



Clackmannanshire Council

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

Meeting of Clackmannanshire Council

Thursday 23 June 2016 at 10.00 am.

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

Date	Time
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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.

15 June 2016

A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 23 JUNE 2016 at 10.00 am.

**NIKKI BRIDLE
Depute Chief Executive**

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EXEMPT INFORMATION

It is considered that the undernoted report be treated as exempt from the Council's general policy of disclosure of all papers by virtue of Schedule 7A, Part 1, Paragraph 6 of the Local Government (Scotland) Act 1973. It is anticipated (although this is not certain) that the Council will resolve to exclude the press and public during consideration of this item.

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For further information contact Strategy & Customer Services, Clackmannanshire Council, Kilncraigs, Alloa FK10 1EB (Tel 01259 452106/452004)(email customerservices@clacks.gov.uk) (www.clacksweb.org.uk)

Clackmannanshire Council – Councillors and Wards

Councillors

Wards

Councillor	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 (Suspended w.e.f. 25/04/16)	2	Clackmannanshire North	INDP
Councillor	Walter McAdam, MBE	2	Clackmannanshire North	SNP
Councillor	Bobby McGill	2	Clackmannanshire North	LAB
Provost	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



**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 12 MAY 2016 at 10.00 am.

PRESENT

Provost Tina Murphy
Councillor Donald Balsillie
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Craig Holden
Councillor Kathleen Martin
Councillor George Matchett QPM
Councillor Bobby McGill
Councillor Walter McAdam MBE
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
Val de Souza, Head of Social Services
Ahsan Khan, Head of Housing and Community Safety
David Leng, Head of Education
Gordon McNeil, Head of Development and Environment
Andrew Wyse, Acting Legal Services Manager (Clerk to the Council)
Gillian White, Business Support to Council

The Provost intimated that former Councillor, Jim Watson had passed away. Councillor Bobby McGill will be attending the funeral service.

CC(16)01 APOLOGIES

None.

CC(16)02 DECLARATIONS OF INTEREST

None

CC(16)03 MINUTES OF MEETING: CLACKMANNANSHIRE COUNCIL

(i) Minutes of Special Meeting held on 23 February 2016 (Lime Tree House)

The minutes of the Special meeting of the Clackmannanshire Council held on Tuesday 23 February 2016 were submitted for approval.

Decision

The minutes of the Special meeting of the Clackmannanshire Council held on Tuesday 23 February 2016 were agreed as a correct record of proceedings and signed by the Provost.

(ii) Minutes of Special Meeting held on 23 February 2016 (Budget)

The minutes of the Special meeting of the Clackmannanshire Council held on Tuesday 23 February 2016 were submitted for approval.

Decision

The minutes of the Special meeting of the Clackmannanshire Council held on Tuesday 23 February 2016 were agreed as a correct record of proceedings and signed by the Provost.

(iii) Minutes of Meeting held on 3 March 2016

The minutes of the meeting of the Clackmannanshire Council held on Thursday 3 March 2016 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on Thursday 3 March 2016 were agreed as a correct record of proceedings and signed by the Provost.

CC(16)04 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 3 MARCH 2016

The Council agreed to note the Committee meetings that had taken place since the last ordinary Council meeting on 3 March 2016.

- (i) Clackmannanshire Licensing Board on 29/03/16, 08/04/16 & 26/04/16
- (ii) Regulatory Committee on 22/03/16
- (iii) Housing, Health and Care Committee on 31/03/16
- (iv) Planning Committee on 19/04/16
- (v) Attainment and Improvement Sub Committee 20/04/16
- (vi) Resources and Audit Committee on 21/04/16
- (vii) Education, Sport and Leisure Committee on 28/04/16

CC(16)05 LEADER'S BRIEFING

A briefing report which covered the period from February 2016 to April 2016 was submitted by the Leader of the Council. The purpose of the report was to inform all elected members of a range of issues and activities which the Leader of the Council had been engaged with in the past quarter. The briefing was intended 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 Leader of the Council advised that he did not attend the event on 23 April 2016.

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

CC(16)06 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report was submitted by the Chief Executive which sought Council approval of recommendations which have been made by Committees during the February 2016 to April 2016 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 25 February 2016 in relation to the report entitled "Clackmannanshire Council Internal Audit and Fraud Annual Plan 2016/17"
 - To approve the Internal Audit and Fraud Annual Plan 2016/17 as set out in Appendix A of the report.
- (2) From the Resources and Audit Committee of 25 February 2016 in relation to the report entitled, "Resources and Audit Forward Plan"
 - To approve the Forward Plan for 2016/17 as set out in the Appendix 1 to the report.

Action

Chief Executive

CC(16)07 APPOINTMENT TO OUTSIDE BODY – PENSIONS BOARD

A report, submitted by the Depute Chief Executive sought nominations for the appointment of an elected member as the Clackmannanshire representative on the Pensions Board following the receipt of the resignation of the current representative, Councillor Drummond.

Motion

That Council agrees the recommendations set out in the report and nominates Councillor Donald Balsillie as the Council's representative on the Pensions Board with Councillor Gary Womersley as substitute..

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

Decision

The Council agreed to the appointment of Councillor Donald Balsillie as the Clackmannanshire representative on the Pension Board with Councillor Gary Womersley as substitute.

Action

Depute Chief Executive

CC(16)08 REPRESENTATION ON OUTSIDE BODIES – CLACKMANNANSHIRE HERITAGE TRUST

The report, submitted by the Chief Executive, advised Council of a change to the constitution of the Clackmannanshire Heritage Trust (CHT, “the company”) which impacts on Council’s representation on this outside body.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed to note that it no longer had entrenched membership of the CHT and rights of nomination; and given changes in circumstances from when the CHT was established, agreed to terminate its membership of the company.

Action

Chief Executive

CC(16)09 AMENDMENTS TO STANDING ORDERS

Notice was given by Councillor Watt at the Meeting of Council on 3 March 2016 of the intention to bring forward amendments to Standing Orders and the report followed on from that notice.

The purpose of the report, submitted by Councillor Bobby McGill, proposed the amendment of Council’s Standing Orders for which notice was given, to enable to Council to consider and decide upon the proposed changes.

At this point in the proceedings, Councillor McGill gave notice of amendment to Standing Orders at the next meeting of the Council.

Motion

That Council agrees the recommendation set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Graham Watt.

Amendment

That Council discuss each of the proposed amendments to standing orders individually to enable better discussion on the implications of each.

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

The amendment was agreed.

Councillor Womersley asked for a fifteen minute adjournment. The Provost adjourned the meeting at this point in the proceedings (10.20 hrs). When the meeting resumed at 10.30 hrs, seventeen (17) members remained present.

Voting

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

For the Motion

Councillor George Matchett
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Jim Stalker
Councillor Kathleen Martin
Councillor Graham Watt
Councillor Kenneth Earle
Councillor Derek Stewart
Councillor Alastair Campbell

Against the Motion

Councillor Gary Womersley
Councillor Craig Holden
Councillor Walter McAdam
Councillor Irene Hamilton
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Provost Tina Murphy

For the motion 9 votes
Against the motion 8 votes

On a division of 9 votes to 8, the Motion was carried.

Decision

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

- a) in Standing Order 1.5 (Page 7) to insert a new bullet point 3 - "The Convenor of Resources and Audit Committee shall be a member of the main Opposition Group.";
- b) in Standing Order 1.5 (Page 7) to insert in the final bullet point after the word "by-election" insert "or arising as a result of a vacancy";
- c) in Standing Order 3.4 (Page 9) at bullet point four to delete the words " and sub-committee" and to make any further required consequential amendments to Standing Orders (e.g. to the list in Standing Order 3.5);
- d) in Standing Order 3.6 (Page 10) to insert after "Enterprise and Environment Committee" "unless appointed as a full member of the Committee. No other member or substitute may be appointed for this ex-officio membership.";
- e) to delete Standing Order 3.8 (Page 10);
- f) in Standing Order 10.5 (Page 25) to insert after "reasons for the decision." "The reasons will be recorded in the Minute of the Meeting.";
- g) in Standing Order 10.6 (Page 25) to insert after "reasons for the decision." "The reasons will be recorded in the Minute of the Meeting.";

- h) to delete the existing Standing Order 12.2 (Page 29) and substitute "The Provost will then give members the opportunity to ask relevant questions of, and request explanations or more information from, that officer or any other officer at the meeting who holds relevant information, or to ask relevant questions where appropriate of the Leader of the Council or a Convener;
- i) to insert new Standing Order 13.9 (Page 30) "An amendment may not be moved or discussed until the original report has been moved and seconded.";
- j) in Standing Order 13.10 (Page 30) to delete "must" and insert "should normally";
- k) to delete existing Standing Order 13.22 (Page 31) and substitute "Once a motion or amendment has been moved and seconded, it can be withdrawn only by a decision of the majority of members present and entitled to vote"
- l) to insert new Standing Order 19.10 (Page 39) " A Convenor of a committee may be requested to attend Resources and Audit Committee to answer questions on matters relevant to that committee's remit which are under consideration by Resources and Audit Committee. The committee Convenor will be given as much notice as is reasonably practicable of the requirement to attend and the issue to be discussed."

Action

Chief Executive

Councillor Womersley asked for a fifteen minute adjournment. The Provost adjourned the meeting at this point in the proceedings (11:00 hrs). When the meeting resumed at 11:13 hrs, seventeen (17) members remained present.

On returning to the Chamber, the Leader of the Council, Councillor Sharp made the statement, "Provost, given the decision made today in connection with what we feel are the vital importance of standing orders, this administration no longer feels in command of the majority of this Council and therefore resigns the administration of this Council with immediate effect."

The Provost stepped down from the Chair.

The Clerk advised that as the meeting remains quorate, the first step, as set out in Standing Order 9.2, was for the Councillors present to decide who would Chair the meeting.

Councillor McGill asked for a ten minute adjournment. The Clerk adjourned the meeting at this point in the proceedings (11:15 hrs). When the meeting resumed at 11:25 hrs, seventeen (17) members remained present.

Motions to Appoint a Chair

Councillor George Matchett QPM moved that Bobby McGill is appointed as Chair of the Meeting. Seconded by Councillor Janet Cadenhead.

Councillor Craig Holden moved that Councillor Les Sharp is appointed as Chair of the Meeting. Seconded by Councillor Ellen Forson.

Voting

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

For Councillor Sharp as Chair

Councillor Gary Womersley
Councillor Craig Holden
Councillor Walter McAdam
Councillor Irene Hamilton
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Provost Tina Murphy

Against Councillor Sharp as Chair

Councillor George Matchett
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Jim Stalker
Councillor Kathleen Martin
Councillor Graham Watt
Councillor Kenneth Earle
Councillor Derek Stewart
Councillor Alastair Campbell

For Councillor Sharp	8 votes
Against Councillor Sharp	9 votes

On a division of 8 votes to 9, the Motion to appoint Councillor Sharp as Chair was defeated.

For Councillor McGill as Chair

Councillor George Matchett
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Jim Stalker
Councillor Kathleen Martin
Councillor Graham Watt
Councillor Kenneth Earle
Councillor Derek Stewart
Councillor Alastair Campbell

Against Councillor McGill as Chair

Councillor Gary Womersley
Councillor Craig Holden
Councillor Walter McAdam
Councillor Irene Hamilton
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Provost Tina Murphy

For Councillor McGill	9 votes
Against Councillor McGill	8 votes

On a division of 9 votes to 8, the Motion to appoint Councillor McGill as Chair was carried.

Accordingly, Councillor McGill was appointed as Chair for the remainder of the Meeting of the Council.

The Chair, Councillor McGill, asked for the meeting to be suspended for a period of two weeks to give the Labour Group the opportunity to discuss the situation and the options for taking the Council forward.

The Clerk advised that there is an inconsistency in Standing Orders around postponing the meeting.. Standing Order 15.17 states that we may postpone a meeting in accordance with Standing Order 15.12. However, 15.12 refers to a Provost's motion that has been put to the vote and not seconded or defeated, so that Standing Order of itself is inconsistent. The Clerk advised that if he had to make a submission in terms of a court ruling on it, then the words which were inconsistent would be deleted. Standing Order 15.17 would then appear to give the Council the opportunity to postpone a meeting if Council were so minded.

The Chair adjourned the meeting at this point in the proceedings (11:30 hrs). When the meeting resumed at 11:40 hrs, seventeen (17) members remained present.

On returning to the Chamber, the Clerk confirmed that his ruling would be that the intention of Standing Orders is that there is a power to postpone the meeting. Standing Order 15.17 is a straight vote that we may postpone a meeting, so to state that it's in accordance with Standing Order 15.12 is a slight inconsistency that will need clarified in a future version of Standing Orders.

Motion to Continue the Meeting

Councillor Sharp moved to continue the meeting and take forward the business in accordance with the agenda. Seconded by Councillor Donald Balsillie.

Amendment

Councillor Cadenhead moved, that given the unexpectedness of the circumstances, and having had no time to consider how to present the papers, that it would be both politic and wise to postpone the meeting in the best interests of the business and of this Council. Seconded by Councillor George Matchett QPM.

Voting on the Amendment

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

For the amendment

Councillor George Matchett
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Jim Stalker
Councillor Kathleen Martin
Councillor Graham Watt
Councillor Kenneth Earle
Councillor Derek Stewart
Councillor Alastair Campbell

Against the amendment

Councillor Gary Womersley
Councillor Craig Holden
Councillor Walter McAdam
Councillor Irene Hamilton
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Provost Tina Murphy

For the amendment	9 votes
Against the amendment	8 votes

On a division of 9 votes to 8, the amendment to postpone the meeting was carried.

Decision

The remainder of the business to be considered at the Meeting of Clackmannanshire Council was postponed to a reconvened meeting to be held at a later date.

Ends 1200 hrs



MINUTES OF MEETING of the RESOURCES AND AUDIT SUB COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on WEDNESDAY 17 FEBRUARY 2016 at 10.00 am.

PRESENT

Councillor Bobby McGill (Vice Convenor) (In the Chair)
Councillor Craig Holden
Councillor Les Sharp
Councillor Jim Stalker

IN ATTENDANCE

Stuart Crickmar, Head of Strategy and Customer Services
Superintendent Kenneth MacLeod, Operations, Forth Valley Division, Police Scotland
Chief Inspector Drew Sinclair, Police Scotland
PC Amy McGregor, Police Scotland
John Beresford, Community Accountability Co-ordinator, Scottish Police Authority
LSO Ross Haggart, Stirling and Clackmannanshire, Scottish Fire and Rescue Service
Andrew G Wyse, Legal Services Team Leader (Clerk to the Committee)

In the absence of the Convenor (Councillor Archie Drummond), the meeting was chaired by Councillor Bobby McGill.(Vice Convenor)

R&ASC.78 APOLOGIES

Apologies were received from Councillor Archie Drummond and Chief Superintendent John Hawkins. Superintendent Kenneth McLeod attended Sub Committee today as substitute for Chief Superintendent Hawkins.

R&ASC.79 DECLARATIONS OF INTEREST

None.

R&ASC.80 MINUTES OF MEETING: RESOURCES AND AUDIT SUB COMMITTEE 9 DECEMBER 2015

The minutes of the meeting of the Resources and Audit Sub Committee held on 9 December 2015 were submitted for approval.

The minutes of the meeting of the Resources and Audit Sub Committee held on 9 December 2015 were agreed as a correct record and signed by the Vice Convenor.

R&ASC.81 POLICE PERFORMANCE REPORT FOR CLACKMANNANSHIRE APRIL 2015 TO DECEMBER 2015

The Vice Convenor welcomed John Beresford from the Scottish Police Authority who was observing the Sub Committee today.

Superintendent Kenneth McLeod, Operations, Forth Valley Division, Police Scotland presented the report on Police Performance for Clackmannanshire (April 2015 to December 2015) and answered questions from the Sub-Committee.

Motion

That the Sub Committee agrees the recommendation set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Craig Holden

Decision

Having commented on and challenged the report as appropriate, the Sub Committee agreed to note the information set out in the Police Performance Report for Clackmannanshire April 2015 to December 2015.

R&ASC.82 FIRE PERFORMANCE REPORT - QUARTER THREE 2015/16

The Vice Convenor advised the Sub Committee that this would be Ross Haggart's last meeting as he was moving on to a new job within the main Headquarters.

