



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 14 MAY 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 Ellen Forson
Councillor Irene Hamilton
Councillor Craig Holden
Councillor Kathleen Martin
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE
Councillor Bobby McGill
Councillor Les Sharp
Councillor Jim Stalker
Councillor Derek Stewart
Councillor Graham Watt
Councillor Gary Womersley

IN ATTENDANCE

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

The Provost expressed her sympathy for the people of Tibet following their recent earthquake. She advised that information on how to donate to the charitable appeal is available on Connect and encouraged people to make a contribution.

The Provost congratulated all staff involved in the recent Parliamentary elections and proposed a vote of thanks for their hard work

CC.298 APOLOGIES

Apologies were submitted by Councillor Kenneth Earle. .

CC.299 DECLARATION OF INTERESTS

None.

CC.300 MINUTE OF MEETING OF THE CLACKMANNANSHIRE COUNCIL HELD ON 5 MARCH 2015

The minutes of the Meeting of the Clackmannanshire Council held on 5 March 2015 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on Thursday 5 March 2015 were agreed as a correct record of proceedings and signed by the Provost.

CC.301 MINUTE OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL HELD ON 26 MARCH 2015

The minutes of the Special Meeting of the Clackmannanshire Council held on Thursday 26 March 2015 were submitted for approval.

Decision

The minutes of the Special Meeting of the Clackmannanshire Council held on Thursday 26 March 2015 were agreed as a correct record of proceedings and signed by the Provost.

CC.302 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 5 MARCH 2015

The Council agreed to note the committee meetings that had taken place since the last Council meeting on 5 March 2015:

- (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

CC.303 LEADERS BRIEFING

A briefing report, covering the period March - April 2015, 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, inform future workstreams.

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

CC.304 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

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

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed:

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"
 - To formally approve 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"
 - To 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"
 - To promote 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.

Action

Chief Executive

CC.305 REPRESENTATION ON OUTSIDE BODIES: CHILDREN'S HEARING SCOTLAND, CLACKMANNNSHIRE AREA SUPPORT TEAM

Following Councillor Les Sharp's resignation as the Council's representative on Children's Hearing Scotland, Clackmannanshire Area Support Team, the report sought a decision from the Council on its future representation on the Area Support Team.

Motion

That Council agrees to continue to have a representative on the Area Support Team and nominated the Convenor of Education Sport and Leisure as the Council's representative.

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

Decision

The Council agreed to continue to have a representative on the Area Support Team and agreed to appoint the Convenor of Education Sport and Leisure as the Council's representative.

Action

Head of Strategy and Customer Services

CC.306 AN OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND 2015

The report, submitted by the Chief Executive, advised Council of the publication by the Accounts Commission of *An Overview of Local Government in Scotland, 2015*, and brought to Council's attention the key messages, findings and recommendations contained in that report.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed to:

- a. note 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. note the commentary offered at section 5 of the report; and
- c. encourage its elected members to familiarise themselves with the Overview report and to consider the recommendations for councillors that it contains.

Action

Chief Executive

In terms of Standing Order 20.7, Councillor Les Sharp gave notice that proposals to amend Standing Orders will be brought before the next meeting of the Council on 25 June 2015.

CC.307 BUDGET STRATEGY UPDATE

The report, submitted by the Depute Chief Executive, sought to maintain the Council's regular update on the medium term financial outlook and indicative funding gap. The report also provided an update on the "Making Clackmannanshire Better" revised engagement and implementation arrangements which were implemented in April 2015.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed to note:

1. the financial outlook set out in section 3 of the report
2. the publication of Audit Scotland's report on Borrowing and Treasury Management (set out in paragraphs 3.5 and 3.6 of the report)
3. the cumulative indicative funding gap to 2018/19 of £23.384m (set out in Table 1 of the report)
4. the factors influencing the indicative funding gap since February 2014 (set out in paragraph 4.3 of the report)
5. the implementation of revised MCB engagement arrangements in April 2015 (set out in Paragraphs 4.5 to 4.8 of the report)
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 of the report).

Action

Depute Chief Executive

CC.308 CLACKMANNANSHIRE LOCAL SCRUTINY PLAN 2015

The report, submitted by the Chief Executive, advised Council formally of the publication in April by Audit Scotland of the Clackmannanshire Council Local Scrutiny Plan for 2015.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed to note:

- a. the recent publication by Audit Scotland of the 2015 Local Scrutiny Plan for Clackmannanshire; and
- b. the findings and intended planned scrutiny activity in 2015-16.

