in the months leading up to the budget. While necessary so as not to commit resources which the Council might have wished to use to close the funding gap, this freeze had a significant, and unsustainable, impact on the capacity of many services. Since March of 2015, requests to fill vacancies are again coming forward to the corporate management team for consideration. Each request is reviewed against core criteria of: risk to life, harm to people, failure to meet statutory duty and legal/financial risks of not filling the post. Consideration is also given to whether the work of the post can be carried out in a different way. The Accounts Commission stresses the need to have a workforce strategy in place given the financial context and this action was agreed by the Council at its budget meeting. The task is being piloted in the Assets service currently. A corporate workforce plan will come to Council in due course tying in with the budget planning cycle as part of *Making Clackmannanshire Better*

- *partnership working* - in the 2015 Overview report, as in 2014, the Accounts Commission comments on the potential for partnership working to bring with it efficiencies through ensuring connections between local SOA priorities and the way partners' combined resources are targeted. This approach is not to any great extent a reality yet in Clackmannanshire, with each partner individually working on its funding gap in isolation. (This may be a contributing factor to the lack of activity the Accounts Commission comments on in relation to preventative spending.) Among the ambitions for health and care integration is that the pooled resources which will be the responsibility of a joint board will facilitate more effective targeting of resources and more opportunities for efficiencies. While health and care integration is still at a relatively early stage, in the current financial year partnerships are required to agree the details of finance and resourcing. This experience may offer an impetus to similar joint resourcing approaches being taken across other areas of public service beyond health and adult care. As Council is aware from another report on this agenda, the Clackmannanshire Alliance is also reviewing its governance arrangements with a view to enhancing accountability and scrutiny and to promoting more effective partnership working.

- *long term planning* - the Accounts Commission highlights that the majority of Scottish councils have not developed long-term (5-10 years) financial plans to 'direct and control their finances and set the context for annual budgets'. Locally, the Council has sought to create medium to longer term financial planning over a number of budget rounds and *Making Clackmannanshire Better* was established to provide the strategic framework for delivering the longer term planning context. To date there has been more explicit evidence of this in relation to capital budgets. However, with the greatest forecast pressure being on revenue, greater strategic direction from the Council would facilitate a longer term financial planning approach by providing more clarity on the prioritisation of what the Council spends overall on which services (as opposed to focusing on bridging a financial gap)

- *good information for scrutinising performance and making decisions* - the Accounts Commission rightly points out that elected members must have good information on which to base budget decisions and also good information for scrutinising service performance. In respect of budget decisions, senior management are introducing new templates for each officer budget proposal so that there is consistency in the detail and presentation of the information provided. In addition, there are standard templates for the presentation of business cases and service reviews. In terms of information for scrutinising performance, a workshop for elected members on the Resources & Audit Committee has been organised for the 10 June 2015 as agreed by the Resources and Audit Committee in February. A pre-workshop questionnaire based on the self assessment tool for councillors (Supplement 1 of the Overview Report) has been issued to all councillors, chief officers and senior managers from partner organisations who attend the Resources & Audit Sub-committee. Output from the workshop will inform a scrutiny improvement training needs analysis.

6.0 Overview Report Recommendations for Councillors

6.1 The 2015 Overview report makes a number of recommendations directly to Scotland's councillors. The recommendations are that councillors should:

a) assess whether they have appropriate knowledge and expertise, in areas such as assessing financial and service performance, to carry out their role effectively

b) review their training needs and request the training and support they require to help them consider options, make decisions and scrutinise performance

c) ensure that council officers provide high-quality financial and performance information to support effective scrutiny and decision-making

d) ensure that councils, when developing their priorities, use local socio-economic data and work with service users and local communities to understand their needs and explore ways of meeting them

d) ensure that they consider all practical options for delivering services to meet the needs of service users and local communities, within the resources available

e) consider carefully the benefits and risks related to each option and make sure they receive information about the impact of the option they choose, including monitoring the risks associated with change

e) ensure that their council has financial plans covering the short term (1-2 years), medium term (3-5 years) and longer term (5-10 years). These plans should set out the council's financial commitments, identify any challenges with the affordability of services and set out clearly how the council ensures its financial position is sustainable over an extended period

f) review their council's governance arrangements following significant changes in staff, management and political structures. This includes ensuring their current management teams have the skills and capacity to provide effective leadership and management of finances, services and improvement programmes, and having succession plans for when senior managers retire or leave the council

h) ensure their council has a comprehensive workforce strategy to help manage the impact of staff reductions.

6.2 The Accounts Commission asks that councillors ensure the recommendations in the Overview report are implemented, where appropriate, and has provided a self-assessment tool to help councillors do this. This is attached as the appendix to this report and can also be found online at:

http://www.audit-scotland.gov.uk/docs/local/2015/nr_150305_local_government_overview_supp1.pdf

6.3 Officers would welcome any feedback from councillors who undertake the self-assessment to inform how improvements in support and information could be made.

7.0 Conclusions

7.1 The Overview Report sets out very starkly the challenges facing Scottish local government and acknowledges that:

'almost all councils' auditors have indicated risks to councils' financial positions in the medium to long term. Specific risks identified by auditors include councils:

- *spending more money than they planned*
- *not making the savings they planned*
- *having to compromise unexpectedly on the quality of services they deliver, without having worked with service users to review and evaluate other options*
- *being unable to meet the increasing demand for services*
- *not having enough money in their reserves that they can use, if required.'*

7.2 Clackmannanshire Council is vulnerable to these risks and the Council needs to ensure that it takes the necessary steps to align its operations to the resources available to it.

8.0 Sustainability Implications

8.1 There are no direct sustainability implications arising from this report.

9.0 Resource Implications

9.1 *Financial Details* - there are no direct financial implications arising from this report.

9.2 *Staffing* - there are no direct staffing implications arising from this report.

10.0 Exempt Reports

10.1 Is this report exempt? No

11.1 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

The Council is effective, efficient and recognised for excellence

(2) **Council Policies** (Please detail) N/A

Single Outcome Agreement

12.0 Equalities Impact - N/A

13.0 Legality

13.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

14.0 Appendices -

Appendix - An overview of local government in Scotland 2015, Self-assessment tool for councillors

15.0 Background Papers

15.1 Have you used other documents to compile your report?

An Overview of Local Government in Scotland, 2015 - Accounts Commission, March, 2015

Available online at: http://www.audit-scotland.gov.uk/docs/local/2015/nr_150305_local_government_overview.pdf

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Elaine McPherson	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	

An overview of local government in Scotland 2015

Self-assessment tool for councillors

ACCOUNTS COMMISSION

This self-assessment tool is designed to help councillors review progress in implementing the recommendations in our report, *An overview of local government in Scotland 2015* [PDF]. They should consider each issue listed and decide which statement most accurately reflects their current situation. This approach will enable them to identify what actions need to be taken.

The last column in the checklist can be used to record sources of evidence, supplementary comments to support the assessment or to highlight actions to take forward.

	Assessment of current position (continued)					
Issue	**No** action needed	**No** but action in hand	**Yes** in place but needs improving	**Yes** in place and working well	**Not applicable**	**Comments**
Skills and expertise (paragraphs 97 to 99 [PDF])						
• Councillors review and update their own training needs and identify areas where they require further training.						
• Councillors work together with officers to ensure the council provides or arranges relevant training for them in appropriate areas, including assessing financial and service performance.						

	Assessment of current position (continued)					
Issue	**No** action needed	**No** but action in hand	**Yes** in place but needs improving	**Yes** in place and working well	**Not applicable**	**Comments**
• Councillors ensure they get support from officers when they identify gaps in knowledge and understanding.						
Financial and performance information (paragraphs 90 to 96 [PDF])						
• Officers are working to improve the way they report financial and performance information to councillors to make it clearer and easier to understand.						
• Officers provide councillors with relevant, up to date performance data, including benchmarking the council's performance with other relevant organisations or services.						
• Officers report performance information to the public in a way that helps them understand the council's performance.						
• Officers make councillors aware of future funding gaps and provide them with information to help make decisions on how to close the gaps.						
• Officers make councillors aware of changes to the proportion of the council's budget that will be required to repay debt.						

Cont.

Issue	Assessment of current position (continued) **No** action needed	**No** but action in hand	**Yes** in place but needs improving	**Yes** in place and working well	**Not applicable**	**Comments**
• Officers make councillors aware of the financial impact of national and local policies (eg, taxes on land and buildings transactions, waste disposal to landfill and the implications of the Smith Commission agreement).						
Using local data and working with communities (paragraphs 53 to 61 [PDF])						
• The council uses local socio-economic data and works in close co-operation with service users to understand their needs, explore ways of meeting them, and deliver the services.						
• Officers make councillors aware of population trends in the area and the implications for service demand and capital budgets.						
Service delivery options (paragraphs 62 to 68 [PDF])						
• The council is reviewing all practical options for delivering services in new ways to help save money and improve services. It is identifying the benefits and risks of each option and monitoring the impact of the option chosen, including the risks associated with change						

Cont.