A report, submitted by the Local Senior Officer Clackmannanshire and Stirling, provided the Sub Committee with the 2015/16 quarter three performance of the Scottish Fire and Rescue Service (SFRS) in Clackmannanshire. The report is based on performance against objectives and targets set out in the Local Fire and Rescue Plan for Clackmannanshire 2014/17.

Motion

That the Sub Committee agrees the recommendation set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Jim Stalker.

Decision

Having commented on and challenged the report, the Sub Committee agreed to note the information set out in the Fire Performance Report Quarter Three 2015/16.

The Vice Convenor wished Ross all the best in his new role.

R&ASC.83 RESOURCES AND AUDIT SUB COMMITTEE FORWARD PLAN

A report, submitted by the Head of Strategy and Customer Services, presented to the Sub Committee a forward plan for Resources and Audit Sub Committee for the coming year.

Motion

That the Sub Committee agrees the recommendation set out in the report.

Decision

The Sub Committee agreed the forward plan for 2016/17 as set out in Appendix 1, subject to Council approval.

Action

Head of Strategy and Customer Services

Ends 11:30



MINUTES OF MEETING of the HOUSING, HEALTH AND CARE COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on THURSDAY 31 MARCH 2016 at 10.00 am.

PRESENT

- Councillor Les Sharp, Convenor (In the Chair)
- Provost Tina Murphy, Vice Convenor
- Councillor Donald Balsillie (S)
- Councillor Archie Drummond
- Councillor Ellen Forson
- Councillor Kathleen Martin
- Councillor Bobby McGill (S)
- Councillor Derek Stewart

IN ATTENDANCE

- Ahsan Khan, Head of Housing and Community Safety
- Philip Gillespie, Assistant Head of Social Services
- Liam Purdie, Assistant Head of Social Services
- Murray Sharp, Service Manager (Strategy and Revenues)
- Yvonne Sharp, Senior Advisor Money Advice and Benefits
- Louise Beattie, Business Manager (Item 6)
- Alison Campbell, Planning Commission Officer (Item 8)

Before the start of business, the Convenor advised Committee that the Social Services, Learning and Development Team had won a National Award. They would also be receiving another award through COSLA this Autumn.

HHC.176 APOLOGIES

Apologies for absence were received from Councillor Walter McAdam, MBE and Councillor Graham Watt. Councillor Donald Balsillie attended as substitute for Councillor McAdam and Councillor Bobby McGill attended as substitute for Councillor Watt.

HHC.177 DECLARATIONS OF INTEREST

None.

HHC.178 MINUTES OF MEETING: HOUSING, HEALTH AND CARE COMMITTEE HELD ON THURSDAY 28 JANUARY 2016

The minutes of the meeting of the Housing, Health and Care Committee held on Thursday 28 January 2016 were submitted for approval.

Decision

The minutes of the meeting of the Housing, Health and Care Committee held on Thursday 28 January 2016 were agreed as a correct record and signed by the Convenor.

HHC.179 STRATEGY AND REGENERATION UPDATE

A report which provided an update on the affordable housing programme was submitted by the Head of Housing and Community Safety.

Motion

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

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

Having commented on and challenged the report, the Committee agreed to:

- (1) Note the progress of the affordable housing programme.
- (2) Note the Scottish Governments' statement on the increase in the affordable housing budget, and the rise in subsidy levels.
- (3) Note the remainder of the information set out in the report.

HHC.180 WELFARE REFORM UPDATE

A report which updated the Committee on the local experiences and impacts of changes to welfare benefits resulting from the introduction of the Welfare Reform Act 2012 and other provisions was submitted by the Head of Housing and Community Safety.

Motion

That the Committee agrees the recommendation set out in the report.

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

Having commented on and challenged the Welfare Reform Update report, the Committee agreed to note the content of the report.

HHC.181 SOCIAL SERVICES PERFORMANCE REPORT

A report was submitted by the Head of Social Services, which presented information to Committee on the performance indicators, and on progress in implementing the strategic priorities and projects, for Social Services' performance Quarter 3, 2015/2016 (October - December 2015).

Motion

That the Committee agrees the recommendation set out in the report.

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

Having commented on and challenged the Social Services Performance report, the Committee agreed to note the information set out in the report.

HHC.182 FINANCIAL PERFORMANCE REPORT: SOCIAL SERVICES

A report which updated Committee on the Social Services financial information up to and including January 2016 was submitted by the Head of Social Services.

Motion

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

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

Having commented on and challenged the report, the Committee agreed to:

- (1) Note the information set out in the report.
- (2) Consider the management actions taken.
- (3) Consider the continuing demand on services and the impact on the budget to fulfil our statutory responsibilities.

Action

Head of Social Services

HHC.183 IMPLEMENTATION OF PAYMENT OF THE SCOTTISH LIVING WAGE IN THE SOCIAL CARE SECTOR

A report was submitted by the Head of Social Services, which provided information to Committee about the implementation of payment of the Living Wage in the Social Care Sector. The report covered the use of investment targeted to secure improvements in terms and conditions including wage levels across care services in the independent and third sectors. The report also provided information to Committee about progress in delivering the objectives of Unison's Ethical Care Charter.

Motion

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

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

The Committee agreed to note:

- (1) The funding allocated by the Scottish Government to support improvement in the terms and conditions including rates of pay in the Social Care Sector.
- (2) Progress made in meeting the objectives of the Ethical Care Charter.
- (3) The potential financial implications for the Council associated with the implementation of the Scottish Living Wage across all care services in the independent and third

sectors and the implications of progressing the objectives contained in Unison's Ethical Care Charter.

- (4) That an update on the approach to securing improved terms and conditions across care services in the independent and third sectors through the use of the additional funding will be provided to Council through the Budget Strategy Report in May 2016, and that a report providing an update on progress will be provided to the Housing, Health and Care Committee in September 2016. An update will also be provided to the Integration Joint Board.

Action

Head of Social Services

HHC.184 REALIGNING CHILDREN'S SERVICE PROGRESS REPORT

A report which updated the Committee on the progress of the Realigning Children's Services Programme in Clackmannanshire was submitted by the Head of Social Services.

Motion

That the Committee agrees the recommendation set out in the report.

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

Having commented on and challenged the Realigning Children's Service Progress report, the Committee agreed to note the information set out in the report.

HHC.185 CARERS (SCOTLAND) ACT 2016

A report which updated the Committee on the Carers (Scotland) Act and its implications for Clackmannanshire Council was submitted by the Head of Social Services.

Motion

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

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

The Committee agreed to:

- (1) Note the passing of the Carers (Scotland) Act on 4 February 2016.
- (2) Note the financial implications of the Carers (Scotland) Act.

HHC.186 FORTH VALLEY MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS (MAPPA) ANNUAL REPORT 2014-15

A report which updated Committee on the Forth Valley Multi Agency Public Protection Arrangements (MAPPA) Annual Report 2014-15 was submitted by the Head of Social Services. The 2014-15 annual report was published on 30 October 2015.

Motion

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

Moved by Councillor Les Sharp. Seconded by Provost Tina Murphy.

Decision

The Committee agreed to:-

- (1) Note the content of the Forth Valley Multi Agency Public Protection Arrangements (MAPPA) Annual Report 2014-15.
- (2) Note the requirement on Local Authority services and statutory partners to accommodate the extension of MAPPA to violent and otherwise dangerous offenders from 31 March 2016.
- (3) Note the Commitment in Forth Valley to delivering MAPPA within a framework of integrated public protection processes and partnerships.

* * * * *

The Committee wished both Phillip Gillespie and Liam Purdie all the best in their new jobs. This would be their last Housing, Health and Care Committee.

* * * * *

Ends 1220 hrs



MINUTES OF MEETING of the RESOURCES AND AUDIT COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on THURSDAY 21 APRIL 2016 at 10.00 am.

PRESENT

Councillor Archie Drummond, Convenor (In the Chair)
Councillor Bobby McGill, Vice Convenor
Councillor Donald Balsillie
Councillor Kenneth Earle (S)
Councillor Craig Holden
Councillor Kathleen Martin (S)
Councillor Les Sharp
Councillor Graham Watt

IN ATTENDANCE

Nikki Bridle, Depute Chief Executive
Stuart Crickmar, Head of Strategy and Customer Services
Ahsan Khan, Head of Housing and Community Safety
Iain Burns, Internal Audit and Fraud Team Leader
Kevin Kelman, Assistant Head of Education
Lindsay Sim, Chief Accountant
Chris Sutton, Service Manager, Social Services
Nicola Woods, Head Teacher, St Mungo's Primary School
Andrew Wyse, Acting Legal Services Manager (Clerk to the Committee)

Ms Kirsty Stanners, External Auditor, Deloitte (Items 1-8)

Before the start of business, the Convenor welcomed Ms Kirsty Stanners, Deloitte, to her first meeting of Clackmannanshire Council's Resources and Audit Committee.

RA(16)01 APOLOGIES

Apologies for absence were received from Councillor Janet Cadenhead and Councillor Jim Stalker. Councillor Kenneth Earle attended as substitute for Councillor Cadenhead and Councillor Kathleen Martin attended as substitute for Councillor Stalker.

RA(16)02 DECLARATIONS OF INTEREST

None.

**RA(16)03 MINUTES OF MEETING: RESOURCES AND AUDIT COMMITTEE 25
FEBRUARY 2016**

The minutes of the meeting of the Resources and Audit Committee held on Thursday 25 February 2016 were submitted for approval.

Decision

The minutes of the meeting of the Resources and Audit Committee held on Thursday 25 February 2016 were agreed as a correct record and signed by the Convenor.

**RA(16)04 FURTHER INSPECTION OF ST MUNGO'S RC PRIMARY SCHOOL
PUBLICATION OF EDUCATION SCOTLAND'S REPORT**

A report was submitted by the Head of Education which reported to Committee the outcome of the recently published report by Education Scotland on their further inspection of St Mungo's RC Primary School.

Motion

That Committee agrees to note the outcome of the Education Scotland Further Inspection of St Mungo's RC Primary School.

Moved by Councillor Archie Drummond. Seconded by Councillor Kenneth Earle.

Amendment

Insert at 2.1

- 2.2 Committee wishes to congratulate all concerned, teachers, parents, children and educational staff on areas of progress.

We welcome a further inspection.

Moved by Councillor Bobby McGill. Seconded by Councillor Graham Watt.

Decision

The motion as amended was agreed without division.

Accordingly, the Committee agreed to :

- 2.1 Note the outcome of the Education Scotland Further Inspection of St Mungo's RC Primary School.
- 2.2 Congratulate all concerned, teachers, parents, children and educational staff on areas of progress.
- 2.3 Welcome a further inspection.

Action

Head of Education

RA(16)05 INTERNAL AUDIT AND FRAUD PROGRESS REPORT

A report was submitted by the Head of Resources and Governance which provided an update on work completed from the Internal Audit and Fraud Annual Plan 2015/16 which was recommended to full Council for approval by the Resources and Audit Committee on 26 February 2015. The report similarly provided an update on work completed from the Internal Audit and Fraud Annual Plan 2016/17 which was recommended to full Council for approval by the Resources and Audit Committee on 25 February 2016.

The report also provided an update on the progress of implementation of recommendations by officers from previous Internal Audit Reports.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Archie Drummond. Seconded by Councillor Les Sharp.

Decision

Having commented on and challenged the report, the Committee agreed to note the progress made on the Internal Audit and Fraud annual Plans 2015/16 and 2016/17.

RA(16)06 COUNCIL FINANCIAL PERFORMANCE 2015/16

A report was submitted by the Chief Accountant which provided an update on the financial performance of the Council to date in respect of both revenue and capital spend for the current financial year 2015/16. Projected outturns up to March 2016 were set out in the report.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Archie Drummond. Seconded by Councillor Donald Balsillie.

Decision

Having commented on and challenged the report, the Committee agreed to note:

- (1) The forecast general fund revenue underspend for the year of £1.849m
- (2) Progress on delivering 75% of the planned savings in the year.
- (3) The favourable outturn of £0.369m forecast on the Housing Revenue Account.
- (4) The underspend in General Services capital of £3.664m of which £0.661m are savings in delivery of programme with remainder carried forward to 2016/17
- (5) The underspend on HRA capital of £5.821m of which £3.198m are savings in delivery of programme with the remainder carried forward to 2016/17.

RA(16)07 ANNUAL REPORT 2015/16: FUNDING TO VOLUNTARY ORGANISATIONS

A report was submitted by the Head of Strategy and Customer Services which provided Committee with an overview of funding disbursed to voluntary organisations during 2015/16.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Archie Drummond. Seconded by Councillor Les Sharp.

Decision

Having commented on and challenged the report, the Committee agreed to note the information set out in the report.

Councillor Craig Holden asked that his thanks to the voluntary organisations for the work that they do be recorded.

RA(16)08 SOCIAL SERVICES SCRUTINY REVIEW: PROPOSED SCOPE

A report was submitted by the Head of Strategy and Customer Services which indicated that on 28 January 2016 the Housing Health and Care Committee had requested that the Resources and Audit Committee undertakes a scrutiny review of the circumstances impacting on the Social Services budget position and report its findings to Council. The purpose of the report was for the Resources and Audit Committee to agree the scope and resources for that review.

Motion

That Committee agrees :

- (1) the scope and approach set out in respect of the planned Scrutiny Review of Social Services.
- (2) to note that a provisional budget allocation of £10k has been identified from within existing resources to facilitate access to external specialist advice should it be required.
- (3) to a progress report being reported to Committee in June and October 2016.
- (4) to note that the findings of the review will be reported to Council in December 2016.

Moved by Councillor Archie Drummond. Seconded by Councillor Les Sharp.

Amendment

Under recommendations at 2.1 remove all that is 2.1.1, 2.1.2, 2.1.3 and 2.1.4 and replace with:

- 2.1.1 Agrees the scope set out in respect of the planned Scrutiny Review of Social Services.
- 2.1.2 The Resources and Audit Committee agrees to convene as a Scrutiny Panel to conduct a review of the circumstances impacting on the Social Services budget position and report its findings to Council.
- 2.1.3 Agrees a member of the Resources and Audit Committee leads this Scrutiny Panel and a suitably qualified named Senior Officer be appointed to provide the support, project management and be the main contact with other officers involved in the scrutiny review.
- 2.1.4 Notes that a provisional budget allocation of £10k has been identified from within existing sources to facilitate access to external specialist advice should it be required.

Insert at 2.1.4

- 2.1.5 Agrees to a progress report being reported to Council in August 2016.
- 2.1.6 Notes that the findings of the review will be reported to Council in December 2016.
- 2.1.7 Agrees to set a date and time for the first meeting of the Scrutiny Panel.

3.8 Resources

- 3.8 The Scrutiny Panel will be supported by a team of Senior Officers sponsored by the Depute Chief Executive. The core support will, amongst others, as required include representation from Internal Audit, Finance, Strategy and Social Services. Other specialist advice and support will be available as appropriate.

3.12 Reporting

- 3.12 Progress will be reported to the August meeting of Council.

Moved by Councillor Bobby McGill. Seconded by Councillor Craig Holden.

Decision

After discussion, the Committee agreed without division the motion as amended in the following terms:

Under recommendations at 2.1 remove all that is 2.1.1, 2.1.2, 2.1.3 and 2.1.4 and replace with:

- 2.1.1 Agrees the scope set out in respect of the planned Scrutiny Review of Social Services.
- 2.1.2 The Resources and Audit Committee agrees to conduct a review of the circumstances impacting on the Social Services budget position and report its findings to Council.
- 2.1.3 Agrees a member of the Resources and Audit Committee convenes these meetings and a suitably qualified named Senior Officer be the main contact with other officers involved in the scrutiny review.
- 2.1.4 Notes that a provisional budget allocation of £10k has been identified from within existing sources to facilitate access to external specialist advice should it be required.

Insert at 2.1.4

- 2.1.5 Agrees to a progress report being reported to Council in August and October 2016.
- 2.1.6 Notes that the findings of the review will be reported to Council in December 2016.
- 2.1.7 Agrees to set a date and time for the first meeting.

3.8 Resources

- 3.8 The Resources and Audit Committee will be supported by a team of Senior Officers sponsored by the Depute Chief Executive. The core support will, amongst others, as required include representation from Internal Audit, Finance, Strategy and Social Services. Other specialist advice and support will be available as appropriate.

3.12 Reporting

- 3.12 Progress will be reported to the August and October 2016 meetings of Council.

