



**Clackmannanshire
Council**

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**THIS PAPER RELATES TO
ITEM 03(i)
ON THE AGENDA**

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on THURSDAY 17 DECEMBER 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

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
Kevin Kelman, Assistant Head of Education
Ahsan Khan, Head of Housing and Community Safety
David Leng, Head of Education
Gordon McNeil, Head of Development and Environment
Alan Milliken, Assistant Head of Education
Andrew Wyse, Team Leader, Legal Services (Clerk to the Council)
Gillian White, Business Support to Clackmannanshire Council

CC.363 APOLOGIES

None.

CC.364 DECLARATIONS OF INTERESTS

None.

CC.365 MINUTE OF MEETING HELD ON THURSDAY 22 OCTOBER 2015

The minute of the Meeting of the Clackmannanshire Council held on Thursday 22 October 2015 were submitted for approval.

Decision

The minutes of the Meeting of the Clackmannanshire Council held on Thursday 22 October 2015 were agreed as a correct record of proceedings and signed by the Provost.

CC.366 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 22 OCTOBER 2015

The Council agreed to note the committee meetings that had taken place since the last ordinary Council meeting on 22 October 2015.

- (a) Enterprise and Environment Committee 29/10/15
- (b) Regulatory Committee 27/10/15
- (c) Licensing Board 03/11/15 & 08/12/15
- (d) Housing, Health and Care Committee 05/11/15
- (e) Education, Sport and Leisure Committee 12/11/15
- (f) Planning Committee 19/11/15 & 16/12/15
- (g) Local Review Body 19/11/15 & 01/12/15
- (h) Resources and Audit Committee 03/12/15
- (i) Social Services Complaints Review Committee 26/11/15
- (j) Resources and Audit Sub Committee 09/12/15

CC.367 LEADERS BRIEFING

A briefing report, covering the period October - December 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.368 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report which sought Council approval of recommendations which have been made by committees during the October - December 2015 cycle of meetings was submitted by the Chief Executive.

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 **Enterprise and Environment Committee** of **29 October, 2015** in relation to the report entitled "*Road Asset Management Plan*"
 - to approve the 2015-18 Roads Asset Management Plan.

2. from the **Education, Sport and Leisure Committee of 12 November, 2015** in relation to the report entitled "*Charging Policy for Additional Nursery Hours*"

- the proposed fee structure for additional hours in nursery beyond the statutory entitlement for early learning and childcare.

Action

Chief Executive

CC.369 REPRESENTATION ON OUTSIDE BODIES

A report which put forward proposals for future elected member representation on outside bodies was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

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

Voting

For the motion	9 votes
Against the motion	8 votes
Abstain from voting	1 abstention

Decision

On a division of 9 votes to 8 with 1 abstention, the Council agreed that the Council ceases to be formally represented on the undernoted outside bodies:

- Central Scotland Regional Equality Council Ltd
- Central Sporting Partnership
- Clackmannanshire Access Forum
- Clackmannanshire Bowls Group
- Clackmannanshire Football Partnership
- Clackmannanshire Rugby Partnership
- Clackmannanshire Sports Council
- Clackmannanshire Swim Group
- Ochil Landscape Partnership Scheme (OLP)
- Paragon Housing Association Ltd
- Scottish Councils Committee on Radioactive Substances
- Scottish Enterprise - East Regional Advisory Board

Action

Chief Executive

CC.370 BUDGET STRATEGY UPDATE

A report which maintained Council's regular update on the medium term financial outlook was submitted by the Depute Chief Executive. The report also provided an update on progress with the Making Clackmannanshire Better programme, Budget preparation and the recent Comprehensive Spending Review.

The Depute Chief Executive provided a verbal update to Council on the Scottish Government's Budget Statement and circulated a table showing the indicative funding gap for 2016/17.

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. a. the key announcements from the Comprehensive Spending Review (CSR) on 25th November 2015 (paragraphs 3.2, 3.3 and 3.6 of the report)
- b. the impact of the UK CSR on Scottish funding (paragraph 3.4 and Table 1 of the report)
- c. the planned announcement of the Scottish Budget and individual council settlement figures on the 16th December (Paragraph 3.5 of the report)
- d. the modelling of the impact of variation in the assumed level of funding reduction applied to the Council's grant income (Table 2) and on the previously anticipated indicative funding gap (paragraph 4.3 of the report)
- e. the provision of a verbal update to Council following the announcement of the Scottish Budget on the 16th December (paragraph 4.6 of the report)
- f. the classification of Tranche 1 and Tranche 2 Business cases set out at Appendix A and paragraph 4.10 of the report
- g. the 'live' consultation activities underway in respect of the 2016/17 Budget (paragraphs 4.11 to 4.15 of the report).

The Council further agreed:

2. a. from the Resources and Audit Committee of 3 December 2015, in relation to the report entitled "Strategy and Customer Services Performance Report, 2nd Quarter 2015/16"
 - to vire £203k within the Strategy and Customer Services Budget to cover the reported overspend of £203k within Leisure Services (paragraph 4.16)

Action

Depute Chief Executive

CC.371 EDUCATION AND SOCIAL SERVICES - FUTURE MANAGEMENT ARRANGEMENTS

A report which updated members on developments in shared services since the last meeting of Council in October 2015 was submitted by the Chief Executive.