Issue	Assessment of current position (continued)					
	No action needed	**No** but action in hand	**Yes** in place but needs improving	**Yes** in place and working well	**Not applicable**	**Comments**
• Councillors are aware of what actions the council has taken so far to make savings and the extent of staff reductions to date, and the impact of these on service delivery.						
• The council is investing in preventative approaches to help manage future demand for services						
• The council has a comprehensive workforce strategy to help plan and manage the impact of staff reductions						
Financial planning (paragraphs 69 to 73 [PDF])						
• The council has financial plans for the short (1-2 years), medium (3-5 years) and long term (5-10 years).						
• The strategies set out financial commitments, identify problems with affordability of services and allow members to understand whether the financial position is sustainable over an extended period.						
• The council's budget targets resources effectively at its priorities, including shared priorities identified with partners in the Single Outcome Agreement						

Cont.

	Assessment of current position (continued)					
Issue	**No** action needed	**No** but action in hand	**Yes** in place but needs improving	**Yes** in place and working well	**Not applicable**	**Comments**
Governance arrangements (paragraphs 74 to 89 [PDF])						
• The council reviews governance arrangements following significant changes in staff, management or political structures.						
• The council's senior management team has the skills and capacity to provide effective leadership and management of finances, services and improvement programmes.						
• Councillors understand the role and statutory responsibilities of the S95 officer, the monitoring officer and the chief social work officer.						
• The scrutiny or audit committee has: – a chair who is not a member of the political administration – clear terms of reference – adequate support and access to independent advice – members who have the necessary skills and training.						

THIS PAPER RELATES TO
ITEM 9
ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 14th May 2015

Subject: Budget Strategy Update

Report by: Depute Chief Executive

1.0 Purpose

1.1. The purpose of this report is to maintain Council's regular update on the medium term financial outlook and indicative funding gap. This report also provides an update on the *Making Clackmannanshire Better* revised engagement and implementation arrangements which were implemented in April 2015.

2.0 Recommendations

It is recommended that Council notes:

2.1 the financial outlook set out in section 3

2.2 the publication of Audit Scotland's report on Borrowing and Treasury Management (paragraphs 3.5 and 3.6)

2.3 the cumulative indicative funding gap to 2018/19 of £23.384m (Table 1)

2.4 the factors influencing the indicative funding gap since February 2014 (paragraph 4.3)

2.5 the implementation of revised MCB engagement arrangements in April 2015 (Paragraph 4.5 to 4.8)

2.6 progress with negotiations and implementation of changes to Terms and Conditions and voluntary severance agreed as part of the February budget setting (paragraphs 4.9 to 4.11).

3.0 Financial outlook

3.1 Council has received regular updates on the medium term financial outlook in its regular Budget Strategy Update reports. Since the last report, Fiscal Affairs Scotland have produced three key publications:

- Monthly Bulletin
- Analysis paper covering 'Local Government Funding Challenges'

- Briefing note on 2015 UK Budget announcement.

These publications provide the key reference material for this update on the financial outlook.

3.2. The Office for Budgetary Responsibility (OBR) forecast indicates a similar profile on austerity measures to that outlined previously: significant reductions of around 5% (real terms) in public sector expenditure in 2016/17 and 2017/18. However, the position for 2019/20 has changed: previously, these reductions were forecast to continue in 2019/20, whereas the position has now been revised to suggest a 4% real terms increase in public sector expenditure during this period. The incidence of these measures remains unchanged, predominantly impacting day to day revenue expenditure rather than capital.

3.3 Following the UK Budget announcement on the 18th March, inflation as measured by the Consumer price Index (CPI) is forecast to bottom out at 0.2% in 2015 and then gradually increase back to its 2% target by 2019. Correspondingly interest rates are expected to rise from 0.6% in 2015 to 1.9% in 2019/20.

3.4 In early March, Fiscal Affairs Scotland published its analysis paper on local government funding challenges. The key messages are:

- in order to balance budgets, councils will need to identify further efficiency savings
- given this has been the case for some years, this is likely to prove increasingly difficult to deliver
- increasing income from new or increased fees and charges for public services may contribute to closing the funding gap.
- it is likely that non-statutory services will be at even greater risk than now, as will service quality levels that are deemed to be over and above the minimum necessary.
- there has been increased reliance on non-domestic rate income (NDRI) and less on council tax revenues in Scotland.
- in 2009/10 council tax raised 5.6% of total revenue and NDRI, 5.7%.
- By 2015/16, the respective shares are estimated to be 5.3% council tax and 7.5% NDRI. This position is unlikely to be sustainable.
- Local government is not currently exposed to any NDRI funding shortfall, though this position could change in the future.
- Fiscal Affairs Scotland proposes the need for 'an honest and open debate on the future role of local government'.

3.5 On 19th March, Audit Scotland published its report: 'Borrowing and Treasury Management in councils' . The report highlights the fact that borrowing is a major source of funding for councils to invest in key services such as schools or roads.

Councils have total debt of £14.8 billion, 82% of which is funded by borrowing. The report concludes that whilst councils are following the relevant codes of practice, more could be done to highlight the strategic importance of borrowing and treasury management. It is acknowledged that this is a highly complex and technical area but it is important that councillors have sufficient clear and accessible information on which to base their decisions and also to facilitate councillors in discharging their scrutiny roles effectively. The report also emphasises the need for training for councillors to facilitate the effectiveness of scrutiny.

3.6 Clackmannanshire Council was "sampled" to provide information on our activities as part of the audit's fieldwork. The Council receives positive comment at paragraph 70 of the report in respect of our use of comparative information on all treasury management indicators in our annual reports.

4.0 Budget Strategy Implementation

4.1 As part of the 2015/16 Budget presented and agreed by Council on the 24th February 2015, the post budget setting indicative funding gap was also presented. This is detailed in Exhibit 1 below which indicates a cumulative funding gap of £23.384m to 2018/19 and an annual gap of £11.571m in 2016/17.

Table 1: Indicative budget Gap based on revised assumptions to 2018/19

	2016/17 **£000**	**2017/18** **£000**	**2018/19** **£000**
Net expenditure	**125.618**	**130.913**	**135.871**
Net Funding	**114.047**	**112.441**	**112.487**
Cumulative indicative Funding Gap	**11.571**	**18.472**	**23.384**
Indicative Annual Gap	**11.571**	**6.901**	**4.912**

4.2 The main assumptions also remain as stated in the Budget paper.

4.3 On the 12 March 2015, Local Government Finance Circular 2/2015 was issued. This Circular confirms the details of the Local Government Finance (Amendment) Order 2015 which reflects any changes made since the Local Government Finance (Scotland) Order 2015 was approved on 5 February 2015. The Circular provides a summary of 2015-16 figures. Key issues are:

- the settlement increased by £372k in respect of Discretionary Housing Payments (DHP)

- all 32 councils in Scotland agreed to freeze their council tax levels in 2015/16

- all 32 Council Leaders wrote to the Deputy First Minister agreeing the revised teacher numbers commitment (as detailed in the 24th February Budget paper)

- the full amount (£70million) of held back resources have been allocated and the £41million included within the local government finance settlement to maintain teacher numbers was retained in the full settlement allocations.

4.4 Circular 2/2015 also includes details of the revised revenue allocations for 2014/15 which have been increased by £6.5million for the Developing Young Workforce in Scotland. The 2015/16 figures do not currently include funding for the 1+2 Languages funding, as discussions on this are ongoing.

Making Clackmannanshire Better : Programme arrangements

4.5 In the 2015/16 Budget report to Council, subject to approval of the proposed alternative service delivery model and the Programme of MCB service reviews, the intention to develop revised programme management arrangements was highlighted. Given the significant work required to take forward the agreed programme of activity, it was important and necessary to propose and implement these arrangements as soon as possible.

4.6 Since February, considerable work has been undertaken to develop and improve Making Clackmannanshire Better engagement arrangements for elected members, staff, Trade Unions and other key stakeholders. This is almost complete and it is intended that the outputs will soon be shared through the revised MCB engagement framework set out below:

- **MCB Member Forum:** the membership of this Forum comprises all elected members and the Council's Corporate Management Team. It will meet every month and will receive updates on progress with the strategic development and implementation of MCB and on progress with the agreed programme of reviews covering both revenue expenditure and capital investment. The first meeting of the Forum is on the 25th May 2015 and a forward Programme of meetings has been set up for the remainder of the calendar year.

- **MCB Trade Union Forum:** the membership of this Forum comprises Trade Union representatives and the Corporate Management Team. Like the Member Forum it will meet every month and will receive updates on progress with the strategic development and implementation of MCB and on progress with the agreed programme of reviews. The first meeting of the Forum is on the 25th May 2015 and a forward Programme of meetings has been set up for the remainder of the calendar year.

- Other key stakeholders: work is currently being undertaken to look at maximising the use of existing forums to brief and engage key partners and stakeholders, for instance through the Alliance, Joint Community Council Forum (JCCF) and Clackmannanshire Third Sector Interface (CTSI).