Action

Depute Chief Executive

**RA(16)09 GOVERNANCE IMPROVEMENT PLAN 2015/16 RESOURCES AND
GOVERNANCE/STRATEGY AND CUSTOMER SERVICES**

A report was submitted by the Head of Resources and Governance and the Head of Strategy and Customer Services which provided the Committee with an update on governance improvements in Resources and Governance and Strategy and Customer Services since the Annual Governance Statement (AGS) challenge process that took place in May 2015.

In October 2012, members of the Resources and Audit Committee requested that all services present their Governance Improvement Plan to the relevant service committee to provide assurance that improvements were being taken forward.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Archie Drummond. Seconded by Councillor Kenneth Earle.

Decision

Having commented on and challenged the report, the Committee agreed to note the information set out in the report.

Ends 1235 hrs



MINUTES OF MEETING of the EDUCATION, SPORT AND LEISURE COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 28 APRIL 2016 at 10.00 am.

PRESENT

Councillor Ellen Forson, Convenor (In the Chair)
Councillor Walter McAdam, MBE, Vice Convenor
Councillor George Matchett, QPM
Councillor Bobby McGill (S)
Councillor Les Sharp
Councillor Jim Stalker

Pastor David Fraser, Appointed Member (Scottish Baptist Church)
Father Michael Freyne, Appointed Member (Roman Catholic Church)

IN ATTENDANCE

David Leng, Head of Education
Kevin Kelman, Assistant Head of Education
Alan Milliken, Assistant Head of Education
Coleen Clark Burns, Headteacher, Coalsnaughton Primary School
Fiona MacDonald, Service Manager
Bryony Monaghan, Service Manager
Judy Edwards, Interim Service Manager Early Years
Michael Boyle, Education Business Support Manager
Carolynn McDaid, Service Manager
Marjorie MacFarlane, Sports Development Manager
Janice G McCrum, Solicitor, Legal Services (Clerk to the Committee)
Melanie Moore, Business Support to the Committee

At the start of Committee the Convenor advised that the Workers Memorial Day would be taking place across from Patons at 10.30 am this morning. The Committee would adjourn at 10.45 am and would resume at 11.10 am. Everyone was welcome to attend.

ESL(16)148 APOLOGIES

Apologies for absence were received from Councillor Cadenhead and Rev Sang Y Cha. Councillor McGill attended today as a substitute for Councillor Cadenhead.

ESL(16)149 DECLARATIONS OF INTEREST

None.

ESL(16)150 MINUTE OF MEETING HELD ON 4 FEBRUARY 2016

The minute of the meeting of the Education, Sport and Leisure Committee held on 4 February 2016 were submitted for approval.

Decision

The minute of the Education Sport and Leisure Committee meeting held on 4 February 2016 were agreed as a correct record and signed by the Convenor.

ESL(16)151 EDUCATION SERVICES PERFORMANCE UPDATE 2015/2016 PROGRESS REPORT

The report, submitted by the Head of Education, provided the Committee with an update on the progress made against the targets contained within the Strategic Plan for the Education Service 2014-2017. The report included financial performance up until the end of January 2016. The appendices to the report provided information generated through the Covalent Performance Management System, more of performance within national benchmarking framework and a detailed breakdown of financial information.

Motion

That Committee agrees the recommendations set out in the report.

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

Decision

Having commented on and challenged the performance of the Education Service, the Committee agreed to note the information set out in the report.

The Convenor adjourned the meeting at 10.45 am to join the two minute silence at the Workers Memorial Day. The meeting resumed at 11.10 am with 7 members and 2 appointed members present.

ESL(16)152 EDUCATION SERVICE'S ACCESSIBILITY STRATEGY 2016-2019

The report and the draft strategy, submitted by the Head of Education, set out how the Education Service will meet their accessibility Strategy for 2016-2019.

Bryony Monaghan, Service Manager presented "Augmentative and Alternative Communication" to the Committee

Motion

That Committee agrees the recommendation set out in the report.

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

Decision

The Committee agreed to note the Accessibility Strategy and identified actions being put into effect.

ESL(16)153 INSPECTION OF COALSNAUGHTON PRIMARY SCHOOL AND NURSERY CLASS PUBLICATION OF EDUCATION SCOTLAND'S REPORT

The report, submitted by the Head of Education, reported the outcome of the recently published report by Education Scotland on their inspection of Coalsnaughton Primary School and Nursery Class.

The Headteacher, Coleen Clark Burns, Coalsnaughton Primary School was in attendance for this item.

Motion

That Committee agrees the recommendation set out in the report.

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

Decision

The Committee agreed to note the outcome of the Education Scotland Further Inspection of Coalsnaughton Primary School.

ESL(16)154 INTRODUCTION OF PARENT AND FAMILY SUPPORT STRATEGY

The report, submitted by the Head of Education, informed Committee of the adoption and implementation of the Clackmannanshire Council Parent and Family Support Strategy. The Strategy represents the commitment of agencies working in Clackmannanshire to value and support parents and families. The Strategy is to support children and young people from pre-birth to age 18.

Motion

That Committee agrees the recommendation set out in the report.

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

Decision

The Committee agreed to note and commented on the Clackmannanshire Council Parent and Family Support Strategy.

Ends 1215 hrs



MINUTES OF MEETING of the ENTERPRISE AND ENVIRONMENT COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on THURSDAY 19 May 2016 at 10.00 am.

PRESENT

Councillor Donald Balsillie
Councillor Alastair Campbell
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Bobby McGill
Councillor Tina Murphy (S)
Councillor Les Sharp
Councillor Derek Stewart (Chair)

IN ATTENDANCE

Gordon McNeil, Head of Development and Environment
Graeme Cunningham, Environment Manager
Ian Fraser, Economic Development Team Leader
Julie Hamilton, Development Services Manager
Ian Doctor, Service Manager
Graeme Finlay, Principal Planner
Andrew Wyse, Acting Legal Services Manager (Clerk to the Committee)
Gillian White, Business Support to the Committee

Appointment of Chair

The Clerk advised that following the resignation of the SNP Group from the Administration of the Council, under the Local Government (Scotland) Act 1973, if no Convener or Vice Convener is present, the members present who are eligible to vote must decide who will chair the meeting.

Councillor Stewart moved that Councillor Donald Balsillie take the Chair. Councillor Balsillie thanked Councillor Stewart, but declined the invitation.

Councillor McGill moved that Councillor Derek Stewart take the Chair which was seconded by Councillor Earle.

The Committee agreed that Councillor Stewart is appointed as Chair for the meeting.

EEC(16)001 APOLOGIES

Apologies for absence were received from Councillor Irene Hamilton and from Malcolm McArdle representing Clackmannanshire Business. Councillor Murphy acted as substitute for Councillor Hamilton.

EEC(16)002 DECLARATIONS OF INTEREST

None.

EEC(16)003 MINUTES OF MEETING HELD ON 14 JANUARY 2016

The minutes of the meeting of the Enterprise and Environment Committee held on Thursday 14 January 2016 were submitted for approval.

Decision

The minutes of the meeting held on 14 January 2016 were agreed as a correct record and signed by Councillor Donald Balsillie, former Convener.

EEC(16)004 DEVELOPMENT AND ENVIRONMENT ANNUAL PERFORMANCE REPORT 2015/16

The report, submitted by the Head of Development and Environment, presented the performance of Development and Environment Services based on the 2015-16 Business Plan. The report provided an overview of Service activities carried out over the year, detailing outcomes delivered, financial and operational performance.

Motion

That Committee agrees the recommendation set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Kenneth Earle.

Decision

Having commented on and challenged the report, the Committee agreed to note the information set out in the report.

EEC(16)005 DEVELOPMENT AND ENVIRONMENT SERVICES: BUSINESS PLAN 2016/17

The report, submitted by the Head of Development and Environment, presented the 2016-17 Business Plan for Development and Environment Services.

Motion

That Committee approves the recommendations set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Bobby McGill.

Decision

Having commented on and challenged the report, the Committee agreed to endorse the 2016/17 Business Plan and agreed the performance targets for scrutiny purposes over the next 12 months.

EEC(16)006 SCOTTISH LOCAL AUTHORITY BUSINESS LOANS FUND

The report, submitted by the Head of Development and Environment, updated the Committee on the Council's involvement in the Scottish Local Authority Business Loans Fund, as a means of supporting business growth locally, following its commitment to provide funding through a reprioritisation of the Development and Environment Service's budget for 2016/17.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Bobby McGill.

Decision

The Committee agreed to:

- a) Homologate the decision by the Head of Development and Environment and Legal Services Manager to conclude and agree the Articles of Association and Members' Agreement for the new Scottish Local Authority Business Loan Fund Company; and
- b) Note the Council's approval to become a member of Business Loans Scotland Limited where the Council has agreed a one-off contribution from the Council of £50,000 to the Scottish Local Authority Loans Fund.

EEC(16)007 CHARTER FOR HOUSEHOLD RECYCLING

The report, submitted by the Head of Development and Environment, invited members to approve the signing of the Charter for Household Waste Recycling.

Motion

That Committee agrees the recommendations set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Bobby McGill.

Decision

The Committee agreed to sign the Charter for Household Recycling in Scotland and to develop a transition plan and business case to align Clackmannanshire Council's waste management service with the Charter for Household Recycling and supporting Code of Practice.

Action

Head of Development and Environment

EEC(16)008 CLACKMANNANSHIRE DRAFT CONSERVATION AREA APPRAISALS FOR CONSULTATION: ALLOA GLEBE, CLACKMANNAN, KENNET AND TILlicouLTRY

The report, submitted by the Head of Development and Environment, sought approval of the Draft Conservation Areas Appraisal documents for Alloa Glebe, Clackmannan, Kennet and Tillicultry, for consultation. The report also described the consultation process to be undertaken and subsequent procedures.

Motion

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

Moved by Councillor Bobby McGill. Seconded by Councillor Kenneth Earle.

Decision

The Committee:

- a) Approved the four Draft Conservation Area Appraisals for public consultation for a period of ten weeks to take account of the Summer holiday period; and
- b) Agreed that the representations received during the consultation period are reported back to a future Enterprise and Environment Committee, along with officer's recommended responses, for final approval.

Action

Head of Development and Environment

EEC(16)009 CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN PROPOSED SUPPLEMENTARY GUIDANCE: SG8 – WOODLANDS AND FORESTRY; SG10 – DOMESTIC DEVELOPMENTS; AND ASSOCIATED DOCUMENTS

The report, submitted by the Head of Development and Environment, sought approval of the proposed responses to the representations received on two pieces of Supplementary Guidance (SG) associated with the Council's Adopted Local Development Plan (LDP). The Guidance covers the topics of "Woodlands and Forestry" and "Domestic Developments". A summary of the representations received during the consultation period and the Council's responses to these requires to be sent to Scottish Ministers before the Council can formally adopt the Guidance as part of the statutory LDP. The report also described the consultation process undertaken and the process after responses are agreed by the Council.

Motion

The Committee approved:

- a) The proposed responses to the representations received on the "Woodlands and Forestry" and "Domestic Developments" Supplementary Guidance for submission to Scottish Ministers for consideration (set out in Appendix 1 to the report); and
- b) The associated Statements of Publicity for submission to Scottish Ministers for consideration (set out in Appendices 2 and 3 of the report).

Action

Head of Development and Environment

Ends: 1125 hrs



MINUTES OF MEETING of the ATTAINMENT AND IMPROVEMENT SUB COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on THURSDAY 19 MAY 2016 at 2.00 pm

PRESENT

Councillor Ellen Forson
Councillor George Matchett, QPM, (Chair)
Councillor Les Sharp
Councillor Jim Stalker

IN ATTENDANCE

David Leng, Head of Education
Kevin Kelman, Assistant Head of Education
Adrienne Aitken, Attainment Challenge Co-ordinator
Morven Graham, Principal Psychologist
Carolynn McDaid, Service Manager
Liz Thomson, Principal Teacher (Pupil Support), Alloa Academy
Aileen Ferguson, Headteacher, Abercromby Primary School
Linda Coutts, Headteacher, Tillicoultry Primary School
Susan Fallone, Solicitor, Legal Services (Clerk to the Committee)
Melanie Moore, Business Support to the Committee

Appointment of Chair

The Clerk advised that following the resignation of the SNP Group from the Administration of the Council, that under the Local Government Scotland Act 1973, if no Convener or Vice Convener is present, the members present who are eligible to vote must decide who will chair the meeting.

Councillor Matchett asked if Councillor Ellen Forson wanted to take the Chair. Councillor Forson thanked Councillor Matchett, but declined the invitation.

Councillor Stalker moved that Councillor George Matchett take the Chair which was seconded by Councillor Sharp.

The Committee agreed that Councillor Matchett is appointed as Chair for the meeting.

Councillor Matchett welcomed everyone to the Sub Committee.

ESL(16)005 APOLOGIES

None

ESL(16)006 DECLARATIONS OF INTEREST

None.

ESL(16)007 MINUTE OF MEETING HELD ON 20 APRIL 2016

The minute of the meeting of the Attainment and Improvement Sub Committee held on 20 April 2016 were submitted for approval.

Decision

The minute of the Attainment and Improvement Sub Committee held on 20 April 2016 were agreed as a correct record and signed off by the Chair.

Councillor Matchett asked for a legal opinion regarding the protocol for the Attainment and Improvement Sub Committee, where the paper presented is for discussion and noting only. He feels it inappropriate that where the papers say to note, that the papers are moved and seconded. The Clerk agreed with Councillor Matchett, in that if the paper is for noting and discussion purposes it does not require to be moved and seconded.

Councillor Matchett asked that the clerks decision is noted in the minute.

ESL(16)008 SCOTTISH ATTAINMENT CHALLENGE IN CLACKMANNANSHIRE

The report, submitted by the Head of Education, provided a briefing on the Scottish Attainment Challenge in Clackmannanshire.

Adrienne Aitken, Attainment Challenge Co-ordinator and Liz Thomson, Principal Teacher (Pupil Support) presented information on the Scottish Attainment Challenge in Clackmannanshire.

Motion

That Committee agrees to note and comment the report.

Decision

Having had the opportunity to put questions to the officers and comment on the report, the Committee agreed to note the information set out in the report.

ESL(16)009 PRIMARY SCHOOL IMPROVEMENT

The report, submitted by the Head of Education, provided an update to the Attainment and Improvement Sub-Committee on primary school improvement in Clackmannanshire.

The Education Service is implementing a range of approaches to support school improvement within Clackmannanshire. The Attainment and Improvement Sub Committee discussed current school improvement activity at Abercromby Primary School and Tillicoultry Primary School. Presentations were heard from Aileen Ferguson, Headteacher, Abecromby Primary School and Linda Coutts, Headteacher, Tillicoultry Primary School.

Motion

The Sub Committee agrees to note and comment the report.

Decision

Having had the opportunity to put questions to the officers and comment on the report, the Committee agreed to note the information set out in the report.

Ends 1535 hrs

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 23 June, 2016

Subject: Committees – Appointments & Membership

Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to ask Council to appoint to three Committee vacancies and to note changes in the membership of the Regulatory and Planning committees consequent on the change in Administration.

2.0 Recommendations

2.1 It is recommended that Council:

- a) appoints one of its members to be chair of the Regulatory Committee;
- b) appoints one of its members to be the vice-chair of the Audit & Finance Committee;
- c) appoints an elected member from the main Opposition to chair the Scrutiny Committee; and
- d) notes the changes in membership of the Regulatory and Planning Committees.

3.0 Background

3.1 At its special meetings on June 2, 2016, Council appointed a new Administration and agreed a new decision-making structure. As a result of these decisions, there are three further Committee appointments to be made as follows:

- a) Chair of Regulatory Committee – this has been vacant since the resignation of the former Administration on 12 May, 2016, and now requires to be filled;
- b) Vice-Chair of the newly established Audit & Finance Committee; and
- c) Chair of the newly established Scrutiny Committee.

3.2 Council is asked to make appointments to these positions.

3.3 The political balance on committees needs to reflect the change in Administration. Council is asked to note that the Leaders of the Administration and main Opposition have advised of the following changes in membership of the Regulatory and Planning committees:

Regulatory

Councillor Sharp coming off
Councillor Cadenhead going on

Planning

Councillor Forson coming off
Councillor Stewart going on

4.0 Sustainability Implications - N/A

5.0 Resource Implications - N/A

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**

The Council is effective, efficient and recognised for excellence

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? N/A

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 - None

12.0 Background Papers - None

Author(s):

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	Signed: E McPherson

Report to: Clackmannanshire Council

Date: 23 June, 2016

Subject: Consequential Amendments to Standing Orders

Report by: Chief Executive

1.0 Purpose & Background

- 1.1 The purpose of this report is to submit revised Standing Orders as a consequence of the decisions taken by Council on 2 June, 2016, in relation to the report *The Council's Decision-Making Framework*.