Motion

That the Council agrees the recommendations set out in the report.

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

Councillor Drummond withdrew from the meeting during the debate on this item (1200 hrs). Seventeen (17) members remained present.

Voting

For the motion	9 votes
Against the motion	0 votes
Abstain from voting	8 abstentions

Decision

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

- a. to note the work which has been undertaken since 22 October, 2015, in response to Stirling Council's decision to move away from shared services;
- b. to note the externally commissioned paper (Appendix 1 to this report) on strategic options for the future management of school education in Clackmannanshire;
- c. that the Council should pursue the cluster-based management approach going forward;
- d. to establish the post of Chief Education Officer and to recruit to that post in the new year as set out in paragraphs 4.7 & 4.8 of this report;
- e. to nominate six members to sit on the Appointments Committee for the chief officer post as set out at paragraph 4.9 of this report;
- f. to vire £150,000 from the education service's projected underspend in 2015-16 to fund the recruitment process for the chief education officer, to resource any future externally commissioned work which may be required between now and the chief officer taking up post and any other activities related to arrangements for withdrawing from shared services (the unspent allocation of this overall resource at the end of March 2016 to be carried forward into 2016-17 and ear-marked for those same purposes);
- g. to establish an Attainment & Improvement Sub-Committee of the Education, Sport & Leisure Committee as set out at paragraphs 4.14-4.17 of this report
- h. that subject to agreeing the above recommendation and noting that the Sub-Committee will be chaired by the Convenor of the Education, Sport & Leisure Committee, nominate three other members to sit on the Sub-Committee as set out at paragraph 4.15 of this report;
- i. to note that proposals for new management arrangements for social services will come forward to Council at a future meeting.

The Council further agreed to accept the undernoted nominations to the Appointments Committee and to the Attainment and Improvement Sub Committee of the Education, Sport and Leisure Committee:

Appointments Committee

Councillor Les Sharp	(Moved by Councillor Sharp. Seconded by Councillor Forson)
Councillor Ellen Forson	(Moved by Councillor Sharp. Seconded by Councillor Forson)
Councillor Irene Hamilton	(Moved by Councillor Sharp. Seconded by Councillor Forson)
Councillor Bobby McGill	(Moved by Councillor McGill. Seconded by Councillor Matchett)
Councillor Jim Stalker	(Moved by Councillor McGill. Seconded by Councillor Matchett)
Councillor Archie Drummond	(Moved by Councillor Campbell. Seconded by Councillor Sharp)

Attainment and Improvement Sub Committee of the Education, Sport and Leisure Committee

As previously agreed, the Sub-Committee will be chaired by the Convenor of the Education, Sport & Leisure Committee, currently Councillor Ellen Forson.

Councillor Les Sharp	(Moved by Councillor Sharp. Seconded by Councillor Forson)
Councillor Jim Stalker	(Moved by Councillor McGill. Seconded by Councillor Watt)
Councillor George Matchett	(Moved by Councillor McGill. Seconded by Councillor Watt)

Action

Chief Executive.

The Provost adjourned the meeting at this point in the proceedings (1240 hrs). Councillor McAdam withdrew from the meeting during the adjournment. When the meeting resumed at 1310 hrs, sixteen (16) members remained present.

CC.372 USE OF OVERT SURVEILLANCE SYSTEMS POLICY

The purpose of the report, submitted by the Head of Resources and Governance, was for the Council to consider and agree a policy for the use of overt surveillance systems.

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 the adoption of the Overt Surveillance Equipment Policy (as set out in Appendix A).

Action

Head of Resources and Governance

CC.373 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 - ILLEGAL PARKING AT SCHOOLS - NOTICE OF MOTION SUBMITTED BY COUNCILLOR CRAIG HOLDEN

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Craig Holden.

Motion

"Council notes with concern the problem of illegal parking at Schools and the danger this poses to school children, parents and the wider community. Council supports the efforts of pupils, parents, Council Officer and the Police to raise awareness of the issue and is fully supportive of enforcement action where necessary."

Moved by Councillor Craig Holden. Seconded by Councillor Ellen Forson.

As provided by Standing Order 13.22, Councillor Holden with the agreement of his seconder immediately withdrew his motion. Under Standing Order 10.6 the Provost then decided that the meeting move to next business.

Councillor Matchett withdrew from the meeting prior to the next item of business (1310 hrs). Fifteen (15) members remained present.

EXEMPT INFORMATION

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

CC.374 CLOSURE OF LONGANNET POWER STATION

The report, submitted by the Head of Development and Environment, informed members of the impacts the closure of Longannet Power Station could have on Clackmannanshire residents and businesses, the establishment of the Longannet Task Force as a response to the closure and the actions that are being considered.

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 the recommendations set out in the report.

Action

Head of Development and Environment

CC.375 CAPITAL INVESTMENT FUND - ACQUISITION OF PROPERTY AT NORTH STREET AND MAIN STREET, CLACKMANNAN

A report was submitted by the Head of Development and Environment which sought approval for acquisition of properties on North Street and Main Street, Clackmannan

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Irene Hamilton.

Decision

The Council agreed the recommendations as set out in the report.

Action

Head of Development and Environment

Ends 1345 hrs