4.7 Alongside this review of engagement mechanisms, the Budget Challenge process has also been further realigned to ensure it is embedded and fully integrated within the MCB framework. The key features are as follows:

- the number of discrete Budget Challenge activities will be reduced from three tranches each year to one which will take place prior to the summer recess

- the strategic challenge role at these sessions will be led by the appropriate service Convenor supported by the Executive Team

- the Administration has established an Administration Finance Group to undertake the strategic challenge role of corporate policy and investment priorities. Feedback from these meetings will feature as part of the engagement framework set out at paragraph 4.6.

4.8 A key aspect of the work being taken forward is to establish opportunities for the wider engagement of staff and key stakeholders in specific projects, and also to improve and embed the understanding and awareness of how MCB is aiming to transform service delivery and reduce the Council's operating costs to a sustainable level. To facilitate this, following each round of monthly engagement, key messages will be agreed for cascading to staff and stakeholders updating on progress with the overall Programme of activity and giving a flavour of the range of options under consideration.

Terms and Conditions and Voluntary Severance

4.9 The Budget report highlighted two areas of terms and conditions for discussion and negotiation with Trade Unions and staff:

- redefining the working week
- increasing the period between increments from 12 to 18 months.

4.10 In order to progress work in these areas, each proposal has been allocated a chief officer lead. The work to review redefining the working week is being taken forward by the Head of Development and Environment, and work to review timescales in respect of incremental progression is being taken forward by the Head of Resources and Governance. Both reviews will feed through the MCB Programme monitoring arrangements outlined in paragraph 4.6. At this stage, both reviews have been subject to initial scoping.

4.11 Work to finalise the 32 in principle approvals for voluntary severance has also been progressed since Council agreed the Budget. Progress is summarised as follows:

- of the initial 32 applications approved in principle, a final list of 23 applications were approved, two of which have subsequently withdrawn

- progress is ongoing within services to agree and finalise exit dates. To date 13 severance agreements have been issued, two of which have been signed and returned

- a further nine applications for voluntary severance are now under consideration. In addition six previously declined applications are being reconsidered

- final costings are not yet available for all of the severances outlined. However it is estimated, based on initial costings, that around £800K of the £1million Employment Fund will be utilised. It is estimated that this will yield approximately £590k of budget savings which will be realised over two financial years (2015/16 and 2016/17), in line with agreed exit dates.

- further savings will be delivered should further applications be approved. Management will continue to bring forward proposals for reducing staff numbers.

5.0 Conclusions

5.1 Significant work continues to provide a sustainable approach to the Council's financial planning. To facilitate this, MCB programme management arrangements have been refreshed and implemented- pace and momentum is required to ensure work is taken forward promptly. A Programme of activity has been established and the first cycle of meetings commences in May.

5.2 The report also indicates the work in hand to take forward implementation of changes in respect of changes to staff terms and conditions and progress in implementing voluntary severance.

6.0 Sustainability Implications

6.1. The Council's budget and its approval will allow services to deliver against sustainable outcomes.

7.0 Resource Implications

7.1. Financial Details

7.2. Finance have been consulted and have agreed the financial implications as set out in the report. **Yes**

7.3. Staffing

as above

8.0 Exempt Reports

8.1. Is this report exempt? **No**

9.0 Declarations

The recommendations contained within this report support or implement our Corporate

Priorities and Council Policies.

(1) Our Priorities

The area has a positive image and attracts people and businesses
Our communities are more cohesive and inclusive
People are better skilled, trained and ready for learning and employment
Our communities are safer
Vulnerable people and families are supported
Substance misuse and its effects are reduced
Health is improving and health inequalities are reducing
The environment is protected and enhanced for all
The Council is effective, efficient and recognised for excellence

(2) Council Policies (Please detail)

10.0 Equalities Impact

10.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? **Yes**

11.0 Legality

11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. **Yes**

12.0 Appendices

12.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

NONE

13.0 Background Papers

13.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Council Budget 2014/15	February 2014
Fiscal Affairs Scotland Bulletin	March 2015

Borrowing & Treasury Management in Councils (Audit Scotland) March 2015

Fiscal Affairs Scotland Analysis paper: "Local Government Funding Challenges" March 2015

Fiscal Affairs Scotland briefing note on UK budget enhancement March 2015

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Nikki Bridle	Depute Chief Executive	01259 452373
Ashley MacGregor	Accountancy Team Leader	01259 452058

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Depute Chief Executive	[redacted]
Elaine McPherson	Chief Executive	[redacted]

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 10

ON THE AGENDA

Report to Clackmannanshire Council

Date of Meeting: 14 May, 2015

Subject: Clackmannanshire Local Scrutiny Plan 2015

Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to advise Council formally of the publication in April by Audit Scotland of the Clackmannanshire Council Local Scrutiny Plan for 2015.

1.2 While the Resources & Audit Committee will be invited to review the Plan in more detail, given the overarching nature of the publication, it is being submitted to full Council for information and noting.

2.0 Recommendations

2.1 It is recommended that the Council notes:

a) the recent publication by Audit Scotland of the 2015 Local Scrutiny Plan for Clackmannanshire;

b) the findings and intended planned scrutiny activity in 2015-16.

3.0 Background

3.1 The Local Scrutiny Plan (attached as the Appendix to this report) sets out the planned scrutiny activity in Clackmannanshire Council in this financial year. The Plan is based on a shared risk assessment undertaken by the local area network (LAN) which comprises representatives of all the scrutiny bodies who engage with the council.

3.2 The Local Scrutiny Plan has replaced the annual update on the Assurance and Improvement Plan (AIP) which councils have received for the last few years. The Local Scrutiny Plan is very much slimmed down from the AIP annual update and Audit Scotland's rationale for this is as follows:

> *"The main change that we have introduced is to sharpen the focus on scrutiny risks. This is in recognition of the fact that over the five years of the operation of the shared risk assessment we have observed ongoing confusion about the extent to which Assurance and Improvement Plan is a scrutiny risk assessment or a performance assessment. Whilst we have been clear that it is the former, feedback that we have*

received suggests that the length and format of the AIP has contributed to confusion about this. This change means that the output from this year's process will be a much shorter, sharper document than you will have seen over the last few years.

We have also strengthened the links between the planning and scheduling of national scrutiny activity and the local risk assessment activity that takes place in the 32 local area networks (LAN). Better aligning national and local scrutiny work will inevitably be an ongoing process, but we hope that you will see some improvements in this area this year."

3.3 The Local Scrutiny Plan does not identify or address all risks in the council. It covers only those risk areas which the LAN has identified as requiring scrutiny, or where scrutiny is planned as part of a national programme.

4.0 Clackmannanshire Local Scrutiny Plan - Findings & Conclusions

4.1 Overall, the LAN has judged that: *'the majority of risk assessments of corporate functions and service areas in the AIP remain as not requiring scrutiny and does not consider there to be any significant new concerns that require additional scrutiny.'*

4.2 The LAN comments that:

- the council is pro-active in identifying and managing risks
- corporate risk and external audit actions are reported in detail to elected members.
- the Council is taking positive steps to address the projected overspend in social services budget and governance compliance issues through implementing an agreed action plan
- progress is being made in progressing Health and Social Care integration.

4.3 Based on its assessment, in 2015-2016, the LAN will monitor progress in the following areas:

- the pace of progressing full shared services for education and social work, including the outcome of the full business case for full lead authority
- progress made in implementing and evidencing visible benefits in the delivery of re-aligned council services through Making Clackmannanshire Better
- how the Clackmannanshire and Stirling Public Protection Forum provides leadership and oversight of the governance arrangements for public protection.

4.4 Planned scrutiny this year for the Council will be as follows:

- the council and its community planning partners will be subject to a follow-up joint inspection of services for children (this is starting on 18 May for one week)
- a joint thematic review of Multi-Agency Public Protection Arrangements (MAPPA) is currently being undertaken across Scotland to assess the

status, efficiency and effectiveness of the MAPPA process in Scotland; the Council and its partners have already contributing to that on a Forth Valley wide basis

- Education Scotland will be working in partnership with councils to carry out a Validated Self Evaluation (VSE) of educational psychology services across all councils over a two-year period beginning in 2015/16.

4.5 There will also be audits of police and fire and rescue services and the Scottish Housing Regulator intends to carry out some thematic enquiries. The localities covered by these have not yet been confirmed so Clackmannanshire may or may not be involved in them.

4.6 In addition, Audit Scotland will carry out a programme of three performance audits across Scotland during 2015/16 on social care, health and social care integration and a roads maintenance (a follow-up audit) and the Council and its partners will feed into these as required.