2.0 Recommendation

- 2.1 It is recommended that Council agrees the amendments which have been made to Standing Orders as a consequence of Council decisions taken on 2 June, 2016, in relation to the report Council's Decision-Making Framework.

3.0 Amendments to Standing Orders

- 3.1 Standing Orders have been amended as follows in light of decisions taken at Council on 2 June, 2016:

Reference	Detail
Page 7, SO1.5, bullet point 2	Delete "Convenor" and insert "Chair". Delete "Vice Convenor" and insert "Vice Chair"
Page 7, SO1.5, bullet point 3	Delete "Resources and Audit" and insert "the Scrutiny"
Page 7, SO 1.5, bullet point 3	Delete "Resources and Audit" and insert "Scrutiny". Delete "Convenor" and insert "Chair"
Page 8, SO 2.4	Delete "Provost(s)" and insert "Provost" Delete "Convenor" and insert "Chair" Delete "Vice Convenor" and insert "Vice Chair"
Page 8, SO 2.5	Delete "Provost(s)" and insert "Provost" Delete "Convenor" and insert "Chair" Delete "Vice Convenor" and insert "Vice Chair"
Page 8, SO 2.6	Delete "Provost(s)" and insert "Provost" Delete "Convenor" and insert "Chair"

	Delete "Vice Convenor" and insert "Vice Chair"
Page 8, SO 2.7	Delete "Provost(s)" and insert "Provost" Delete references to "Convenor" and insert "Chair" Delete references to "Vice Convenor" and insert "Vice Chair" Delete "a" and insert "the"
Page 9, SO 3.2	Delete references to "Convenor" and insert "Chair" Delete references to "Vice Convenor" and insert "Vice Chair"
Page 9, SO 3.4	Delete bullet point 1 "Housing, Health and Care Committee" Delete bullet point 2 "Education, Sport and Leisure Committee" Delete bullet point 3 "Attainment and Improvement Sub Committee" Delete bullet point 4 "Enterprise and Environment Committee" Delete bullet point 5 "Resources and Audit Committee" Insert bullet point "Scrutiny Committee" Insert bullet point "Audit & Finance Committee"
Page 9, SO 3.5	Delete all references to: "Housing, Health and Care Committee" "Education, sport and Leisure Committee" "Attainment and Improvement Sub Committee" "Enterprise and Environment Committee" "Resources and Audit Committee" Insert: "Scrutiny Committee" members = "8", quorum = "4" "Audit & Finance Committee" members = "8", quorum = "4"
Page 11, SO 3.6	Delete Standing Order 3.6
Page 11, SO 3.7	Delete Standing Order 3.7
Page 12, SO 4.0	In the table, delete "Education, Sport and Leisure Committee" and insert "Council"
Page 13, SO 4.10	Delete "the Education, Sport and Leisure Committee. The appointments are made" and insert "Council."

Page 14, SO 5.2	<p>Insert:</p> <p>The Spokesperson's role in respect of Services includes:</p> <ul style="list-style-type: none"> • monitoring service performance in accordance with Council policies and procedures • leading on service issues at a political level
Page 14, SO 4.17	In the table at 18.2, delete "business of the Education, Sport and Leisure Committee to the Convenor" and insert "Council to the Provost"
Page 15, SO 5.1	In row 3 of the table insert "Spokesperson for Education", "Spokesperson for Health and Social Work", "Spokesperson for Environment and Housing", "Chair of Scrutiny Committee", "Chair of Audit & Finance Committee", and "Chair of Planning Committee"
Page 15, SO 5.1	In rows 4-7 of the table, delete reference to the positions, Council Services and Policy Areas for: "Convenor of Housing, Health and Care" "Convenor of Education, Sport and Leisure" "Convenor of Enterprise and Environment" " Portfolio Holder for Partnership, Equality and Diversity"
Page 16, SO 5.2	Delete "Convenor's" and insert "Chair's"
Page 17, SO 6.2	Delete "nine weeks" and insert "calendar month"
Page 17, SO 6.3	Delete "Convenor" and insert "Chair"
Page 23. SO 9.2	At line 1 and 2, delete "a" and insert "the" In line 4, delete "Provosts" and insert "Provost"
Page 23, SO 9.3	Delete 5 references to "Convenor" and insert "Chair"
Page 23, SO 9.6	Delete all references to: "Education, sport and Leisure Committee" "Attainment and Improvement Sub Committee" "Enterprise and Environment Committee" "Housing, Health and Care Committee" "Resources and Audit Committee" Insert: "Scrutiny Committee" quorum = "4" "Audit & Finance Committee" quorum = "4"
Page 23, SO 9.7	Delete "Convenor" and insert "Chair"
Page 24, SO 9.8	Delete two references to "Convenor" and insert "Chair"

Page 27, SO 10.1	Delete “Convenors” and “and other chairs” and insert “Chairs”
Page 32, SO 12.2	Delete “Convenor” and insert “Spokesperson”
Page 35, SO 14.0	In paragraph 4 in the table, delete “Convenor or”
Page 35, SO 14.2	Delete “Convenor (or--)”, leave “Chair”
Page 41, SO 18.7	Delete “Convenor of the”. Delete “committee” and insert “spokesperson”
Page 42, SO 19.0	Delete “Convenors” and insert “Chairs”
Page 42, SO 19.1	Delete “Convenor” and insert “Chair”
Page 42, SO 19.5	Delete two references to “Convenor” and insert “Chair”
Page 42, SO 19.6	Delete “Convenor” and insert “Chair”
Page 42, SO 19.7	Delete “Convenor” and insert “Chair”
Page 42, SO 19.8	Delete “Convenors” and insert “committee Chairs”
Page 42, SO 19.9	Delete “Convenor” and insert “Chair”
Page 42, SO 19.10	Delete two references to “Convenor” and insert “Chair” Delete two references to “Resources and Audit” and insert “Scrutiny”

3.2 These amendments are detailed as tracked changes in the pages included in the Appendix to this report. Changes to the index, page and paragraph numbers will be made after Council consideration of this report.

3.0 Sustainability Implications

N/A

4.0 Resource Implications

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

7.0 Equalities Impact

7.1 No groups are assessed to be adversely affected by the recommendations in this report

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.

9.0 Appendices

1 - Tracked Changes to Standing Orders, June, 2016

10.0 Background Papers

1 - Standing Orders, May, 2016

Author(s)

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	Signed: E McPherson



Standing Orders

May-June 2016

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APPLICATION & DEFINITIONS

The Interpretation Act 1978 will apply to these standing orders in the same way as it applies to an Act of Parliament.

These standing orders will overtake any standing orders we have previously approved and will take effect from. 15 May 2014.

The standing orders can only be changed or abolished when there has been an indication at a meeting of the Council that proposals to amend standing orders will be brought before the next meeting.

In these standing orders, the references to pieces of legislation are as follows:

<i>1973 Act</i>	The Local Government (Scotland) Act 1973
<i>1980 Act</i>	The Education (Scotland) Act 1980
<i>1982 Act</i>	The Civic Government (Scotland) Act 1982
<i>1985 Act</i>	The Local Government (Access to Information Act) 1985
<i>1989 Act</i>	The Local Government and Housing Act 1989
<i>1994 Act</i>	The Local Government etc. (Scotland) Act 1994
<i>1997 Act</i>	The Town and Country Planning (Scotland) Act 1997
<i>2000 Act</i>	Standards in Scotland's Schools Act 2000

References to *we*, *us*, *our* and *the Council* refer to Clackmannanshire Council, as constituted under the 1994 Act.

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1.0 FIRST COUNCIL MEETING AFTER AN ELECTION

1.1 Convening the Meeting

1.2 In an election year, we will hold our first meeting within 21 days from the date of the election. The Chief Executive will set the date and time of this first meeting.

1.3 Mandatory Items of Business

1.4 At this first meeting, the first item of business will be the election of the Provost. Until the Provost is elected, the Returning Officer will chair the meeting.

1.5 At this meeting we will also:

- Elect the Depute Provosts, Leader and Depute Leader of the Council
- Appoint the ~~Chair~~ and Vice ~~Chair~~ of each standing committee and of any standing sub-committee(s). (Standing Order 3.4 sets out our Standing Committees)
- The ~~Convener~~ Chair of ~~the Scrutiny Resources and Audit~~ Committee shall be a member of the main opposition group
- The ~~Resources and Audit Scrutiny~~ Committee shall appoint a Vice ~~Chair~~ without having to get approval or ratification from the Council
- Appoint to the Licensing Board a number of Councillors no fewer than five and no greater than ten as we may determine from time to time.
- Decide the political balance on each committee and sub-committee. We will set aside seats on committees and sub-committees to achieve a balance between the political parties, as far as is reasonably practical under section 15 of the 1989 Act. At the first Council meeting following a by-election or as arising as a result of a vacancy, we will also review the party balance on each Committee and sub-committee.

1.6 Discretionary Items of Business

1.7 At this first meeting, we may (but do not need to):

- appoint committee and sub-committee members
- appoint representatives to the Joint Valuation Board and the various outside organisations we are represented on if these appointments may be reasonably made at that meeting and if we consider it is appropriate to make appointments at that time.
- deal with any urgent and/or relevant business, taking account of the law and these standing orders. The Chief Executive and the Returning Officer may have put on the agenda such items as are considered urgent and/or relevant.

2.0 COUNCILLOR APPOINTMENTS & REMOVAL FROM APPOINTMENTS

2.1 Duration of Appointments

2.2 Unless a councillor resigns from any appointment or is removed by the Council, each of the appointments referred to in standing orders 1.5 and 1.6 will stand until the next ordinary election.

2.3 Removing the Provost, committee Convenors and committee members

2.4 We may remove the Provost, Depute Provost~~(s)~~, Leader, Depute Leader, any ~~Chair~~~~en~~~~venor~~, Vice ~~Chair~~~~en~~~~venor~~ of a committee/sub-committee or any member of a committee/sub-committee (this includes appointed members and co-opted members).

2.5 Removing the Provost, Depute Provost~~(s)~~, Leader, Depute Leader, ~~Chair~~~~en~~~~venor~~ or Vice ~~Chair~~~~en~~~~venor~~ of a committee/sub-committee from office may only be considered at a special meeting of the Council. His or her replacement will also be appointed at this meeting.

2.6 Notice must be given under these Standing Orders. The meeting must have been called only for the purpose of deciding whether the Provost (or the Depute Provost~~(s)~~, Leader, Depute Leader, ~~Chair~~~~en~~~~venor~~ or Vice ~~Chair~~~~en~~~~venor~~) should be removed from office.

2.7 Any motion to remove the Provost, Depute Provost~~(s)~~, Leader, Depute Leader, ~~Chair~~~~en~~~~venor~~, Vice ~~Chair~~~~en~~~~venor~~ or any member of a committee/sub-committee may be carried by a simple majority of those members present and eligible to vote at the meeting at which the motion is put. The Provost, a ~~Chair~~~~en~~~~venor~~ (or, in the absence of the Provost or the relevant ~~Chair~~~~en~~~~venor~~, ~~a the~~ Depute Provost or Vice ~~Chair~~~~en~~~~venor~~ or other member chairing the meeting) shall not have a casting vote for the purposes of Standing Orders 2.4.

2.8 Removing any other member of a committee/sub-committee may only be considered if a notice of motion is submitted in line with the terms of Standing Orders.

3.0 COMMITTEES

3.1 We may at any time appoint committees to help carry out our functions in accordance with the provisions of the 1973 Act . We will set out the powers and duties of these committees.

3.2 The ~~Chair~~ ~~convener~~, Vice ~~Chair~~ ~~convener~~ (in the absence of the ~~Convener~~ ~~Chair~~) and any member of a committee chairing a committee meeting in the absence of the ~~Chair~~ ~~convener~~ and Vice ~~Chair~~ ~~convener~~ shall have the same powers as the Provost in a council meeting.

3.3 Council Standing Committees

3.4 We will appoint the following standing committees:

- ~~• Housing, Health and Care Committee~~
- ~~• Education, Sport and Leisure Committee~~
- ~~• Attainment and Improvement sub-committee~~
- ~~• Enterprise and Environment Committee~~
- ~~• Resources and Audit Committee~~
- Scrutiny Committee
- Audit & Finance Committee
- Planning Committee
- Regulatory Committee
- Workforce Committee
- Local Review Body

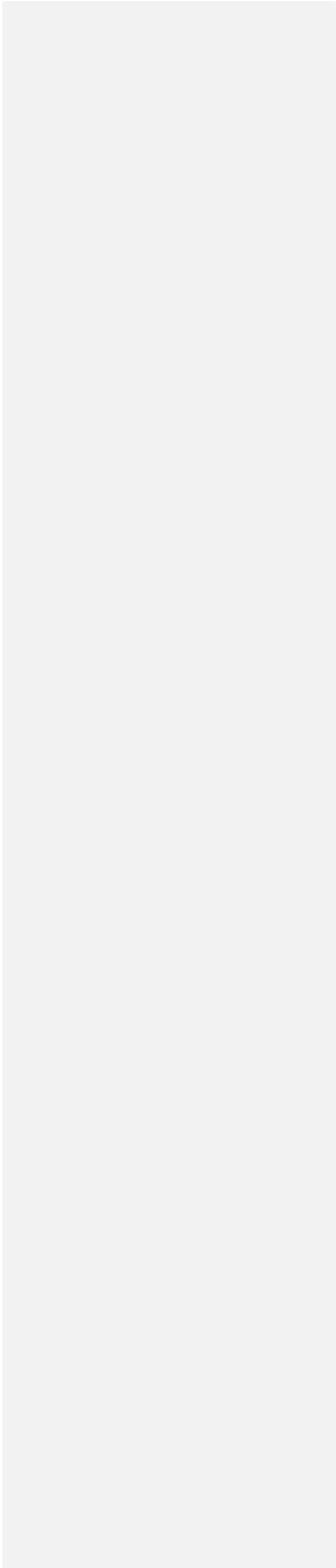
3.5 The number of members on each standing committee will be as follows.

	Members	Quorum	Appointed Members	Co-opted Members
Housing, Health and Care Committee	8	4	-	-
Education, Sport and Leisure Committee	8	4	3 *(see 4.7 to 4.11)	-
Attainment and Improvement sub-committee	4	2	-	-
Enterprise and Environment Committee	8	4	-	4 (see 4.2)
Resources and Audit Committee	8	4	-	-
<u>Scrutiny Committee</u>	<u>8</u>	<u>4</u>		
<u>Audit & Finance Committee</u>	<u>8</u>	<u>4</u>		
Planning Committee	10	4	-	-
Regulatory Committee	8	4	-	-
Workforce Committee	Pool**	3	-	-

Local Review Body	10	3	-	-
-------------------	----	---	---	---

***3 Members to be drawn from a Pool of members willing to serve on the Committee.*

|



~~3.6 In addition to the Members above, the Leader of the Council is, ex officio, a (non-voting) member of the Housing, Health and Care Committee; Education, Sport and Leisure Committee; and the Enterprise and Environment Committee unless appointed as a full member of the Committee. No other member or substitute may be appointed for this ex-officio membership.~~

~~3.7 The Leader of the Council is, ex officio, one of the Administration's three members of the Resources and Audit Committee and as such will have full voting rights on this Committee.~~

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3.68 Statutory Committees

3.79 We will appoint the following statutory committees:-

3.810 Attendance Committee

3.914 The number of members and the constitution of the Attendance Committee will be set in line with Council policy, as amended from time to time. However any relevant statute will apply. Our Standing Orders do not apply to meetings of the Attendance Committee.

3.102 Education Appeals Committee

3.113 The number of members and the constitution of the Education Appeals Committee will be set in line with Council policy, as amended from time to time. However, any relevant statute will apply. Our Standing Orders do not apply to meetings of the Education Appeals Committee.

3.124 The Education Appeals Committee will be made up of three members appointed and trained by the Head of Resources and Governance, who will take account of their previous experience of working with young people.

3.135 All members appointed to the Education Appeals Committee will be entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

3.146 Complaints Review Committee (Social Services)

3.157 The number of members and the constitution of the Complaints Review Committee (Social Services) will be set in line with council policy, as amended from time to time. However, any relevant statute will apply.