Action

Chief Executive

CC.309 CLACKMANNANSHIRE ALLIANCE GOVERNANCE ARRANGEMENTS

In March 2015, Clackmannanshire Alliance considered a discussion paper relating to its future governance, scrutiny, structure and resourcing arrangements. The Alliance had 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.

The report, submitted by the Head of Strategy and Customer Services, was to enable Clackmannanshire Council to formally consider the discussion paper as part of the consultation process.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

Having noted, commented on and challenged the report, the Council agreed:

1. that officers feedback the following specific points to the Clackmannanshire Alliance:
 1. that there should be a clear separation of roles and responsibilities for executive and non-executive members of the Alliance;
 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;
 3. that strong local and democratic influence and accountability should be primary principles in determining the composition of the Alliance board;
 4. that consideration is given to looking beyond current membership for non-executive positions on the Alliance board where appropriate; and
 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.

Action

Head of Strategy and Customer Services

The Provost adjourned the meeting at this point in the proceedings (1200 hrs).

When the meeting resumed at 1215 hrs, 17 members remained present.

CC.310 FIFTH REVIEW OF ELECTORAL ARRANGEMENTS - PROPOSALS FOR WARDS

The report, submitted by the Chief Executive, brought to members' attention proposals from the Local Government Boundary Commission for Scotland to make amendments to electoral wards in Clackmannanshire and sought Council's response to these proposals.

Motion

To agree the recommendation as set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Janet Cadenhead.

Decision

The Council agreed to:

- a. note 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. note that no other changes to Clackmannanshire wards are proposed;
- c. note the consultation process which will be undertaken on the matter by the Local Government Boundary Commission for Scotland;
- d. note the feedback from local elected members on the proposal; and
- e. advise the Local Government Boundary Commission for Scotland that it has no objections to the proposed changes in Clackmannanshire's local government wards.

Action

Chief Executive

CC.311 INTERIM ARRANGEMENTS FOR APPOINTMENTS TO PROPER OFFICER ROLES

The report, submitted by the Head of Resources and Governance, sought the Council's approval of proper officers to act in the interim for the Depute Section 95 Officer and Monitoring Officer.

Motion

To agree the recommendation as set out in the report.

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

Decision

The Council agreed to approve the interim arrangements for appointments to Proper Officer roles.

Action

Head of Resources and Governance

Councillor Janet Cadenhead withdrew from the meeting prior to the following item of business.

CC.312 ADOPTION OF THE CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN AND ASSOCIATED DOCUMENTS

The Clackmannanshire proposed Local Development Plan (LDP) was consulted on between November 2013 and February 2014. Outstanding representations to the Proposed LDP which could not be resolved were submitted to the Directorate for Planning and Environmental Appeals (DPEA) in August 2014 and considered through an Examination. Once the Examination was completed, the Reporters prepared a report setting out their findings and giving reasons for their conclusions. This was received by the Council on 20th March 2015.

The Council are required to modify the proposed LDP to incorporate the Reporters recommended changes. This report, submitted by the Head of Development and Environment, sought approval of the Clackmannanshire Local Development Plan and associated documents and supplementary guidance as modified for adoption.

The report also sought approval of two further pieces of Supplementary Guidance, which had been provided separately to Members, to support the LDP, 'Woodlands and Forestry' and 'Domestic Developments', for consultation.

Motion

To agree the recommendation as set out in the report.

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

Decision

The Council agreed to approve:

- a. the Proposed Local Development Plan and associated documents as modified for adoption;
- b. Supplementary Guidance 1-7 as modified; and
- c. Supplementary Guidance 8, 'Woodlands and Forestry' and 10, 'Domestic Developments', and associated documents for consultation.

Action

Head of Development and Environment

CC.313 ANNUAL PROPERTY REVIEW 2015/16

The report, submitted by the Head of Development and Environment, provided an overview of progress in the disposal of vacant/surplus Council property to date and identifies the proposed disposal plan for 2015/16. The report also sought approval to declare properties surplus to Council needs/requirements.

Motion

To agree the recommendation as set out in the report.

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

Decision

The Council agreed to declare six sites surplus to Council needs/requirements as detailed in section 4.4 of the report and to note the current/completed disposals and proposed sale programme for 2015/16.

Action

Head of Development and Environment

Ends: 14:00 hrs