5.0 Sustainability Implications - N/A

6.0 Resource Implications - N/A

7.0 Exempt Reports

7.1 Is this report exempt? No

8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

The Council is effective, efficient and recognised for excellence ✓

(2) **Council Policies** (Please detail)

9.0 Equalities Impact

9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? N/A

10.0 Legality

10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

11.0 Appendices

11.1 Clackmannanshire Council Local Scrutiny Plan 2015

12.0 Background Papers

12.1 Have you used other documents to compile your report?

- Clackmannanshire Council Local Scrutiny Plan 2015 - http://www.audit-scotland.gov.uk/docs/best_value/2015/aip_150331_clackmannanshire.pdf

- Email from Audit Scotland of 22/12/14 re Shared Risk Assessment

Author(s):

NAME	**DESIGNATION**	**TEL NUMBER/EXTENSION**
Elaine McPherson	Chief Executive	01259 452002

Approved by:

NAME	**DESIGNATION**	**SIGNATURE**
Elaine McPherson	Chief Executive	

Clackmannanshire Council

Local Scrutiny Plan

2015/16

March 2015

Clackmannanshire Council

Local Scrutiny Plan 2015/16

Introduction

1. This local scrutiny plan sets out the planned scrutiny activity in Clackmannanshire Council during 2015/16. The plan is based on a shared risk assessment undertaken by a local area network (LAN), comprising representatives of all the scrutiny bodies who engage with the council. The shared risk assessment process draws on a range of evidence with the aim of determining any scrutiny activity required and focusing this in the most proportionate way.

2. This plan does not identify or address all risks in the council. It covers only those risk areas that the LAN has identified as requiring scrutiny, or where scrutiny is planned as part of a national programme. Planned scrutiny activity across all councils in Scotland informs the National Scrutiny Plan for 2015/16, which is available on the Audit Scotland website.

Update on local scrutiny plan 2014-15

3. In the 2014-17 Assurance and Improvement Plan (AIP) the LAN did not identify any specific areas where scrutiny was required. However, some non-risk based scrutiny activity was identified in the AIP, to be carried out across all councils during 2014-15. This included:

    - In October 2014 Education Scotland reviewed the quality of information and advice and guidance services delivered by Skills Development Scotland. Overall the review highlighted a very positive picture regarding the quality of service provided to young people.
    - Care Inspectorate: Joint inspection of Services for Children in the Clackmannanshire Community Planning Partnership completed early 2014. Whilst a number of strengths were evident a number of areas for improvement were identified. As a result the Care Inspectorate together with other bodies will revisit to assess and report on progress one year from publication of original report (2015).
    - During 2014, Audit Scotland carried out a targeted follow-up of two national performance audits - *Arm's-length External Organisations (ALEOs): are you getting it right?* (June 2011) and *Major capital investment in councils* (March 2013). External audit completed the ALEOs review and reported it to the council in June 2014. Whilst Clackmannanshire Council has not directly set up any ALEOs to provide council services, there are organisations which the council has an interest in and elected members have been nominated to and are involved with these

bodies. The external audit report was generally positive, with some minor improvements identified. External audit provided information on *Major capital investment in councils* to Audit Scotland in August 2014. The external auditor's report did not raise any issues of concern. Audit Scotland is still analysing the responses from all councils and intends to prepare a national follow-up report for publication during 2015.

- Audit Scotland initiated a housing benefit risk assessment towards the end of 2014/15. Audit Scotland recently issued a self-assessment to the council which was due back by 6 February 2015 and is now expected later in the month. The review team arranged a visit to the council after it had reviewed the self-assessment to clarify any high risk areas with relevant officers. This visit took place in March 2015.

Scrutiny risks

4. Within the context of major financial challenges the council continues to deliver a wide range of services. The chief executive continues to work closely with the recently appointed chief executive for Stirling, to ensure strong partnership working continues and that the agreed shared service arrangements keep moving forward. Despite the differences in political allegiance across the two council areas, there is a shared long term vision and commitment to shared education and social services in Clackmannanshire and Stirling.
    - The council is pro-active in identifying and managing risks. Effective internal controls reduce likelihood of risk occurring and/or the impact if it does. Corporate risk and external audit actions are reported in detail to elected members.
    - Within the report to Resources and Audit Committee (4th December 2014) the council has identified a projected overspend in its Social Services budget. Weaknesses in governance and the understanding of, and compliance with financial regulations were also identified. It is taking positive steps to address this issue through implementing an agreed action plan.
    - Progress is being made in progressing Health and Social Care integration on a joint basis across Clackmannanshire and Stirling. A shadow Health and Social Care Integration Joint Board made up of elected members from both Clackmannanshire and Stirling councils has been established and is now operational. A draft integration scheme was formally signed off in March 2015.

5. The LAN, having considered the evidence from key management documents and performance indicators, has judged that the majority of risk assessments of corporate functions and service areas in the AIP remain as not requiring scrutiny. There are no significant new concerns that require additional scrutiny. However this year the LAN will look to monitor progress within a number of key areas of scrutiny risk. These include:
    - The pace of progressing full shared education and social work services, including the outcome of an options appraisal by Ernst and Young jointly commissioned by

both Clackmannanshire and Stirling councils around viability of full lead authority/shared services approach.

- Progress made in implementing and evidencing visible benefits in the delivery of re-aligned council services through Making Clackmannanshire Better (MCB) will be monitored.
- The G5 group, previously responsible for governance arrangements decided to place public protection within local community planning partnership structures. In December 2014, the Clackmannanshire and Stirling Public Protection Forum (CSPPF) was established to provide leadership and oversight of the governance arrangements for public protection. In the coming year the LAN will look to monitor how the CSPPF governance arrangements progress.

Planned scrutiny activity

6. As shown in Appendix 1, the council will be subject to a range of risk-based and nationally driven scrutiny activity during 2015/16. For some of their scrutiny activity in 2015/16, scrutiny bodies are still to determine within which specific council areas their work programmes will cover. Where a council is to be involved, the relevant scrutiny body will confirm this with the council and the appropriate LAN lead.

7. The council and its community planning partners will be subject to a follow-up joint inspection of services for children. This further joint inspection is in light of areas for improvement identified as a result of the full joint inspection of children’s services in Clackmannanshire and Stirling published in May 2014. This is part of the Care Inspectorate’s wider programme of national inspection, and is not a result of the LAN shared risk assessment.

8. The Care Inspectorate and HMICS will be undertaking a joint thematic review of Multi-Agency Public Protection Arrangements (MAPPA) in Scotland during 2015. The purpose of the review will be to assess the status, efficiency and effectiveness of the MAPPA process in Scotland, in terms of keeping people safe and reducing the potential risk of serious harm by registered sex offenders in our communities. It will cover all 32 local authority areas and involve local authorities, Police Scotland, NHS boards and the Scottish Prison Service. The joint review will cover the Forth Valley local authorities (including Clackmannanshire Council) in May 2015.

9. Education Scotland will be working in partnership with councils to carry out a Validated Self Evaluation (VSE) of educational psychology services across all councils over a two-year period beginning in 2015/16. Education Scotland will notify councils of its VSE plans each academic term. Audit Scotland will carry out a programme of performance audits during 2015/16. Audit Scotland has three planned performance audits covering local government during 2015/16. It will be working jointly with the Care Inspectorate looking at social care and jointly with both the Care Inspectorate and Health Improvement Scotland (HIS) on a Health and Social care integration position statement. It will also carry out a follow-up audit on roads maintenance. Any engagement with

councils is still to be determined. Publication of these reports is scheduled for between October 2015 and February 2016.

10. The Scottish Housing Regulator (SHR) has a planned programme of thematic inquiries into housing services which will be carried out largely in the first quarter of 2015-16, with publication of inquiry reports in the first and second quarters of the year. The thematic inquiries will cover a range of housing services including: Gypsy/Travellers; factoring services; gas safety; complaints handling; customer service standards; repairs; rent consultation; equalities; and openness and accessibility. Some of the thematic inquiries will not involve any on-site work at all and no local authority will be selected for on-site work in more than one thematic. The SHR will contact individual landlords with details about their potential inclusion.

11. During the first and second quarters of the year, the SHR will review the Charter data submitted by social landlords in May 2015 and identify topics for a further programme of thematic inquiries to be taken forward in the second and third quarters of the year.

12. In addition to specific work shown in Appendix 1, routine, scheduled audit and inspection work will take place through the annual audit process and the on-going inspection of school and care establishments by Education Scotland and the Care Inspectorate respectively. Individual audit and inspection agencies will continue to monitor developments in key areas of council activity and will provide support and challenge as appropriate. This will help to inform future assessment of scrutiny risk.

13. The LAN will have on-going oversight and monitoring of the scrutiny risks identified in paragraph 5.

Appendix 1: Scrutiny plan

Scrutiny body	Scrutiny activity	Date
Audit Scotland	Possible performance audit work	TBC
Care Inspectorate and Healthcare Improvement Scotland	Joint Children's Services inspection of Stirling and Clackmannanshire (follow-up)	May 2015
Education Scotland	Education Scotland will be working in partnership with councils to carry out a validated self-evaluation (VSE) of educational psychology services across all councils over a two-year period beginning in 2015/16.	TBC
Care Inspectorate and Her Majesty's Inspectorate of Constabulary (HMICS)	Joint Thematic Review of Multi Agency Public Protection Arrangements (MAPPA).	May 2015
Her Majesty's Inspectorate of Constabulary (HMICS)	HMICS will be inspecting local policing across Scotland over the next three years. These inspections will examine, amongst other things, local scrutiny and engagement between Police Scotland and councils. Two local Policing Divisions are programmed to be inspected in addition to Edinburgh Division in 2015/16. The Divisions will be identified approximately three months prior to inspection, the first being no earlier than October.	TBC
Her Majesty's Fire Service Inspectorate (HMFSI)	HMFSI will be inspecting local fire and rescue services across Scotland over the next five years. These inspections will examine, amongst other things, local scrutiny and engagement between the Scottish Fire and Rescue Service and councils. As part of its programme, HMFSI will inspect four local fire and rescue services during 2015/16. Clackmannanshire is not included in the programme this year.	TBC
Scottish Housing Regulator (SHR)		
	The SHR will carry out a number of thematic inquiries in 2015/16. If a council is to be involved in a thematic inquiry the SHR will confirm this with the council and the appropriate LAN lead.	TBC

THIS PAPER RELATES TO ITEM 11

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Clackmannanshire Council

Date of Meeting: 14 May 2015

Subject: Clackmannanshire Alliance Governance Arrangements

Report by: Head of Strategy & Customer Services

1.0 Purpose

1.1. On the 6 March 2015, Clackmannanshire Alliance considered a discussion paper relating to its future governance, scrutiny, structure and resourcing arrangements.