3.168 All members appointed to the Complaints Review Committee (Social Services) will be entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

3.179 Joint committees

3.1820 We may make joint arrangements with other authorities to create joint committees or other groups for carrying out our statutory and other functions in accordance with sections 56 & 57 of the 1973 Act.

3.1924 Ad Hoc Committees

3.202 We may set up ad hoc Committees from time to time. The quorum of any ad hoc committee set up for a specific purpose will be at least one quarter of the members of the Council (including any appointed members but not including any co-opted members).

4.0 CO-OPTED & APPOINTED MEMBERS OF COUNCIL & COMMITTEES



Co-opted and appointed members of council and committees are members who are not councillors.

Appointed members are those individuals who are not councillors and who:

- a) sit on the ~~Education, Sport and Leisure Committee~~ Council as religious representatives
- b) are members of the Attendance Committee
- c) are members of the Education Appeals Committee
- d) are members of the Complaints Review Committee (Social Services)

Co-opted members are those individuals who are not councillors or appointed members and who sit on Council or any of our committees.

4.1 Subject to sections 57 and 59 of the 1973 Act (as amended by the 1994 Act), a committee may, if we approve, include within its members co-opted members or appointed members (or both), provided at least two-thirds of the members of all committees are councillors, (with the exception of any committee that has the power to decide on education matters, where at least half of the members of the committee

must be councillors). Persons we appoint to committees under this Standing Order will be appointed members, unless they are prevented from holding that office under section 59 of the 1973 Act. In this case, they will be appointed as co-opted members.

4.2 Co-opted Members & Their Rights

4.3 Co-opted members may:

- a) take part in the debate on issues coming before the committee of which they are members; and
- b) question officers as provided for in standing orders

4.4 Co-opted members may not:

- a) move or second a motion or amendment
- b) vote on any matter, including procedural matters, coming before a standing committee
- c) arrange a substitute (ref SO 9.14)

4.5 Co-opted members will not receive reports or other papers, including background papers, that contain exempt information (unless the appropriate committee agrees).

4.6 Co-opted members have no rights of access to reports or other papers containing confidential information.

4.7 Appointed Members & Their Rights

4.8 Appointed members are members of committees who are not elected members of the Council and who are not co-opted members. Appointed members will have rights equal to those of elected members with the following exceptions set out in these standing orders:

- appointed members may not take part in the vote on a motion to suspend standing orders (Ref Standing Order 20.3)
- unless a religious representative, an appointed member may not arrange for a substitute (ref Standing Order 9.13)

4.9 Religious Representatives

4.10 We must appoint three religious representatives to ~~the Education, Sport and Leisure Committee. The appointments are made~~Council in accordance with Section 124 of the 1973 Act (inserted by Section 31 of the 1994 Act)

4.11 Religious representatives only have voting rights on matters relating to the discharge of the authority's function as education authority.

4.12 Non-Councillor Members of The Attendance Committee

4.13 All members appointed to the Attendance Committee will (despite any provision of the Standing Orders) be entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

4.14 Non-Councillor Members of The Education Appeals Committee

4.15 All members appointed to the Education Appeals Committee will (despite any provision of the Standing Orders) be entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

4.16 Non-Councillor Members of the Complaints Review Committee (Social Services)

4.17 All members appointed to the Complaints Review Committee (Social Services) will (despite any provision of the Standing Orders) be entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

The following Standing Orders also relate to co-opted and appointed members of Council or Committees:



6.4 - co-opted and appointed members cannot be counted as part of the required quorum (5) for a written request for a special meeting of the Council or any committee

8.7, 9.29, 9.30 - co-opted members must leave the room when a confidential item under section 50A(2) of the 1973 Act is discussed; this may also apply to appointed members

8.12 - the requirement for the press and public to leave the meeting if we agree that an item of business contains exempt information also applies to co-opted members but not to appointed members

9.14, 9.15 - the only co-opted or appointed members who can arrange for substitutes are religious representatives

9.17 - if a co-opted or appointed member does not go to any council or committee meetings for six months in a row, that member will no longer be a member of the council or committee unless we grant them leave of absence or we have approved their absence

9.19 - if a co-opted or appointed member is not able to go to the meeting for whatever reason, he or she may give his or her apologies either by telling the Head of Resources and Governance (before the meeting) or through another member who will give the apology at the beginning of the meeting. Only these apologies will be recorded in the minutes.

13.7, 13.13 - Co-opted members present at a meeting who do not have voting rights cannot not move or second a motion or an amendment

14.24. 14.26 - All appointed members of the Education Appeals Committee and the Complaints Review Committee (Social Services) are entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

18.2 in relation to questions which relate to the discharge of our functions as an education authority, appointed religious representatives may put a question that is relevant to the [Council to the Provost business of the Education, Sport and Leisure Committee to the Convener](#) (or to the Governance Manager for an explanation on a point of law or procedure), as long as the representative has given the question in writing to the Head of Resources and Governance no later than 12 noon, seven working days before the date of the meeting.

20.3 - Appointed members may not take part in the vote on a motion to suspend standing orders

5.0 POLITICAL RESPONSIBILITIES

5.1 Some of our members will have special areas of responsibility. These are:

POSITION	COUNCIL SERVICES	POLICY AREAS
Leader of Council	Resources and Governance	Community Planning Corporate Policy and Strategy Corporate Governance Financial strategy Best value
Depute Leader of the Council <u>Spokesperson for Education</u> <u>Spokesperson for Health & Social Work</u> <u>Spokesperson for Environment & Housing</u> <u>Chair of Scrutiny Committeee</u> <u>Chair of Audit & Finance Committeee</u> <u>Chair of Planning Committeee</u>	Strategy & Customer Services	Public Sector Reform Partnership Community Engagement
<u>Convener of Housing, Health & Care</u>	<u>Housing</u> <u>Social Services</u>	<u>Care</u> <u>Health improvement</u> <u>Housing</u> <u>Health and Care integration</u> <u>Community safety</u>
<u>Convener of Education, Sport & Leisure</u>	<u>Education</u>	<u>Education</u> <u>Sport</u> <u>Leisure</u>
<u>Convener of Enterprise & Environment</u>	<u>Facilities Management</u> <u>Development & Environment</u>	<u>Economic Development,</u> <u>Tourism, Employability</u> <u>Sustainability, Environment</u> <u>Roads and Transportation</u> <u>Waste Management</u>
<u>Portfolio Holder for Partnership, Equality & Diversity</u>		<u>Equality and diversity</u> <u>Third Sector: Partnership, Joint Working, Funding, Scrutiny and Performance</u> <u>Role of Third Sector in delivery</u>

5.2 The ~~Chair's~~ ~~envoyer's~~ role in respect of Services includes:

- ensuring service performance is consistent with Council policies and procedures
- leading on service issues at a political level

The Spokesperson's role in respect of Services includes:

- monitoring service performance in accordance with Council policies and procedures
- leading on service issues at a political level

5.3 Policy forums

5.4 From time to time, we may set up policy forums to discuss particular issues. We will decide membership of forums. Policy forums will be chaired by an officer appointed by the Chief Executive.

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6.0 COUNCIL & COMMITTEE MEETINGS - ORDINARY & SPECIAL MEETINGS

6.1 Ordinary meetings

6.2 Subject to 6.3, Ordinary meetings will usually be held every ~~nine weeks~~ calendar month in the Council Chamber or at such other places and on such other dates and at such other times as the Provost may set.

6.3 Subject to there being business for the Committee, the Planning Committee will usually be held every six weeks in the Council Chamber or at such other places and on such other dates and at such other times as the Convener-Chair may set.

6.4 Special meetings

6.5 A special meeting may be called at any time:

- by the Provost or in the absence of the Provost, by a Depute Provost; or
- by a written request signed by at least as many councillors as represents the quorum of the Council (which is 5) or Committee of the Council (see Standing Order 3.5) and which specifies the business proposed. Appointed members and co-opted members must not be included in the quorum number;
- the agenda for a special meeting will be limited to the item of business specified in the request for the meeting.

6.6 The agenda for a special meeting will be limited to items of business requiring a decision before the next ordinary meeting of the Council or of the relevant committee. If the Head of Resources and Governance believes that a request for a special meeting contains an item of business that does not meet this requirement, the item will be removed from the agenda. The councillors who have asked for the special meeting will be told this. They can ask for the item to be included on the agenda of the next scheduled ordinary meeting of the Council or appropriate committee.

6.7 A special meeting will be held within 10 working days from when the Head of Resources and Governance receives a valid request. This Standing Order may not be suspended.

6.8 Postponing Meetings

6.9 In agreement with the Head of Resources and Governance, or the Clerk, the Provost may postpone any meeting to another day, time or place.

7.0 COUNCIL & COMMITTEE MEETINGS - NOTICE OF MEETINGS

7.1 Notice to members of the Council & Committees

7.2 Not less than five clear working days before the meeting, the Head of Resources and Governance will give notice of the meeting to all members of the Council or Committee in accordance with the 1973 Act (as amended).

7.3 If a member gives reasonable notice, the notice can be posted or delivered to him/her at his/her usual home address (or at any other address they inform the Head of Resources and Governance about in writing). The Head of Resources and Governance Services will decide the most efficient way to deliver the papers. The notice will contain or will come with:

- notice of the date, time and place of the meeting;
- an agenda setting out the list of items of business to be considered; and
- copies of any reports associated with the items on the agenda.

7.4 If a councillor or other committee member does not receive the notice, the meeting will still be valid (under paragraph 2(3) of schedule 7 of the 1973 Act).

7.5 All councillors will have access to all committee papers, including those containing Confidential and Exempt Information.

7.6 Notice to the press and public

7.7 Subject to Standing Orders 8.10 to 8.17, Council meetings will be open to the public and the press. No later than five clear working days before a council meeting, the Head of Resources and Governance must publish the time and place of the intended meeting.

- 7.8 In accordance with the 1973 Act, and subject to Standing orders 8.10 to 8.17, copies of the items set out in the notice of meeting will be made available for inspection by members of the public at our offices as determined by the Head of Resources and Governance. Copies will also be made available on our website (www.clacksweb.org.uk).
- 7.9 The Head of Resources and Governance may decide not to give notice to the press if a meeting is to be called at short notice or if the meeting is a meeting of the Workforce Committee and the business of the Committee includes information that is exempt under paragraph 1 of schedule 7A of the 1973 Act.
- 7.10 If possible, notice will be given not less than five clear working days before the meeting (there is a shorter statutory requirement of three days). Reports containing exempt information or confidential information (as defined in Standing Orders 8.19 and 8.21) will not be made available to the press or the public. Co-opted members will not receive reports containing confidential information. The appropriate committee will decide who should receive exempt information.
- 7.11 Copies of the agenda and accompanying reports will be available for the public to see at Council headquarters not less than five clear working days before the meeting (unless the meeting is called at shorter notice). If this happens, the agenda and reports will be available for the public to see as soon as is practical. We will also put copies of agendas on our website (www.clacksweb.org.uk).

8.0 COUNCIL & COMMITTEE MEETINGS - MEETING AGENDAS

8.1 Reports

- 8.2 Officer reports must be signed by the appropriate Head of Service and Director. Joint service reports must be signed by all appropriate chief officers. The Head of Resources and Governance may, unless the appropriate officers can show good cause, refuse to admit to the agenda any report that is not signed in line with this standing order.
- 8.3 As far as appropriate, reports will be presented in the standard format, as prescribed by the Head of Resources and Governance. Failure to follow this Standing Order will not in itself make the report invalid.

8.4 If a committee asks that a report is passed to a Council meeting without making a decision, the full committee report shall be annexed to the council report .

Where approval of a committee decision is being sought, the report to Council shall refer to the relevant committee and date of meeting and set out the committee decision(s) to be approved..

As far as appropriate, the report will be presented using the template report for seeking Council approval of committee decisions prescribed by the Head of Resources and Governance. Failure to follow this Standing Order will not in itself make the report invalid.

8.5 Councillors preparing reports for us will be entitled to support from suitably qualified and experienced officers. In asking for support, Councillors will follow recommendations made by the Head of Resources and Governance. Councillors will also make sure that any officer who is asked to give support is given reasonable notice of what the councillor needs.

8.6 Agenda Structure

8.7 The agenda for meetings will be divided into the following parts:

Part 1 Items to which members of the public and press have unrestricted access and during consideration of which the meeting will be open to the public in accordance with sections 50A(1).

Part 2 Items containing Exempt Information (section 50A(4) of the 1973 Act) . This part will set out which category of Exempt Information under schedule 7A of the 1973 Act may result in the public requiring to leave the meeting during a debate on the item.

Although an officer may have indicated that an item contains Exempt Information, we will decide if the public are to be required to leave the meeting when the item is being discussed.

Part 3 Items containing Confidential Information (section 50A(2) of the 1973 Act). By law, the public and the press (including co-opted members for this purpose) must not be present when the item is being discussed.

8.8 Any councillor will have the right to have an item placed on the agenda for a meeting, if they give the Head of Resources and Governance notice in writing (setting out the nature of the item) at least seven clear working days before the date of the relevant meeting

8.9 The final decision on which items will appear on the agenda rests with the Head of Resources and Governance in consultation with the Clerk.

8.10 Exempt and Confidential Information

8.11 Reports containing Exempt Information (exempt items) will be clearly marked 'Exempt' and that the report is 'Not for publication' because it contains Exempt Information within the meaning of schedule 7A of the 1973 Act. It is likely that the public will be required to leave the meeting during the debate on reports containing exempt information.

8.12 If any item of business being discussed at a Council meeting contains Exempt Information, we will decide if the press and public (including co-opted members but not appointed members) must leave the meeting while the discussion is taking place. This standing order may not be suspended.

8.13 Standing Order 8.12 will not apply to any Councillor going to a committee that he or she is not a member of. (See also SO 9.23)

8.14 Reports containing Confidential Information (confidential items) will be clearly marked 'Confidential' and that the report is 'Not for publication' because it contains confidential information within the meaning of section 50A (2) and (3) of the 1973 Act.

8.15 If any item of business being discussed at a Council meeting contains Confidential Information, the press and public (including co-opted members and in certain cases appointed members) must leave the room while the discussion is taking place. This Standing Order may not be suspended.

8.16 Standing Order 8.15 will not apply to any councillor going to a committee that he or she is not a member of. (See also SO 9.23)

8.17 The Head of Resources and Governance in consultation with the Governance Manager will decide whether a report contains Exempt Information or Confidential Information. If the Head of Resources and Governance in consultation with the Governance Manager advises that the item of business should be admitted to Part 1 as an unrestricted item of the agenda, the item will be given unrestricted circulation. However, our right to decide at the meeting to consider the item in private will still apply.

8.18 Revealing information

8.19 We will not reveal any document (or any part of any document) marked 'Not for publication by virtue of Paragraph ... of Part 1 of schedule 7A to the Local Government (Scotland) Act 1973' to the press or public unless and until the document has been made available to the public or the press under section 50A of the 1973 Act.

8.20 Information on any part of the proceedings of the Council which the public have not been allowed to see may not be revealed to the public unless and until we have authorised it or the information has been made available to the public or the press under section 50A of the 1973 Act. Co-opted members will only receive the information if the committee has agreed that they can have access to Exempt Information.

8.21 We will not reveal Confidential Information within the meaning of section 50A(3) of the 1973 Act contained in any background documents to the press or public (which for this purpose includes co-opted members) .

8.22 Without affecting the Councillors' Code of Conduct and standing orders no councillor will use or reveal to any person any Confidential or Exempt Information that comes to his or her knowledge through his or her office as a councillor.

9.0 COUNCIL & COMMITTEE MEETINGS - GENERAL OPERATION

9.1 Chairing Meetings

9.2 The Provost, if present, will chair council meetings. If the Provost is not present, ~~a the~~ Depute Provost will chair the meeting. If neither the Provost nor ~~a the~~ Depute is present, the councillors present will decide who will chair the meeting. The Standing Orders relating to the Provost will apply to the Depute Provosts or to any member chairing a meeting of the Council.

9.3 The ~~Convener~~Chair, if present, will chair committee meetings. If the ~~Chair~~convener is not present, the Vice ~~Chair~~convener will chair the meeting. If neither the ~~Chair~~convener nor the Vice ~~Chair~~convener is present, the members present who are eligible to vote will decide who will chair the meeting. The Standing Orders relating to the Provost will apply to any member chairing a meeting of a committee.

9.4 Quorum

9.5 The quorum is the minimum number of people who must be present before the council meeting can take place and make valid decisions.