1.2. The Alliance agreed that all partners should consult on the paper through their respective governance arrangements with a view to the Alliance Executive bringing back a final draft proposal for consideration at its meeting in June 2015.

1.3. The purpose of this paper therefore is to enable Clackmannanshire Council to formally consider the discussion paper as part of that consultation process.

2.0 Recommendations

2.1. It is recommended that Council:

2.1.1. notes, comments on and challenges the report;

2.1.2. agrees that officers feedback the following specific points to the Clackmannanshire Alliance:

2.1.2.1. that there should be a clear separation of roles and responsibilities for executive and non-executive members of the Alliance;

2.1.2.2. that the primary role of the Alliance board should be to drive policy direction and hold executives to account for the delivery of policy;

2.1.2.3. that strong local and democratic influence and accountability should be primary principles in determining the composition of the Alliance board;

2.1.2.4. that consideration is given to looking beyond current membership for non-executive positions on the Alliance board where appropriate;

2.1.2.5. that scrutiny of the overall effectiveness of community planning arrangements should remain the role of Council's Resources & Audit Sub-committee as defined by its current remit.

3.0 Considerations

3.1. In September 2014, the Clackmannanshire Alliance tasked its Executive group to develop and bring forward proposals to reform the Alliance's governance arrangements and structure by March 2015. The purpose of this work is to ensure Clackmannanshire Alliance acts as a genuine board, a key commitment of the Statement of Ambition. The Alliance subsequently considered the discussion paper attached at Appendix 1 in March 2015, following which it was agreed that all partners should consult on the paper through their respective governance arrangements.

3.2. Community planning is undergoing a period of substantial change. Major developments such as the Statement of Ambition, Health and Social Care Integration and developments in Community Justice and Public Protection arrangements mean that existing governance arrangements need reformation.

3.3. A principle element of the Alliance's proposal is the desire to ensure a distinction between executives and non executives enabling a clear separation of roles and responsibilities. Paragraph 3.5 in Appendix 1 outlines a proposal that the Alliance board would be comprised entirely of non-executive members from partner organisations.

3.4. The paper at Appendix 1 proposes that the Council Leader and the Leader of the Main Opposition continue in their roles on the Alliance, with the Leader continuing as chair. It is also proposed that there should be increased local democratic influence and oversight, with additional councillor representation on a cross-party basis. This could be formulated based on political balance or, on some form of alternative model, where councillors could take on the role of champion for a particular aspect of partnership working.

3.5. The Alliance is made up of a number of national, regional and locally configured partner organisations. There is therefore a temptation to ensure that the board composition equally reflects its constituent parts. However, a firm geographic focus will be key to the success of community planning, therefore, strong local representation on the Alliance board should be a primary principle. Democratically elected local members are well placed to drive policy direction and hold executives to account for delivery.

3.6. There is also an argument to look beyond existing membership of the Alliance for members of the board, who may be able to bring particular skills, knowledge and expertise beyond that currently available.

3.7. In future, it is proposed that officials should attend the Alliance board either in the capacity of policy adviser or for the purposes of being held to account for delivery of agreed policy objectives. Decisions will be taken solely by a board of non-executives, based on professional executive advice. There is no will nor intention to create a body corporate, therefore, it is recognised that partners will require to secure agreement for policy direction or for the allocation of resources via their respective organisational governance arrangements.

3.8. A further paper will be developed by officers following the next Alliance meeting setting out arrangements in more detail.

3.9. It is proposed that the Alliance Executive would be directly accountable to the Alliance board, which will drive integrated policy direction. The Executive will be responsible for the development and delivery of integrated policy in the form of the Single Outcome Agreement (SOA) and respective underpinning action plans.

3.10. In exercising its responsibilities, it is proposed that the Executive would develop planning, delivery and reporting arrangements for effective:

- integrated public protection and community justice services;
- integrated prevention, wellbeing and employment services;
- integrated children's services;
- integrated health and social care services;
- joint financial, asset management and workforce planning in support of SOA objectives.

3.11. Given their responsibilities and accountabilities, it is proposed that officials on the Executive will generally be the most senior officer for their respective organisations or area of responsibility in Clackmannanshire.

3.12. Whilst it will be a role of the Alliance to hold to account senior officials of the Executive on delivery of the SOA, it is proposed that overall effectiveness of community planning arrangements to improve outcomes, including the role of the Alliance board, its Executive and subgroups remain subject to scrutiny, through the Council's Resources & Audit Sub-committee as defined by its current remit.

3.13. The proposals in Appendix 1 further refine the Alliance's structural arrangements to better facilitate effective joint resourcing and efficient administration of shared service functions with Stirling Council and the Stirling Community Planning Partnership. There is also provision within the proposed structural arrangements for a strong geographical focus, enabling core aspects of the Statement of Ambition to be met, whilst dovetailing with the Council's community hub ambitions as part of Making Clackmannanshire Better.

3.14. The final element of the report considered by the Alliance in March discusses joint resourcing which remains an area of for development. Community Planning business is becoming more integrated and more complex. In some aspects Clackmannanshire has been a national pioneer: integrated mental health services and shared services with Stirling to name but two examples. However, as more and more areas of public service business become integrated at a local level, e.g. Health and Social Care Integration, Community Justice, with resulting significant redesign requirements, the existing resourcing model is becoming increasingly inadequate. This is an area that will need further examination by the Alliance Executive in the coming months.

Conclusion

3.15. In order to deliver on the Statement of Ambition and deliver improved outcomes as agreed in the Clackmannanshire SOA, further deeper change is required to the Alliance's governance, structure, scrutiny and resourcing.

4.0 Sustainability Implications

4.1. There are no direct implications arising from this report.

5.0 Resource Implications

5.1. Financial Details

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.4. Staffing - no direct implications at this stage.

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

The area has a positive image and attracts people and businesses ☑
Our communities are more cohesive and inclusive ☑
People are better skilled, trained and ready for learning and employment ☑
Our communities are safer ☑
Vulnerable people and families are supported ☑
Substance misuse and its effects are reduced ☑
Health is improving and health inequalities are reducing ☑

The environment is protected and enhanced for all ☑
The Council is effective, efficient and recognised for excellence ☑

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☑ not applicable

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 - Report to Clackmannanshire Alliance of 6 March 2015 - Discussion Paper: Alliance Governance, Scrutiny, Structure & Resourcing

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☐ (please list the documents below) No ☑

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart Crickmar	Head of Strategy & Customer Services	2127

Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Head of Strategy & Customer Services	
Elaine McPherson	Chief Executive	

APPENDIX 1

CLACKMANNANSHIRE ALLIANCE

Report to: Clackmannanshire Alliance

Date of Meeting: 6 March 2015

Subject: Discussion Paper: Alliance Governance, Scrutiny, Structure & Resourcing

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Report by: Head of Strategy & Customer Services

1.0 Purpose

1.1. In September 2014, the Alliance tasked its Executive Team to develop and bring forward proposals to reform the Alliance's governance arrangements and structure by March 2015. The purpose of this work is to ensure Clackmannanshire Alliance acts as a genuine board, a key commitment of the Statement of Ambition.

1.2. This discussion paper outlines proposals developed by the Executive for further consideration by the Alliance.

2.0 Recommendations

2.1. The Alliance is asked to:

2.1.1. note, challenge and comment on this discussion paper; and

2.1.2. agree that all partners consult on the paper through their respective governance arrangements with a view to the Alliance Executive bringing back a final draft for consideration at its meeting in June 2015.

3.0 Considerations

3.1. The Statement of Ambition expects that CPPs must be genuine boards that hold partners to account, and, must provide the foundation for effective partnership working within which wider reform initiatives will happen.

3.2. The Alliance considered a paper concerning its governance on 5 September 2014. Within the debate that followed, there was clear recognition of a need for change, key points being:

- a number of major functions moving into CPP remit and the need for partnership working to be better streamlined and managed more effectively and efficiently, e.g. public protection, community justice, integrated children's services planning, health and social care integration;

- the need to improve accountability through clear distinction of roles and responsibilities of executives and non-executive, and for partners to better mutually support, challenge and hold each other to account constructively;

- a clearer focus on working in partnership to resource priorities, and building firm foundations for joint resourcing;

- a need to substantially quicken the current pace of change to secure improved outcomes within Clackmannanshire;

- a need for a stronger performance focus, including a better defined framework of KPIs that will lead to improved outcomes.

3.3. The Alliance Executive were tasked with coming back to the Alliance in March 2015 with proposals for further discussion and consultation.

Governance

3.4. The Alliance expressed a clear desire to see a clearer distinction between executives and non executives enabling a clearer separation of roles and greater support, oversight and accountability. At present, the Alliance contains executives responsible for the execution of strategy, such as the SOA, and for oversight of delivery of the same.

3.5. It is therefore proposed that the role of executives at the Alliance should be restricted to either being scrutinised or acting in an advisory capacity. It is proposed that the Alliance board would be comprised entirely of non-executive members from partners organisations as follows:

- Council - elected members, on a cross party basis. This should include the Leader of the Council, who would also chair the Alliance, and the Leader of the Main Opposition, as at present. The other members could be selected pro-rata based on political balance/responsibilities.

- Board of NHS FV - xx members on the basis that NHS along with the Council is one of the two most significant funders of services in Clackmannanshire.

- Chair CTSI or nominee

- Chair, Community Justice Authority or nominee

- Chair, JCCF or nominee

- Chair, Tenants & Residents Federation or nominee

- Board of FV College - 1 member

- Board of Clacks Business - 1 member

3.6. It is proposed that the feasibility of non-executive representation from Police and Fire Boards should be explored further by respective Alliance partners.

3.7. The Alliance would not be a body corporate, however, it will make decisions on the Single Outcome Agreement and on agreeing joint resources sufficient to ensure effective delivery. Partners may need to secure agreement for the allocation of resources to the Alliance through their own respective governance arrangements. A modified version of existing Memorandum of Understanding will remain as a basis for Alliance governance and decision-making.

3.8. The Alliance Executive will have responsibility for delivery of the agreed SOA and respective underpinning actions plans. It will be directly accountable to the Alliance Board. In exercising its responsibilities it will develop planning, delivery and reporting arrangements for effective:

- integrated public protection and community justice services;
- integrated prevention, wellbeing and employment services;
- integrated children's services;
- integrated health and social care services;
- joint financial, asset management and workforce planning in support of SOA objectives.

3.9. Given these responsibilities and accountabilities, officers on the Executive will generally be the most senior officer for their respective organisations or area of responsibility in Clackmannanshire, as follows:

- Chief Executive, Clackmannanshire Council (Chair);
- Chief Executive, NHS FV (Depute Chair);
- Forth Valley Divisional Commander, Police Scotland;
- Local Senior Officer, Scottish Fire & Rescue Service;
- Chief Officer, CTSI;
- Vice-Principal, Forth Valley College;

Other officers may attend in an advisory role or for the purposes of scrutiny as required by the Executive. The may include for example:

- Chief Officer, Integrated Health & Social Care Service;
- Chief Officer, Community Justice Authority;
- Representative, Public Protection Forum;
- Strategic Lead: Community Well-being Partnership Team;
- Strategic Lead: Business Jobs & Skills Partnership Team;
- Strategic Lead: Children & Young People's Strategic Group

3.10. The Head of Strategy & Customer Services will be administrative lead, overseeing planning, performance and scrutiny processes, whilst the Head of Resources & Governance will play a leading advisory role in supporting the development of financial, asset and workforce planning.

Scrutiny

3.11. It will be the role of the Alliance Board to agree and resource the SOA, and thereafter scrutinise the Executive on its plans, and the execution of these plans, to deliver better outcomes.

3.12. The overall effectiveness of community planning arrangements to improve outcomes, including the role of the Alliance Board, its Executive and subgroups will be subject to scrutiny by Councillors, through either the Council's Resource's and Audit Committee or the Resources & Audit Sub-committee as defined by current remits.

3.13. To enable effective scrutiny, each partnership will need to have in place an approved annual plan, with realistic objectives and defined KPIs clearly aligned with SOA outcome targets. These should be approved by the Alliance Board in March of each year.

Structure

3.14. The present Alliance structure was agreed in 2013, following a lengthy period of dialogue, to better support the then new 2013-23 SOA . At that time, the main key drivers were to cut down and streamline the number of meetings and groups, some of which were ineffective and poorly attended, and better join-up the preventative social policy landscape, which had become somewhat fragmented.

3.15. The results have been mixed: this is in part to do with organisational change, churn and contraction, significant new duties and responsibilities for community planning, and perhaps an element of over ambition. Whatever the reasons, there is unanimity that further change is required.

3.16. The Business Jobs and Skills Partnership Team is probably fine as an entity, and is in need of least reform. It does need to provide stronger leadership and a more concise, clear and realistic strategic narrative for the LEP and other related groups, however, the recently published Rocket Science report provides a solid platform to enable this. There is also a requirement for the LEP and Community Wellbeing Partnership Team to better join-up around the Employability Pipeline, ensuring those most vulnerable and furthest from the labour market are supported towards greater economic independence, placing less reliance on statutory services and welfare. Whilst a primary role of CWPT is developing community and personal resilience, this must also be seen within a broader outcome priority of employability, employment and increasing prosperity. These are recognised as core building blocks of community and personal wellbeing.

3.17. There is consensus that the Community Wellbeing Partnership Team's remit has become too unwieldy; despite repeated attempts by the chair to galvanise around a core life stage agenda, the combined effect of the early years collaborative, the integrated children's services inspection and resulting plan, integrated health and social care, shared services with Stirling and more recent developments such as public protection and community justice, has overwhelmed any significant focus on the prevention agenda.

3.18. Furthermore, all partners would recognise that the risks involved with some of the above agendas are significant, therefore shared accountability for matters such as integrated children's service, community justice, public protection and health social care needs to be direct to respective chief officers of the Alliance.

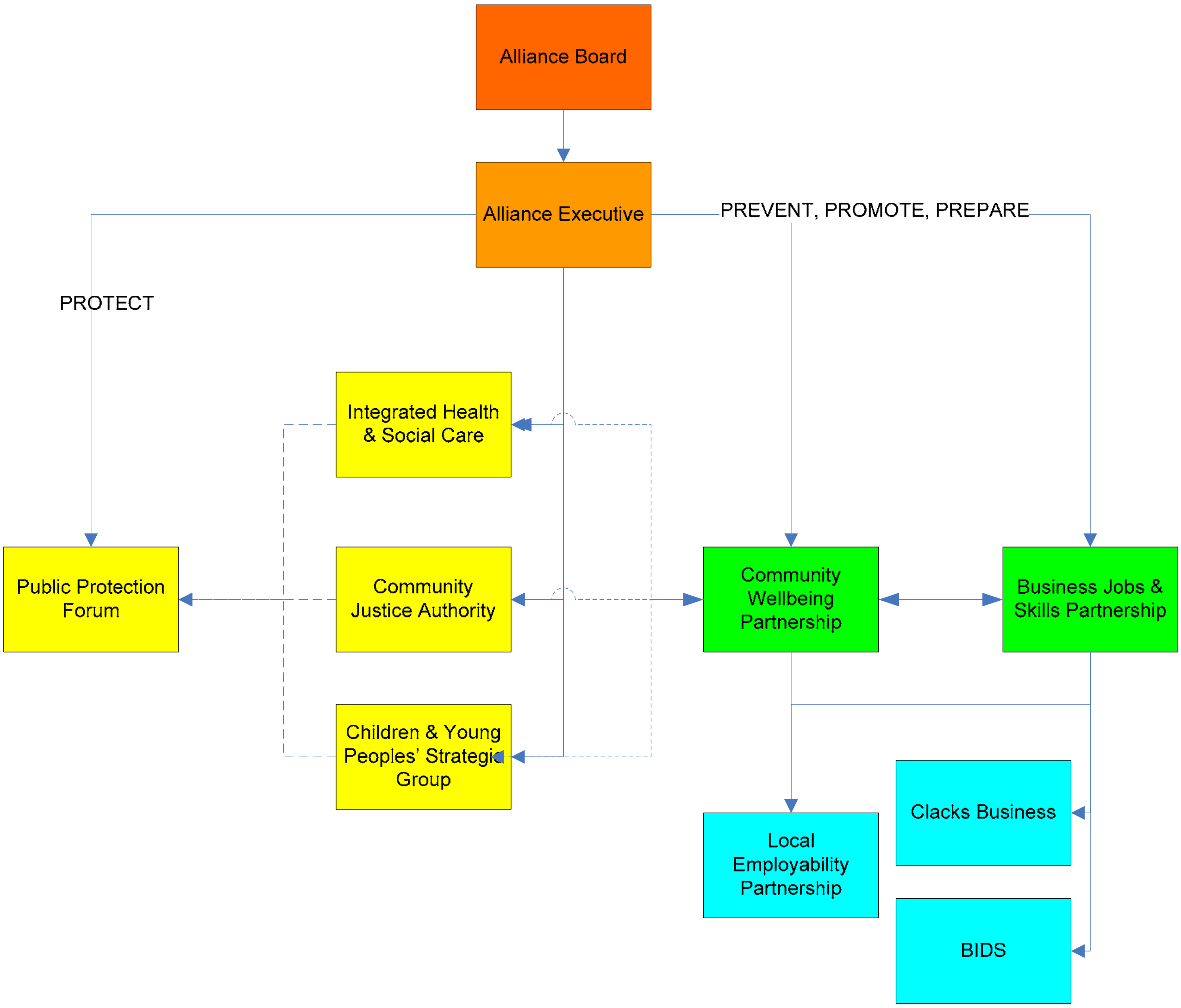

Alliance Board
Alliance Executive
PREVENT, PROMOTE, PREPARE
PROTECT
Integrated Health & Social Care
Public Protection Forum
Community Justice Authority
Children & Young Peoples' Strategic Group
Community Wellbeing Partnership
Business Jobs & Skills Partnership
Clacks Business
Local Employability Partnership
BIDS