9.6 No business will be carried out at a meeting unless a quorum of councillors is present. Quorums are as follows:

	Quorum
C Council	5*
Scrutiny Committee	4
Audit & Finance Committee	4
Education, Sport and Leisure Committee	4
Attainment and Improvement sub-committee	2
Enterprise and Environment Committee	4
Housing, Health and Care Committee	4
Resources and Audit Committee	4
Planning Committee	4
Regulatory Committee	4
Workforce Committee	3
Local Review Body	3

* Paragraph 4(1) of Schedule 7 of the 1973 Act

9.7 If 10 minutes after the time appointed for a meeting the quorum has not been met, the Provost, ~~Convener~~Chair or person chairing the meeting will postpone the meeting.

The minutes of the meeting will record that no business was carried out due to the lack of a quorum.

9.8 If at any time during a meeting a question arises on the presence of a quorum, the Provost, ~~Chair~~ or person chairing the meeting will (after allowing an interval of five minutes) arrange for the Councillors present to be counted. If a quorum of Councillors is not present, those agenda items which are unresolved will be postponed to a future meeting at a time and date that the Provost, ~~Chair~~ or person chairing the meeting decides. Notice of the rescheduled time and date may be given immediately or at a later date in line with Standing Order 7.2.

9.9 Decisions taken during that part of the meeting where there was a quorum present are valid.

9.10 Attendance at meetings

9.11 The names of the members (including co-opted members) present at each meeting and the names of those members (including co-opted members) who have sent an apology for not attending will be recorded in the minutes of the meeting.

9.12 Substitutes

9.13 If a Councillor cannot come to a meeting, he or she may arrange for any Councillor who has not already agreed to act as substitute for another Councillor to go to the meeting as his or her substitute. Councillors going to meetings as substitutes must tell the Clerk before the meeting starts. Details of the substitutions will be recorded in the minutes of the meeting. A Councillor (whether or not acting as a substitute) may not be replaced during a meeting. ('Meeting' includes any part of a meeting that has been postponed.)

9.14 If a religious representative who has been appointed under section 124 of the 1973 Act (as amended by section 31(4) of the 1994 Act), cannot come to a meeting, he or she may arrange for another person representing one of the 3 statutorily prescribed designations to go to the meeting as his or her substitute. Persons going to meetings as substitutes for religious representatives must tell the Clerk before the meeting starts. Details of the substitutions will be recorded in the minutes of the meeting. A religious representative (whether or not acting as a substitute) may not be replaced during a committee meeting. ('Meeting' includes any part of a meeting that has been postponed.)

9.15 No other co-opted or appointed member can arrange a substitute.

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9.16 Failure to Attend Meetings

- 9.17 If a councillor does not attend any council meetings (which includes meetings of committees, sub-committees, joint committees, joint boards or other bodies carrying out any Council function and representing the Council at a meeting of any body of persons) for six months in a row, the councillor will no longer be a member of the Council, unless we grant them leave of absence or we have approved their reasons.

However, by virtue of section 35(3) of the 1973 Act members of the armed forces or civil service shall not cease to be councillors due to failure to attend a meeting for six months in a row as a result of employment on military service during war or an emergency. This provision applies to co-opted and appointed members.

- 9.18 If a Councillor does not attend any meetings of an external body to which he or she has been appointed by the Council for 12 months in a row and no substitute has attended in his/her place, the Councillor will no longer be a member of the external body unless we grant him/her leave of absence or if we have approved their reasons.
- 9.19 If a member of the Council (including co-opted and appointed members) is not able to go to a meeting for whatever reason, he or she may give his or her apologies either by telling the Head of Resources and Governance before the meeting or through another member who will give the apology at the beginning of the meeting. Only these apologies will be recorded in the minutes.

9.20 Councillors' Attendance At Committees They Are Not Members Of

- 9.21 Councillors (but not co-opted or appointed members) have the right to go to all meetings of council committees even if they are not members of the committee. Councillors do not have the right to speak at any committee they are not a member of unless the matter being discussed concerns his or her ward and no other ward
- 9.22 If any issue we are considering affects, or is likely to affect, constituency interests in more than one council ward, this right will not apply.
- 9.23 The person chairing the meeting will decide whether a Councillor has the right to contribute to the proceedings under standing order 9.19 and will give reasons for his/her decision which shall be recorded in the minute.
- 9.24 Any Councillor using this right will only speak on the matter in question and may speak for no more than 5 minutes unless the Convenor determines otherwise.

9.25 Any Councillors attending a committee they are not members of can remain in the room during discussion of Exempt or Confidential items of business.

9.26 Public Attendance At Meetings

9.27 Members of the public may attend meetings as observers.

9.28 The taking of photographs, use of mobile phones or music players, and audio or video recordings are not permitted during meetings unless with the express permission of the Provost.

9.29 If any item of business being discussed at a council meeting contains Exempt Information we will decide if the press and public (which for this purpose includes co-opted members but not appointed members) must leave the room while the discussion is taking place. This Standing Order may not be suspended. (see SO 8.12)

9.30 If any item of business being discussed at a council meeting contains Confidential Information, the press and public (which for this purpose includes co-opted members and in certain cases appointed members) must leave the room while the discussion is taking place. This Standing Order may not be suspended. (see SO 8.15)

9.31 If there is any misbehaviour, we have the right to ask members of the public to leave.

9.32 We may exclude people from a meeting or require that they leave if their presence or behaviour is causing, or is likely to cause, a disturbance. The Provost may issue a warning to any person creating a disturbance or may order that person to be removed from the meeting.

9.33 If there is a general disturbance during any part of the meeting open to the public, the Provost may order the meeting to be cleared.

10.0 COUNCIL & COMMITTEE MEETINGS - CONDUCT

10.1 Powers & Duties of the Provost (applies to ~~Convenors~~ Chairs and other chairs)

10.2 It is the duty of the Provost to make sure that standing orders are followed and to make sure that all members receive a fair hearing.

10.3 When the Provost begins to speak, other members must stop speaking.

- 10.4 The Provost will decide the order in which members may speak.
- 10.5 The decision of the Provost on all questions of procedure, order, competency, relevancy arising from standing orders will usually be final. If the Provost's decision is challenged, he or she will explain the reasons for the decision. The reasons will be recorded in the Minute of the Meeting. The decision may be put to a vote but can only be overturned or amended if it is agreed by a majority of the members present at the meeting who are eligible to vote.
- 10.6 The Provost may determine all questions of procedure where no specific provision is made under these Standing Orders. If the Provost's decision is challenged, he or she will explain the reasons for the decision. The reasons will be recorded in the Minute of the Meeting. The decision may be put to a vote but can only be overturned or amended if it is agreed by a majority of the members present at the meeting who are eligible to vote.
- 10.7 Points of order**
- 10.8 A point of order is a verbal objection made to the Provost, saying that a statement or proposed procedure or action at the meeting may be breaking the law or standing orders. The term 'point of order' does not include the arguments, the principles or the political views expressed in debate, or relate to how true, valid or accurate any statement made in the course of debate is. A difference of opinion is not a point of order.
- 10.9 Any member (voting or non-voting) may raise a point of order arising at any point in the meeting, but must clearly tell the meeting on what basis a standing order or any law has been, or is about to be, broken.
- 10.10 A member who is addressing the meeting when a point of order is raised will stop until the clerk has explained whether or not the point raised is a point of order.
- 10.11 If the point is confirmed by the clerk as a point of order, the Provost will decide how the point of order should be dealt with. If the point is not confirmed to be a point of order, it will not be accepted and the discussion will continue.

10.12 The Interests of Councillors in Contracts and Other Matters



A personal interest is an interest that must be registered or declared by a councillor under the Councillors' Code of Conduct. This includes non-financial interests that members of the public might reasonably think could influence the actions, speeches or votes of a councillor. A personal interest will also exist where a decision of the Council or of a committee of the Council will affect:

- a councillor, their partner, relative or close friends; or
- the organisation employing any of these people.

10.13 Any Councillor who has a personal interest in a matter arising at a meeting must take account of the Councillors' Code of Conduct before deciding whether or not he or she should take part in any discussion on the matter. He or she must seek the advice of the Head of Resources and Governance in consultation with the Governance Manager, where appropriate, on the terms of the Code and how it may affect the behaviour of any councillor in particular circumstances.

10.14 Formally registering a personal interest does not mean that a Councillor no longer needs to declare the interest if it is relevant to the business of the Council or a committee of the Council.

10.15 A Councillor must leave any Council meeting when a matter in which he/she has a personal interest is being considered.

10.16 The interests of employees in contracts and other matters

10.17 In addition to any duty under section 68 of the 1973 Act, if any employee of the Council knows that he or she has a financial interest in any contract that we have entered into (or propose to enter into), or in some other matter that we are to consider, and which (in either case) is not:

- a personal contract of employment with us; or
- the tenancy of a house we have provided;

he or she will give notice of the interest in writing to the Head of Resources and Governance.

10.18 Under this standing order, if a member of staff has a financial interest in a contract or other matter that is due to be considered at a meeting of the Council at which he or she is present, he or she must reveal the interest in accordance with section 39 of the 1973 Act.

10.19 Behaviour

10.20 If the Provost determines that any member at any meeting is behaving or has behaved improperly or offensively, or is deliberately obstructing our business, the Provost may take any or all of the following courses of action:

- Ask the member to stop speaking during the rest of the debate on the matter under discussion.
- Ask for a vote on the proposal that the member is not allowed to contribute to the rest of the meeting. The motion does not need to be seconded and will be put to the vote without being discussed beforehand. If the motion is carried by a simple majority of those voting, the member named will not speak for the rest of that meeting. Although it may not have been seconded, the motion will be recorded in the minutes.
- Move that the member should leave the meeting. This motion does not need to be seconded and will be put to a vote without being discussed beforehand. If the motion is carried by a simple majority of those voting, the member named must immediately leave the meeting. Although it may not have been seconded, the motion will be recorded in the minutes.
- Postpone the meeting for a period of time that he or she considers to be appropriate.

10.21 Members are required to behaviour courteously at all times during meetings and to treat members and officers with respect.

10.22 Adjournments & Breaks

10.23 The Provost may adjourn a meeting at any time for any reason. He/she shall state the reason for the adjournment which shall be recorded in the minute. An adjournment will last not longer than 15 minutes.

10.24 Subject to the Provost's effective management of the meeting, there may be a 10 minute break after approximately every two hours of sitting.

10.25 Subject to the Provost's effective management of the meeting, there may be a 30 minute meal break after approximately three hours of sitting.

11.0 COUNCIL & COMMITTEE MEETINGS - ORDER OF BUSINESS

11.1 Order of Business

11.2 The Provost may make a statement at the start of a meeting on any matter of civic importance. There will be no debate on such matters.

11.3 Discussion at ordinary meetings of the Council will usually take place in the following order.

- Roll call – The Head of Resources and Governance will arrange for the names of members present at the meeting to be recorded
- Recording apologies and notice of substitutions
- Declarations of interest
- The order of business
- Minutes of the previous meeting or meetings of the Council
- List of Committee meetings convened since the previous Council meeting
- Leader of the Council's Report on key issues and activities
- Committee Recommendations referred to Council for approval
- Any questions to the Provost (if the order of business set out in the agenda includes questions to the Provost, the Provost may decide at which stage of the meeting he or she will take the questions)
- Reports and other items of business that do not contain exempt or confidential information
- Motions (formal proposals for items to be discussed) from members
- Items containing exempt information where we decide the press and public can attend
- Items containing exempt information where we decide the press and public cannot attend
- Items containing confidential information.

11.4 The order of business may be rearranged by the Provost or if we agree on the motion of any councillor.

11.5 Urgent business

11.6 No business, other than that set out on the agenda, will be carried out unless the Provost decides that due to special circumstances the item should be discussed as a matter of urgency (see section 50B(4)(a) and (b) of the 1973 Act).

11.7 If the Provost decides that an item of business may be discussed as a matter of urgency under Standing Order 11.6, he or she will give his or her reasons for the decision before the item is discussed. The reasons will be recorded in the minutes of the meeting (see section 50B(4)(a) and (b) of the 1973 Act).

12.0 COUNCIL & COMMITTEE MEETINGS - INTRODUCING REPORTS

12.1 The Provost will direct that reports to the Council must be introduced, without interruption where appropriate, by the officer presenting the report.

12.2 The Provost will then give members the opportunity to ask relevant questions of, and request explanations or more information from that officer or any other officer at the meeting who holds relevant information, or to ask relevant questions where appropriate of the Leader of the Council or a ~~Convener~~Spokesperson.

12.3 During this period of questions and explanation, members must not make statements. The point a member wishes to raise must be framed as a question. A motion or an amendment cannot be moved at this stage

12.4 When, in the opinion of the Provost, members have had a reasonable opportunity to ask questions and request explanations or more information, the Provost will advise that the Council may now discuss the matter.

13.0 COUNCIL & COMMITTEE MEETINGS - DISCUSSION & DEBATE RULES

13.1 The Provost will decide the order in which members will speak during the debate.

13.2 Members will address the meeting through the Provost.

13.3 Motions

13.4 Motions for approval of a report will be treated as the original motion. Any motion proposing to alter a report will be dealt with as an amendment.

13.5 Motions must be set out in writing before they can be debated or put to a vote.

13.6 Motions must be moved and seconded before they can be debated or put to a vote.

13.7 Persons (such as co-opted members) who do not have voting rights may not move or second a motion.

13.8 Amendments

13.9 An amendment may not be moved or discussed until the original report has been moved and seconded.

13.10 Amendments must relate to the motion by seeking to vary the terms of the motion or make an addition to the motion which bears direct relevance to the terms of the motion.

An amendment which contains an expenditure proposal must identify a budget from which the expenditure can be met.

13.11 Amendments should normally be set out in writing before they can be debated or put to a vote.

Except in exceptional circumstances, amendments should be submitted to the Clerk by noon on the day prior to the meeting. Amendments will be collated by the Clerk and circulated to members as soon as possible after receipt and in any case in advance of the meeting.

At the meeting, amendments will be taken in the order in which they have been submitted to the Clerk.

13.12 The Provost may rule out of order any amendment he or she considers irrelevant or substantially similar to the motion or to any previous amendment.

13.13 Amendments must be moved and seconded before they can be debated or put to a vote.

13.14 Persons (such as co-opted members) who do not have voting rights may not move or second an amendment.

13.15 Only one amendment may be debated at the one time.

13.16 Notice of any second or subsequent amendment must be given before the end of the debate on the amendment currently being discussed. If notice is not given at the right time, any subsequent amendments will not be accepted.

It shall be competent for the mover of a motion, with the consent of the member seconding the motion, to accept an amendment to that motion

13.17 Speaking On A Motion Or Amendment

13.18 A member moving or seconding a motion or an amendment or using a right of reply may speak for no more than 10 minutes, unless they have the permission of the Provost.

13.19 Other members taking part in the discussion will speak for no more than five minutes unless they have the permission of the Provost.

13.20 A member who has spoken on a motion will not speak again during the debate on the motion unless :

- the Provost gives him/her permission;
- he or she wishes to comment on a motion which has been amended since he/she spoke;
- the proposer of the motion uses the right of reply at the end of the debate. The right of reply will be limited to answering matters raised in debate; or
- by making a point of order (which will be dealt with in accordance with Standing Order 10.8-10.11).

13.21 The mover of an amendment has no right of reply.

13.22 Withdrawing a Motion or Amendment

13.23 Once a motion or amendment has been moved and seconded, it can be withdrawn only by a decision of the majority of members present and entitled to vote.

13.24 Putting A Motion (or Motion as Amended) To Council

13.25 The Provost will put the motion to the Council after the mover of a motion (or motion as amended) has used the right to reply, or has declined to exercise the right of reply. No other member will speak on the motion.

The Provost will put the motion to the Council without giving the mover a right of reply when the motion has not been debated.

14.0 COUNCIL & COMMITTEE MEETINGS - VOTING

Co-opted members may not vote on any matter, including procedural matters, unless they are sitting on either the Education Appeals Committee or the Complaints Review Committee (Social Services) (ref SOs 4.4, 4.13, 4.15)



Appointed members may not take part in the vote on a motion to suspend standing orders (Ref Standing Order 20.3)

Members who have withdrawn from the meeting due to a personal interest may not vote on the item concerned (ref Standing Order 10.15)

Councillors attending committees they are not members of cannot vote even if they can speak 9.21

The Provost (or ~~Convener~~ or Chair) will not have a casting vote in relation to the filling of posts held by councillors and other representatives and in the appointment of employees (ref Standing Order 14.17, 14.22).