FIGURE 1

3.19. Disaggregating the management of these significant areas of business should leave the CWPT with a much clearer and narrower focus on prevention with the intention of significantly reducing inequality and improving quality of life in Clackmannanshire. The CWPT needs to be about more than policy formulation and cooperation. There is a clear expectation that it will facilitate redesigned, jointly-resourced, integrated services in a number of related preventative areas associated with developing increased personal and community resilience, as follows:

- community safety, including local police and fire planning, local coordination of multiagency responses, for example, serious organised crime, counter terrorism, domestic abuse, anti-social behaviour, alcohol and drugs, local resilience and preparedness;

- community empowerment & resilience, including co-production, volunteering, community events and action planning, with resources targeted at developing greater capacity in our most vulnerable communities;

- community learning & development, with a focus on intensively supporting and developing personal resilience, independence and employability prospects for our most vulnerable adults, particularly those furthest from employment (Stage 1 & 2 of the Employability Pipeline).

3.20. Figure 1, above, outlines a proposed refinement of the Alliance structure. In recognition of the need for efficiency and to ensure the Alliance development increasingly supports shared service developments with Stirling, the 'yellow' groups would serve Clackmannanshire and Stirling based on shared plans and shared resources, with separate accountability to both CPPs.

3.21. The Community Justice element is an emerging development with further discussion to be had, particularly concerning its relationship with the Public Protection Forum, however, that apart, the yellow-shaded groups are already well defined. The planning and reporting frameworks for IH&SC, CYPSG, CJA and PPP are (or will be) defined in statute and these should form the basis of reporting to the Alliance, e.g. the plan for the CYPSG will be the Integrated Children's Service Plan. These groupings will also continue to provide a basis for integrated service redesign and deliver improved outcomes.

3.22. The redesign of these integrated teams shaded in green should be built as far as possible around geographical 'hub' models, with operational planning taken down to a very local level, with responses based on sound analysis and intelligence. This does not necessarily mean a property focus; it's about integrated service provision. It is envisaged that intensive support for vulnerable adults and communities will need to be provided locally, effectively utilising proven peripatetic key worker approaches.

3.23. Third sector contribution will be vital, therefore, with CTSI as the interface, it will play a significant and integral role in the design, commissioning and delivery of an integrated local service provision.

3.24. Earliest possible intervention is a core feature of Clackmannanshire's SOA, therefore, it is a thread that should run through the work of all groups reporting to the Alliance. Figure 1 attempts to represent that there will be relations, and to an extent overlaps across and between groups, that will need to be maintained and nurtured by the Executive. Given their clear remit for Prevention, i.e. preventing future vulnerability thereby reducing resulting costs and pressures on public finances, the interface between all groups and the CW & BJS partnership teams will be key.

Management Support - Joint Resourcing

3.25. Community Planning is a joint responsibility. It follows therefore that resourcing support for it is a joint responsibility. At present, general support is provided by a small team in Strategy & Customer Services. We would also now envisage a role for a wider group of Council support staff as alluded to above. The Council provides and finances administrative support required to maintain the Alliance partnership structure and scrutiny arrangements. This includes support for the preparation of reports and analysis for Alliance and Partnership meetings as well as scrutiny at the Council's Resources & Audit Committee and Sub-committee.

3.26. In addition, the Council funds initiatives such as Clacks 1000 and absorbs any costs associated with the development, design and communication of any Alliance plans, strategies or Public Performance Reporting.

3.27. The Council also provides a range of policy support for the purpose of economic development, health promotion etc. Partners to differing extents, also provide or contribute to support resources.

3.28. The Council will without question continue to provide significant development and support resources, however, with the current pressure on finances, combined with a significantly expanded role for community planning, the existing resource model is inadequate, and perhaps no longer fit for purpose. If the Alliance is to become an effective agent of change for more integrated public services in Clackmannanshire, there will be a requirement to resource it adequately.

3.29. As such, there is a piece of work that needs to be completed over the coming months that looks at resourcing of, for example, business intelligence and performance, risk management, project and change support, scrutiny support, financing, workforce development, property and other asset management.

4.0 Conclusions & Next Steps

4.1 In order to deliver on the Statement of Ambition and deliver improved outcomes as agreed in the Clackmannanshire SOA, further deeper change is required to the Alliance's governance, structure, scrutiny and resourcing.

4.2 This discussion paper sets out a number of proposals, some of which have clear resource implications, that now need to be consulted on more widely before further consideration. It is proposed that each partner does so through their respective governance arrangements, enabling the current Executive Team to put firm, mutually acceptable, recommendations before the Alliance in June 2015. It is recognised that any recommendations endorsed by the Alliance in June may need to be approved subsequently by all partners.

Alliance Executive, February 2015

APPENDIX 1

THIS PAPER RELATES TO ITEM 12

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 14 May, 2015

Subject: Fifth Review of Electoral Arrangements - Proposals for Wards

Report by: Chief Executive

1.0 Purpose

1.1. The purpose of this report is: a) to bring to members' attention proposals from the Local Government Boundary Commission for Scotland to make amendments to electoral wards in Clackmannanshire; and b) to seek Council's response to these proposals.

2.0 Recommendations

2.1. It is recommended that Council:

a) notes the proposal by the Local Government Boundary Commission for Scotland to change the boundary between Clackmannanshire South and Clackmannanshire East wards to address forecast population disparities;

b) notes that no other changes to Clackmannanshire wards are proposed;

c) notes the consultation process which will be undertaken on the matter by the Local Government Boundary Commission for Scotland;

d) notes the feedback from local elected members on the proposal;

e) advises the Local Government Boundary Commission for Scotland that it has no objections to the proposed changes in Clackmannanshire's local government wards.

3.0 Background

3.1 At its meeting in March, 2014, Council considered a report on the first stage of the Fifth Reviews of Local Government Electoral Arrangements.

3.2 That first stage involved consultation on the number of councillors in each council and the minimum and maximum numbers for any council. There were no proposals to change the number of members for Clackmannanshire although some other councils will be affected by a change in numbers.

3.3 The Council agreed at that time to advise the Local Government Boundary Commission for Scotland that it supported the presumption of 18 elected members as a minimum number of elected members for any council and also noted that a report would come before council at the next stage of the review when wards and boundaries would be considered.

3.4 The next stage the review is now live and councils are being consulted on proposals for changes to ward boundaries in their areas.

4.0 Considerations

4.1 When reviewing electoral arrangements, the Boundary Commission must take into account of the following factors:

- the interests of effective and convenient local government;
- that each councillor in a council area should as far as possible represent the same number of electors;
- local ties which would be broken by making a particular boundary;
- the desirability of fixing boundaries that are easily identifiable; and
- special geographical considerations.

4.2 Having reviewed Clackmannanshire's existing ward boundaries in relation to these factors, the Local Government Boundary Commission for Scotland's proposals are as follows, with only one change to the current arrangements being put forward:

a) there should be no changes to ward names
b) there should be no changes to the number of councillors in each ward
c) there should be no changes to the boundaries of Clackmannanshire West, North and Central wards
d) there should be a change in the boundary between Clackmannanshire South and Clackmannanshire East wards to *'address forecast population disparities.'*

4.3 The proposed change, which is illustrated on the map at the Appendix to this report, is that 343 houses (currently 710 electors) which at the moment are in Clackmannanshire South would transfer into Clackmannanshire East. Affected streets are as follows (not all of these streets currently have households with electors):

- Alloa Park Drive
- Carnach
- Clackmannan Road
- Denbecan
- Elpin
- Forth Crescent
- Galan
- Garganey
- Hiltonhawk Way
- Sandpiper Meadow
- Talorcan
- Taran
- The Cormorant
- The Pheasantry

4.4 By making this change, the Local Government Boundary Commission for Scotland envisages an improvement in overall parity by reducing forecast disparity in the Clackmannanshire South ward which has seen a significant increase in households since the ward boundaries were last reviewed in 2007.

5.0 Consultation

5.1 The legislation provides that the Local Government Boundary Commission for Scotland in this review must first of all consult on its proposals with councils and that consultation runs until 19 May 2015.

5.2 After consideration of responses from councils, there will be a 12-week public consultation on the proposals between July and October 2015. Depending on the outcome of the consultation, the Boundary Commission may further develop and consult on proposals later in 2015. It is expected that final in time for implementation for the next local government elections in May 2017.

5.3 Details of the proposed boundary change in Clackmannanshire were circulated to elected members at the start of April. No concerns have been expressed by any member about the proposals.

5.4 From an officer perspective, the proposed change does not present any significant issue. There is a geographic cohesion to the area which it is proposed moves between wards, the proposed new boundary is easily identifiable and there are no long term local ties which would be broken by the change.

5.5 If the proposals were ultimately approved, there could be some knock-on effects in terms of changes to polling places and districts but these are not significant.

5.6 On that basis, it is recommended that the Council advises the Local Government Boundary Commission for Scotland that it has no objections to the proposals for changes to wards in Clackmannanshire.

6.0 Conclusions

6.1 The proposals thus far from the Fifth Reviews of Electoral Arrangements have not had a major impact on Clackmannanshire and can be supported by Council in its response to the consultation.

7.0 Sustainability Implications

7.1 There are no direct sustainability implications arising from this report.

8.0 Resource Implications

8.1 *Financial Details* - there are no direct financial implications arising from this report.

8.2 *Staffing* - there are no direct staffing implications arising from this report*.*

9.0 Exempt Reports

9.1 Is this report exempt? No

10.1 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

The Council is effective, efficient and recognised for excellence

(2) **Council Policies** (Please detail) N/A

11.0 Equalities Impact - N/A

12.0 Legality

12.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

13.0 Appendices -

Appendix - Map showing proposed boundary change

14.0 Background Papers

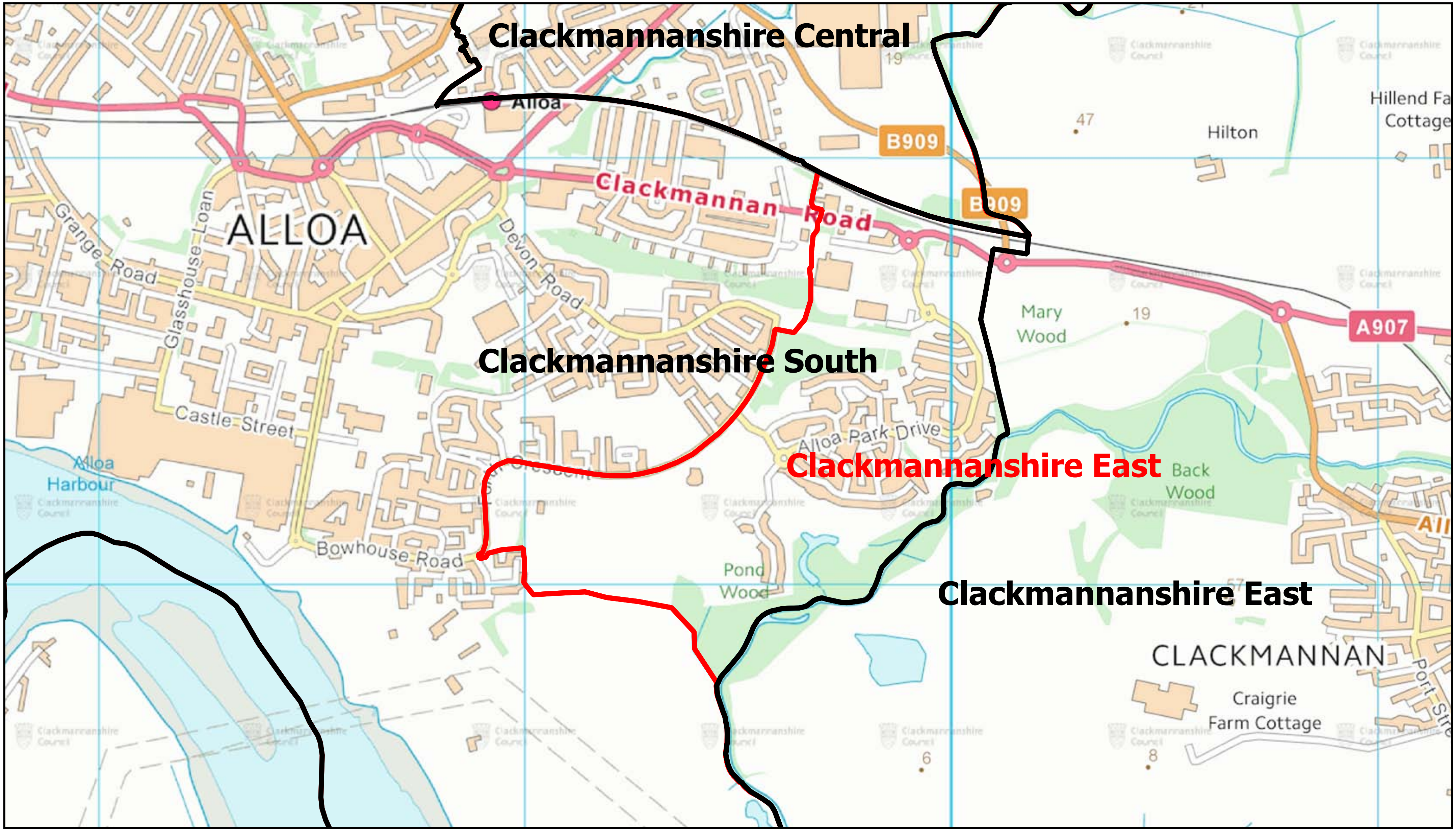
Local Government Boundary Commission for Scotland, Fifth Reviews of Electoral Arrangements - Proposals for Wards, Clackmannanshire

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Elaine McPherson	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	


Clackmannanshire Central
Alloa
B909
B909
Hilton
Hillend Fa
Cottage
47
Clackmannan Road
ALLOA
Grange Road
Glasshouse Loan
Devon Road
Mary
Wood
19
A907
Clackmannanshire South
Castle Street
Alloa Park Drive
Clackmannanshire East
Back
Wood
Alloa
Harbour
Bowhouse Road
Pond
Wood
Clackmannanshire East
CLACKMANNAN
Port Str
Craigrie
Farm Cottage
6
8

0 250 500 750 1000 metres

Scale: 1:12,000 Date: 30 March 2015

Paper size: A4 Reference:

N

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Proposed Ward Changes

Legend

▭ Current Ward Boundaries

▭ Proposed Ward Boundaries

Clackmannanshire
Council
www.clacksweb.org.uk

Kilncraigs
Greenside Street
Alloa FK10 1EB

Tel: 01259 450 000

THIS PAPER RELATES TO ITEM 13 ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 14 May 2015

Subject: Interim Arrangements for Appointments to Proper Officer Roles.

Report by: Head of Resources & Governance

1.0 Purpose

1.1 To seek the Council's approval of proper officers to act in the interim for the Depute Section 95 Officer and Monitoring Officer.

2.0 Recommendations

2.1 It is recommended that the Council:

2.2 approves the interim arrangements for appointments to Proper Officer roles.

3.0 Background

3.1 The Monitoring Officer (Governance Manager) will take up a new post outside the Council in June and, therefore, arrangements will need to be put in place to discharge the roles conferred on the Governance Manager, as the Council's Monitoring Officer, under the Council's Scheme of Delegation.

3.2 In accordance with the Scheme of Delegation, in the interim, the Monitoring Officer role will discharged by the Legal Team Leader. In his absence, the deputising role would be fulfilled by a Solicitor. Other roles delegated to the Governance Manager under the Scheme of Delegation will be taken up by the Head of Resources and Governance or the Legal Team Leader as appropriate to the role and qualifications required of the Proper Officer.

3.3 The Depute Section 95 Officer, Chief Accountant, has also taken up a new role outside the Council and the post is currently being advertised. In the interim, it is proposed that the in the absence of the Section 95

Officer, an Accountancy Team Leader will act as the Depute Section 95 Officer.

4.0 Sustainability Implications

4.1 None.

5.0 Resource Implications

5.1 Financial Details

5.2 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☐

5.3 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

5.4 Staffing

The staffing implication is an increase in the responsibility of the Legal Services team Leader. This will be reflected in a change of job title and consideration by CMT of the position of the interim role within the pay and grading structure. The budgetary implication of any changes will be minor and will managed within the Governance team's staff budget.

6.0 Exempt Reports

6.1 Is this report exempt? No ☐

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

The area has a positive image and attracts people and businesses ☐
Our communities are more cohesive and inclusive ☐
People are better skilled, trained and ready for learning and employment ☐
Our communities are safer ☐
Vulnerable people and families are supported ☐
Substance misuse and its effects are reduced ☐
Health is improving and health inequalities are reducing ☐
The environment is protected and enhanced for all ☐

The Council is effective, efficient and recognised for excellence ✓

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☐ Not applicable

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.

Yes ✓

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None.

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ✓ (please list the documents below) No ☐

Council's Scheme of Delegation dated 20th December 2012

Council's Standing Orders dated 15th May 2014

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stephen Coulter	Head of Resources & Governance	2022

Approved by

NAME	DESIGNATION	SIGNATURE
Stephen Coulter	Head of Resources & Governance	[redacted]
Nikki Bridle	Depute Chief Executive	[redacted]