General

- 14.1 Unless otherwise provided by law or standing orders, every question coming to or arising at a council meeting will be decided by a simple majority of the members who are present and eligible to vote on a show of hands.
- 14.2 After the Provost or ~~Convener~~ (or Chair) has announced that any matter is to be put to the vote, the Clerk will (if any member asks) explain that matter. The Provost will then start to take the vote. No member will interrupt the proceedings until the result of the vote is announced.
- 14.3 The Provost will ask firstly for votes on any amendment and then for votes on the motion or motion as amended. The Provost will confirm the outcome of the vote with the Clerk and announce the result of the vote.
- 14.4 Unless the law or standing orders provide otherwise, the Provost will have a 'casting vote'. He or she may exercise the casting vote if there is an equal number of votes for or against any motion or amendment.
- 14.5 When a motion and an amendment are before the meeting and notice has been given of one or more further amendments, the amendments and voting will be in the order in which notice was given.
- 14.6 If an amendment is defeated, other amendments (of which previous notice has been given) may be moved. If any amendment is moved and seconded, voting will proceed in accordance with standing orders.

14.7 Roll Call Vote

- 14.8 Any member (whether or not eligible to vote) can ask for a roll-call vote on any matter which is to be put to a vote.
- 14.9 If a vote is taken by roll call, the names of those members voting for or against the motion or amendment will be included as part of the minutes of the meeting.

14.10 Recording Votes In The Minutes

- 14.11 A member may ask that the minutes of the meeting record a note of his or her vote for or against any motion or amendment.
- 14.12 The minutes of the meeting will record the vote, including any abstentions (when someone has decided not to vote).
- 14.13 A member may ask that the minutes of the meeting record a note of his or her disagreement with a decision of the meeting.

14.14 Filling Posts Or Offices Held By Councillors & Other Representatives

- 14.15 If the number of councillors or other persons nominated to be appointed to any office or position to be filled by the Council is higher than the number of vacancies, there will be a vote (or votes). Each councillor will be entitled to vote for as many candidates as there are vacancies, but will not vote for more than one candidate for any single vacancy.
- 14.16 The names of all those nominated will be put to the meeting in alphabetical order of surname.
- 14.17 If only one vacancy needs to be filled and a candidate has an absolute majority (more than 50%) of the votes cast, the candidate will be declared to be appointed. If there is no absolute majority, the name of the candidate having the fewest votes will be taken off the list. This process will continue until a candidate has an absolute majority of votes cast (if there is only one vacancy) or until the number of candidates left equals the number of vacancies (if there is more than one vacancy). The candidate or candidates will then be declared or appointed.

14.18 If a vote involves more than two candidates having the fewest votes (and the same number of votes), another vote will take place to decide which candidate will be taken off the list. If the candidates with the fewest votes still have the same number of votes, the candidate to be taken off the list will be decided by drawing lots.

14.19 If only one vacancy needs to be filled and there are two candidates with an equal number of votes, the appointment will be decided by drawing lots.

14.20 Standing orders 14.15 to 14.19 do not apply to appointing officers (ref SO 14.22)

14.21 Appointing Officers

14.22 Where there are more than two candidates for any appointment and none gets an absolute majority of votes, the candidate having the fewest votes will not be considered further. Voting will continue until there is an absolute majority of the councillors, present and voting at the meeting, in favour of any candidate.

14.23 Non-Councillor Representatives On The Attendance Committee

14.24 All members appointed to the Attendance Committee will (despite any provision of the Standing Orders) be entitled to vote on any issue those committees are discussing, whether or not they are elected members of the Council.

14.25 Non-Councillor Representatives On The Education Appeals Committee

14.26 All members appointed to the Education Appeals Committee will (despite any provision of the Standing Orders) be entitled to vote on any issue this committee is discussing, whether or not they are elected members of the Council.

14.27 Non-Councillor Representatives On the Complaints Review Committee (Social Services)

14.28 All members appointed to the Complaints Review Committee (Social Services) will (despite any provision of the Standing Orders) be entitled to vote on any issue this committee is discussing, whether or not they are elected members of the Council.

15.0 COUNCIL & COMMITTEE MEETINGS - PROCEDURAL MOTIONS

- 15.1 The procedural motions specified below will be allowed during the discussion of another motion or at such appropriate point as the Provost shall determine. A procedural motion can only proceed with the consent of the Provost. He/she shall state reasons for his/her decision which shall be recorded in the minute and which shall be open to challenge in terms of SO 10.5
- 15.2 When a procedural motion has been moved and seconded, it will be put to the vote without being discussed beforehand. Co-opted members may not move or second a procedural motion. The result of the vote will be recorded in the minutes of the meeting.
- 15.3 If a procedural motion is defeated, a similar motion will not be accepted until two additional members who want to speak on the motion or amendment under debate, and who have not already done so, have been allowed to speak.
- 15.4 **That we Move to the Next Item Of Business**
- 15.5 We may decide if the Provost agrees, to move to the next item of business in accordance with Standing Order 15.2.
- 15.6 **That The Matter Is Put To The Vote**
- 15.7 The Provost may refuse to accept this motion if he or she believes that the matter before the meeting has not been discussed in enough detail.
- 15.8 If the Provost accepts the motion, it will be immediately voted on in accordance with Standing Order 15.2.
- 15.9 If the motion is carried, the mover of the substantive motion may use the right of reply and the matter will be put to the vote immediately thereafter.
- 15.10 **That the debate should be postponed**
- 15.11 If the Provost thinks that the matter before the meeting has been sufficiently discussed, he or she may refuse the motion and put before Council the motion 'that the matter is put to the vote'.

15.12 If the Provost's motion 'that the matter is put to the vote' is not seconded or is defeated, he/she will put the motion 'that the debate should be postponed' to the vote provided it has been seconded. If that motion is carried, the continued debate on the matter will be postponed to the next ordinary meeting of Council.

15.13 To continue an item of business

15.14 We may continue the discussion on any item of business to another day, time or place in accordance with Standing order 15.12.

15.15 If the motion 'to continue an item of business' is carried, the original substantive motion will be carried over to the next meeting of the Council.

15.16 That the meeting should be postponed

15.17 We may postpone a meeting in accordance with Standing Order 15.12.

16.0 COUNCIL & COMMITTEE MEETINGS - NOTICES OF MOTION INTENDED FOR CONSIDERATION AT THE NEXT MEETING

16.1 A notice of motion will be in writing and will be signed by the member presenting it.

16.2 Notice must be delivered to the Head of Resources and Governance at his or her office no later than seven clear working days before the date of the next meeting of the Council. If this deadline is missed, the motion will not be included in the agenda.

16.3 Every motion must be relevant to matters within our powers and duties or involve an issue that will affect, or is of interest to the people of Clackmannanshire.

The Head of Resources and Governance in consultation with the Governance Manager may refuse to accept any notice of motion which (due to any enactment, rule of law or any provision of these standing orders), should not be considered. In these circumstances, the Head of Resources and Governance in consultation with the Governance Manager will (within two working days of receiving the notice of motion) tell the member putting forward the motion of this decision and, if asked to do so, will set out reasons in writing.

- 16.4 Motions may not contain offensive or abusive language and may not contain argument. The Head of Resources and Governance in consultation with the Governance Manager may refuse to accept any motion that fails to meet these requirements.
- 16.5 The Head of Resources and Governance will include (in the order in which he or she received them) on the agenda for the next meeting motions of which valid notice has been given and which have been accepted in terms of Standing Orders 16.3 and 16.4. He or she will record the date and time of receiving the notice on the original notice.
- 16.6 If the Head of Resources and Governance considers that, after having consulted the Provost, more than one motion deals with the same subject matter, only the motion lodged first will be included on the agenda.
- 16.7 A motion may only be considered by a committee if it is within the powers of the committee to decide on the motion.
- 16.8 If a councillor has had a motion accepted on to the agenda of any meeting, we may still consider the motion even if the councillor is not present. Before we can consider the motion and vote on it, it must be moved and seconded by members present at the meeting. If this fails to happen, the motion will be dropped from the agenda and cannot be raised again except as a new motion at a future meeting of the Council.

17.0 COUNCIL & COMMITTEE MEETINGS - WITHDRAWING PREVIOUS DECISIONS

- 17.1 No motion that tries to alter or withdraw a council or committee decision (or has that effect) will be considered or passed for at least six months from the date of the original decision, unless:
- the Provost is satisfied that circumstances have changed in a relevant way . The Provost shall give his or her reasons for determining that circumstances have changed in a relevant way which shall be recorded in the minute.
 - the notice of the meeting indicates that the decision may be withdrawn or altered (this information does not need to be specifically highlighted if the withdrawal or alteration is set out in the terms of a report or of any committee minute put forward to us); or
 - a decision is required by law.

18.0 COUNCIL & COMMITTEE MEETINGS - QUESTIONS TO THE PROVOST

- 18.1 Any councillor may put a question that is relevant to the business of the Council to the Provost (or to the Governance Manager for an explanation on a point of law or procedure), provided the member has given the question in writing to the Head of Resources and Governance no later than 12 noon, seven working days before the date of the meeting.
- 18.2 Standing Order 18.1 will also apply to religious representatives we have appointed in relation to questions which relate to the discharge of our functions as an education authority.
- 18.3 If there is any doubt or dispute, the Provost will decide whether the question is to be answered verbally or in writing.
- 18.4 Questions, and any written answers, will be reproduced and numbered in the order in which they have been received and will be made available to members at the beginning of the meeting.
- 18.5 If the Provost decides that a question is out of order, the question will not be answered. The Provost will give reasons for his/her decision. The reasons will be recorded in the minute of the meeting.
- 18.6 The councillor who asked the original question may ask two supporting questions to make the answers clearer. The Provost will decide whether the supporting questions will be answered verbally or in writing.
- 18.7 The Provost may decide to refer the question to the ~~Convener of the~~ appropriate spokesperson committee, to the Leader of the Council, or to an officer of the Council.
- 18.8 Questions and answers will be recorded in the minutes.
- 18.9 'Written questions' will include a series of written questions asked by one or more members that deal with one or more subjects which, in the opinion of the Provost, are so closely related that they should be treated as one subject.
- 18.10 Questions to the Provost may not be opened up to general debate.

19.0 COUNCIL & COMMITTEE MEETINGS - QUESTIONS TO ~~CONVENORS~~

CHAIRS

- 19.1 Any member of a committee may put a question that is relevant to the business of that committee and not arising from any agenda item to the ~~Convener-Chair~~ (or to the Governance Manager for an explanation on a point of law or procedure), as long as the member has given the question in writing to the Head of Service no later than 12 noon seven working days before the date of the meeting.
- 19.2 Questions to Convenors will only be answered in writing and copies of answers will be produced at the following committee meeting.
- 19.3 No supporting questions will be allowed.
- 19.4 Questions, and any written answers, will be reproduced and numbered in the order in which they have been received and will be made available to members at the beginning of the meeting.
- 19.5 If the ~~Convener-Chair~~ decides that a question is out of order, the question will not be answered. The ~~Chair convener~~ shall give reasons for his/her decision. The reasons will be recorded in the minute of the meeting.
- 19.6 'Written questions' will include a series of written questions asked by one or more members that deal with one or more subjects which, in the opinion of the ~~Chair convener~~, are so closely related that they should be treated as one subject.
- 19.7 Questions to the ~~Chair convener~~ may not be opened up to general debate.
- 19.8 No supporting questions will be allowed in the case of questions to ~~Convenorscommittee Chairs~~.
- 19.9 A question may only be put to the ~~Chair convener of~~ a committee if the subject matter of the question is relevant to the committee's remit.
- 19.10 A ~~Chair convener of~~ a Committee may be requested to attend ~~Scrutiny Resources and Audit~~ Committee to answer questions on matters relevant to that committee's remit which are under consideration by ~~Scrutiny Resources and Audit~~ Committee. The committee ~~Chair convener~~ will be given as much notice as is reasonably practicable of the requirement to attend and the issue to be discussed.

20.0 SUSPENDING & AMENDING STANDING ORDERS

20.1 Suspending Standing Orders

- 20.2 Subject to the provisions of these Standing Orders, Standing Orders may be suspended at any meeting of the Council or a Committee by a motion passed by a majority of at least two thirds of the votes of councillors present and eligible to vote at the meeting.
- 20.3 Appointed members may not take part in the vote on a motion to suspend standing orders.
- 20.4 Committees cannot suspend our financial regulations or contract standing orders.
- 20.5 Standing Orders 20.2.to 20.4 cannot be suspended.

The following Standing Orders already referred to also cannot be suspended:

- 6.7 A special meeting will be held within 10 working days from when the Head of Resources and Governance receives a valid request.
- 8.12 If any item of business being discussed at a council meeting contains exempt information, we will decide if the press and public must leave the room while the discussion is taking place. This standing order will apply to co-opted representatives but not appointed representatives.
- 8.15 If any item of business being discussed at a council meeting contains confidential information, the press and public must leave the room while the discussion is taking place. This will apply to co-opted representatives and may apply to appointed members.



20.6 Amending Standing Orders

- 20.7 Standing orders can only be changed or abolished when notice has been given at a meeting of the Council that proposals to amend standing orders will be brought before the next meeting and regardless of circumstances must appear as an item on the agenda of that meeting.

21.0 COUNCIL & COMMITTEE MEETINGS - MINUTES OF MEETINGS

- 21.1 Minutes of council meetings will be prepared by the Head of Strategy and Customer Services and, issued to members of the Council no later than five clear working days before the next ordinary meeting of the Council with the items listed in SO 7.3. The minutes will record decisions only. Members do not have the right to have matters noted in the minute other than as provided for in these Standing Orders. The minutes will be submitted for approval, corrected if necessary and when agreed to be a true record of the proceedings of the meeting they relate to signed by the Provost.
- 21.2 No discussion or amendment will be accepted on minutes of a previous meeting, other than an objection that they are not a correct record. Any objection for this reason will, if not agreed, result in an amendment to a motion approving the minutes or part of the minutes.
- 21.3 A voting member who was not present at the meeting that the minutes refer to may ask that the minutes of the current meeting record their disagreement with a decision recorded in the minutes of the earlier meeting.

The following matters referred to in the following Standing Orders will also be included in the minutes of Council and Committee meetings:



- 9.11 The names of the members present at each meeting will be
9.13 recorded in the minutes of the meeting, as well as the names of those members
9.14 who have sent an apology for not attending and any substitutes attending.
- 11.7 If the Provost decides that an item of business may be discussed as a matter of urgency under Standing Order 11.6, he or she will give his or her reasons for the decision. These reasons will then be recorded in the minutes of the meeting
- 14.9 If a vote is taken by roll call, the names of those members voting for or against the motion or amendment will be included as part of the minutes of the meeting.
- 14.11 A member may ask that the minutes of the meeting record a note of his or her vote for or against any motion.
- 14.12 The minutes of the meeting will record the vote, including any abstentions (when someone has decided not to vote)
- 14.13 A member may ask that the minutes of the meeting record a note of his or her disagreement with a decision of the meeting.
- 15.2 The outcome of a vote on procedural motions will be recorded in the minute.
- 18.8 Questions and answers to the Provost will be recorded in the minute.

22.0 DELEGATION

22.1 Delegation arrangements

22.2 We may make a scheme of delegation to committees and officers to carry out our functions. The scheme of delegation will form part of and be read with these standing orders.

22.3 Delegation to committees and officers

22.4 If the law and these standing orders allow, we will delegate our functions, services, activities or other matters (whether under statute or otherwise) to relevant committees and officers but only insofar as permitted within our Scheme of Delegation.

22.5 We may vary, add to, withdraw or restrict any reference to delegation to any committee or officer, or by specific authority refer any function to any committee or officer. Despite the terms of standing order 22.2, any single matter may be referred to a committee or officer as a specific authority by a simple majority of members present and eligible to vote.

22.6 Any arrangement contained in or made under the scheme of delegation for a committee or officer to carry out a function will not prevent us or the relevant committee from carrying out that function. To avoid any doubt, we or the committee may not act on any matter so as to overrule a decision taken by a committee or officer under delegated powers where action in carrying out that decision has already been taken (as that would be against the law).

23.0 DEEDS & OUR COMMON SEAL

23.1 Under the 1973 Act and the Requirements of Writing (Scotland) Act 1995, deeds that we have to sign and seal will be sealed with our common seal and signed on our behalf by the Chief Executive or the Governance Manager (or any other proper officer who has been authorised by either of them).

23.2 The Governance Manager will be responsible for keeping safe and using our common seal.

CLACKMANNANSHIRE COUNCIL

Report to: Special Meeting of Clackmannanshire Council

Date of Meeting: 23 June, 2016

Subject: Representation on Outside Bodies and Appointment of Champions

Report by: Councillor McGill

1.0 Purpose

1.1 The purpose of this report is to seek approval to change Council representation on a number of outside bodies in light of the change in the political Administration of the Council. In addition, Council is requested to nominate "Champions" for various issues.

2.0 Recommendations

It is recommended that Council agrees:

- 2.1 the proposals in relation to representation on outside bodies set out in the Appendix to this report;
- 2.2 to nominate the specific Champions set out in Paragraph 3.3.

3.0 Background & Considerations

- 3.1 Given the changes in the Council's Administration and decision-making framework which were agreed at the special meetings held on 2 June, 2016, it is important that the new Administration is able to represent Council on various outside bodies and forums.
- 3.2 Accordingly, the Administration wishes to change Council's representation on the outside bodies as set out in the proposals at the Appendix to this report.
- 3.3 In line with Council's previous decision of 28 June, 2012, in respect of the appointment of Champions, it is proposed that the most relevant political postholders are as follows:

Champion	Political Postholder
Carers	Spokesperson for Health and Social Work
Veterans	Provost
Armed Forces	Provost

4.0 Sustainability Implications - N/A

5.0 Resource Implications – there are no budget implications as a result of this paper.

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

The Council is effective, efficient and recognised for excellence

8.0 Equalities Impact

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

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.

10.0 Appendices

Proposals For Council Representation On Outside Bodies

11.0 Background Papers

Report to Councils of 1 and 28 June, 2012, on Representation on Outside Bodies

Signed: RMcGill

Councillor R. McGill

APPENDIX – PROPOSALS FOR COUNCIL REPRESENTATION ON OUTSIDE BODIES

Name of Outside Body	Number Of Reps Required	Comments / Criteria	Proposals
Association for Public Service Excellence (APSE)	1	Chair of Building & Housing Services Advisory Group	Remove Councillor Sharp and appointment replacement from Administration
Central Scotland Joint Valuation Board	3	3 Board Members and 3 Named Substitute Board Members	Remove Councillor Holden Remove Councillor Balsillie Remove Councillor Hamilton and appoint replacements from Administration
Clackmannanshire & Stirling Integrated Joint Board	3	2 Administration and 1 Opposition	Appoint two members from the Administration (note 1 member of the SNP to come off)
Clackmannanshire and Stirling Environmental Trust	3	3 Trustees	Remove 1 SNP Member and replace with 1 Administration Member
Clackmannanshire Fairtrade Steering Group	1	Member	Remove Councillor Murphy and replace with Provost
CoSLA Convention	3	2 Administration + 1 Opposition	Remove Councillor Drummond and replace with member of the main Opposition Appoint two members of the Administration
Fife & Forth Valley Community Justice Authority	1	1 Member, 1 Substitute Member	Remove Councillor Sharp and replace with Administration Member
Forth Valley Tourism Partnership	1	Committee Member	Remove Councillor Balsillie and replace with Administration Member
Highland Reserve Forces & Cadets Association	1	Association Member	Remove Councillor Murphy and replace with Provost
Children's Hearing Scotland, Clacks Area Support Team	1	Committee Member	Remove Councillor Forson and replace with Administration Member
NHS Forth Valley (NHS Board)	1	Board Member - Council Leader (Scottish Government Appointment) or Spokesperson with Health remit	Remove requirement for this to be Council Leader and change it to being either Council Leader or Spokesperson for Health and Social Work. Nominate Council's representative.
Order of Malta Dial-a-Journey	1	Director	Remove Councillor McAdam and replace with Administration member

Scotland Excel	1	Committee Member	Remove Councillor Drummond and replace with Administration Member
Scottish Schools Equipment Research Centre (SSERC)	1	1 member, 1 substitute member	Remove Councillor McAdam and Councillor Forson and replace with Administration Members
SESTRAN Regional Transport Partnership	1	1 representative + 1 substitute	Remove Councillor Balsillie and Councillor Hamilton (substitute) and replace with members of the Administration
University of Stirling Conference	1	Committee Member	Remove Councillor McAdam and replace with member of Administration
CoSLA Executive Group: Community Safety	1		Group no longer operational
CoSLA Executive Group: Community Well-being and Safety	1		Remove Councillor Sharp and replace with member of Administration
CoSLA Executive Group: Education, Children and Young People	1		Remove Councillor Forson and replace with member of Administration
CoSLA Executive Group: Community Well-being	1		Remove Councillor Sharp and replace with member of Administration
CoSLA Executive Group: Development, Economy and Sustainability	1		Remove Councillor Balsillie and replace with member of Administration
CoSLA Executive Group: Resources and Capacity	1		Remove Councillor Sharp and replace with member of Administration
CoSLA Executive Group: Strategic Human Resources Management	1		Remove Councillor Drummond and replace with member of Administration

Report to: Council

Date of Meeting: 23 June, 2016

Subject: Cessation of Shared Services – General Update

Report by: Chief Executive

1.0 Purpose

- 1.1 Previous reports to Council meetings of October and December, 2015, provided information about the cessation of shared services and initial proposals for taking forward new arrangements.
- 1.2 This paper together with two others on the agenda provides members with an update on further progress towards the winding up of shared services and the establishment of new arrangements.

2.0 Recommendations

- 2.1 It is recommended that Council notes the work which has taken place and is ongoing to manage the cessation of shared services.

3.0 Background

- 3.1 The dismantling of shared services is a complex process involving a series of interdependent issues, viz:
 - a) design of new arrangements;
 - b) phasing out of current arrangements;
 - c) continuing to provide services on a day to day basis during the transition as well as keeping momentum going on improvement agendas;
 - d) implementation of new arrangements and ensuring business continuity.
- 3.2 The way in which shared services were designed using the lead authority model (whereby the councils respectively took the lead for one shared service and employed all the staff for that service) creates an additional, unusual, dimension to the change process.
- 3.3 Education and social services have evolved somewhat differently as shared services, which means that within the overall change process, there are effectively two separate transitions to be managed. This means that the

transitions can be proceeding at different paces and to different extents, as well as having different approaches. Given other developments which are ongoing (e.g. health and care integration, community justice redesign, implementation of the Children & Young People's Act, wider organisational redesign), matters may not always progress in a strictly linear fashion.

- 3.4 The circumstances of, and the arrangements for, the ceasing of shared services are fairly unprecedented. While local government reorganisation was a statutory process across the entire country, shared services were a voluntary, local partnership; whereas for local government reorganisation there was a Staff Commission with statutory backing and statutory guidance, there is no detailed guidance for the dismantling of shared services in the Strategic Partnership Agreement which both councils committed to.
- 3.5 The only binding matters in respect of shared services are those relating to the employment status of relevant employees which means that for other matters, the cessation process will rely on following any jointly agreed protocols and good practice in respect of change management.

4.0 Considerations - Staffing & Related Matters

- 4.1 The shared services agreement between the two councils was based on a lead authority model whereby each authority was responsible for a different service: Clackmannanshire for social services and Stirling for education.
- 4.2 Under this agreement, all shared management postholders are employed by the lead authority, which means that Clackmannanshire employs no managers in the central education service and Stirling employs no managers in Social Services.
- 4.3 In Education, this approach goes from Head of Service level down to Service Manager; in Social Services, the approach goes down a further tier to Team Leader as that service had begun to implement the deeper integration which had been agreed by the two councils. In social services, there are also some specialist frontline practitioners who currently work across the two areas.
- 4.4 After consideration by the Chief Executives of both councils (supported by the respective HR leads and taking into account specialist advice), it has been agreed that the most appropriate approach to be taken in respect of staffing on the cessation of shared services is as follows:
- a) the default position across both councils is that shared service staff will remain engaged by their respective employing authority
 - b) where work is being undertaken by either Clackmannanshire or Stirling Council employees but can be identified as being to deliver a service for the other organisation, and this service will continue following disaggregation, staff will transfer to the other organisation under TUPE
 - c) where TUPE does not apply, posts within the new structures for education and social services across both Councils will be open for shared services post holders to apply for. Those post holders will be

given a guaranteed interview if they meet the selection criteria. Applications will be assessed at the same time as other applications are received for the post.

- 4.5 While this approach means that both councils may have temporary gaps and surpluses in their respective establishments, it means that all staff are being treated equally and in line with contractual obligations.

5.0 Considerations - Business Continuity & Risk

- 5.1 To ensure business continuity, part of the transition work is confirming new management arrangements and putting these in place ready for the ending of shared services. As both councils design and implement new structures (either interim or full), opportunities for staff to take up new roles will begin to emerge.

- 5.2 The nature of the task means that there will be some overlaps between the ceasing of shared services and the establishment of new arrangements; it is possible that for some aspects of both services there will be concurrent phasing in and phasing out between now and early 2017.

- 5.3 It is neither practical nor affordable to implement fully parallel processes across both services. Senior officers, however, are very aware of the need to ensure business continuity between now and the cessation of shared services and to minimise the associated risks. Among the key (related) risks are:

- a) failure to maintain the standard of service delivery and to retain staff during the transition due to high levels of uncertainty and/or staff leaving
- b) failure to maintain service knowledge and focus on performance whilst managing people and system transitions
- c) failure to ensure relevant service and management information is accessible when shared services cease
- d) failure to manage any essential capacity gaps which may arise as a consequence of the cessation of shared services
- e) failure to focus on transformational change agenda and to be distracted from creating a new service vision and positive whole system direction for the Council

- 5.4 To monitor, manage and mitigate risks, a risk register has been developed and is being reviewed on an ongoing basis by chief officers.

- 5.5 In Social Services, the Head of Service has since January established weekly update meetings for the extended management team and has recently established one to one sessions with all service managers. These activities complement existing engagement mechanisms such as service bulletins.

5.6 Staff in education, including Headteachers, have been involved in discussions regarding the future of various joint arrangements and a meeting took place earlier in May between the Chief Executive, the new Chief Education Officer and Clackmannanshire Headteachers and central staff to discuss ongoing activity. The Chief Executive also held a briefing with the social services service management team in May.

6.0 Considerations - Joint Arrangements

6.1 As well as shared management, the councils have also developed a range of other shared arrangements such as:

- a) joint strategies and documents
- b) joint working groups
- c) joint contracts

6.2 These arrangements have been mapped and assessments carried out of their significance and future status.

6.3 In relation to shared strategies and documents, these are being treated in one of the following ways:

- i) being discontinued at the cessation of shared services, with new strategies/documents to be prepared on a Clackmannanshire only basis (e.g. Service/Business Plan)
- ii) continuing until the previously agreed expiry date and then being developed on a Clackmannanshire only basis (e.g. Autism Strategy which runs until April 2017 and has a shared post linked to the Programme until that time)
- iii) continuing on a shared basis (e.g. those strategies/documents which are Forth Valley wide, involving three councils and NHS and/or Police Scotland, and which were not predicated on shared services between Clackmannanshire and Stirling).

6.4 In respect of joint working groups, it is proposed that:

- a) all those connected with adult services would remain as is in the immediate term given the establishment of the Integrated Joint Board
- b) strategic planning group for Children & Young People would in due course cease to be a shared arrangement, with new arrangements being explored for a standalone integrated Children's Services Plan aligned to the Clackmannanshire Alliance and prioritising work on the Realigning Services Programme
- c) public protection, i.e. Child Protection Committee, Adult Protection Committee, MAPPA Strategic Oversight Group, Violence Against Women and Alcohol & Drug Partnerships would continue to report to the Public Protection Forum which is an existing chief officer joint

arrangement with both councils, NHS Forth Valley and Police Scotland

- d) most education working group arrangements would go forward on an independent basis except for some networks and partnerships (e.g. Headteacher, Teacher, Subject Specialist networks, School Improvement and Early Years Improvement Partnerships) where there is added value in retaining them

6.5 There are no significant shared contracts in that even where the councils have undertaken joint procurement (e.g. care at home contract), each authority has entered into such contracts as an individual legal entity.

6.6 There is also a workstream reviewing information management to ensure that on the cessation of shared services the appropriate information is available to councils and that no inappropriate information is accessible to those who should not have access to it.

9.0 Next Steps/Conclusions

9.1 Planning and managing the cessation of shared service and the transition to standalone arrangements is complex, challenging and requires capacity. Related activities are taking place in an environment which can be unstable and uncertain and where there is potential risks. The pace of change is not always consistent because of these contexts and as well as proactivity there is also reactivity.

9.2 Significant resource is being dedicated to managing the process and will continue to be required for some months to come.

9.3 Further reports will be brought to Council as matters progress.

10.0 Sustainability Implications

N/A

11.0 Resource Implications

Financial & Staffing

11.1 The financial implications of ceasing shared services are not yet fully known and there are several factors which will feed into the ultimate figure. The net effect of the following factors will need to be worked through: the departure of a number of managers from shared services, the introduction of any new posts, additional voluntary severance approvals, deletion of vacancies (in the context of developing new structures) and implications of policy of no compulsory redundancy.

12.0 Exempt Reports

Is this report exempt? No

13.0 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)

N/A

14.0 Equalities Impact

The approach to staffing is in keeping with the provisions of employment law.

15.0 Legality

In adopting the recommendations contained in this report, the Council is acting within its legal powers.

16.0 Appendices

None

16.0 Background Papers

Shared Service Risk Register

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	Signed: E McPherson

CLACKMANNANSHIRE COUNCIL

Report to: Council

Date of Meeting: 23 June, 2016

Subject: Cessation of Shared Services – Education Services

Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to update Council on considerations for education services in the context of the cessation of shared services.

2.0 Recommendations

2.1 It is recommended that Council:

- a) notes the contents of this report; and
- b) agrees to establish three central management posts in the education service as set out in this report.

3.0 Background & Considerations

3.1 The new post of Chief Education Officer was recruited to in March and Anne Pearson joined the Council on 13 June.

3.2 Among initial priority tasks for the Chief Education Officer is to design and recruit to her new management team. It is proposed that this will comprise a small central team of three managers and a reconfiguration of the management capacity already in schools.

3.3 The proposed broad functional remits for the three central management posts are:

Post 1

- be strategic lead for one of the clusters
- developing the young workforce
- positive destinations
- family engagement
- service development and recruitment

Post 2

- be strategic lead for one of the clusters
- early learning and childcare
- improving children and young people's health and well-being
- Getting It Right For Every Child

Post 3

- be strategic lead for one of the clusters
- curriculum quality
- quality of learner experience
- school improvement planning
- developing leadership and professional development

3.4 The central managers will also have corporate and general management responsibilities.

3.5 The diagram at the Appendix to this report sets out the overall strategic structure for central education management in the context of the cluster model. While youth, sport and community education do not explicitly feature in the diagram, consideration is being given to how those services would be best configured as part of the new cluster model. Further work is also being done on establishing what business management support functions will be required in the new structure (the 'flexible' box).

3.5 A further priority for the new Chief Education Officer will be reviewing attainment (including the Scottish Attainment Challenge in Clackmannanshire), particularly in light of some recent inspection reports which have been presented to Council. Two external reports on these matters were commissioned by the Chief Executive in March and these provide some analysis and guidance to inform future thinking.

3.6 Notwithstanding the Chief Education Officer has now taken up post, she does not as yet have operational responsibility for services as the councils are still in the shared services arrangement. It is likely that there will be a transition period once the service managers are in post in the lead up to shared services ceasing. This process will have to be carefully managed so there is clarity of accountability and no threat to business continuity.

4.0 Sustainability Implications

N/A

5.0 Resource Implications

Financial & Staffing

5.1 The proposals in this paper create three management posts at the centre; the Council has already allocated £150,000 to the shared service change agenda.

In the immediate term this will cover the costs of the posts outlined in this report. Going forward, mainstream budget provision will require to be made of these posts.

6.0 Exempt Reports

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)

N/A

8.0 Equalities Impact

The approach to staffing is in keeping with the provisions of employment law.

9.0 Legality

In adopting the recommendations contained in this report, the Council is acting within its legal powers.

10.0 Appendices

1 – Strategic Structure for Education Service

11.0 Background Papers

None

NAME	DESIGNATION	
Elaine McPherson	Chief Executive	Signed: E McPherson

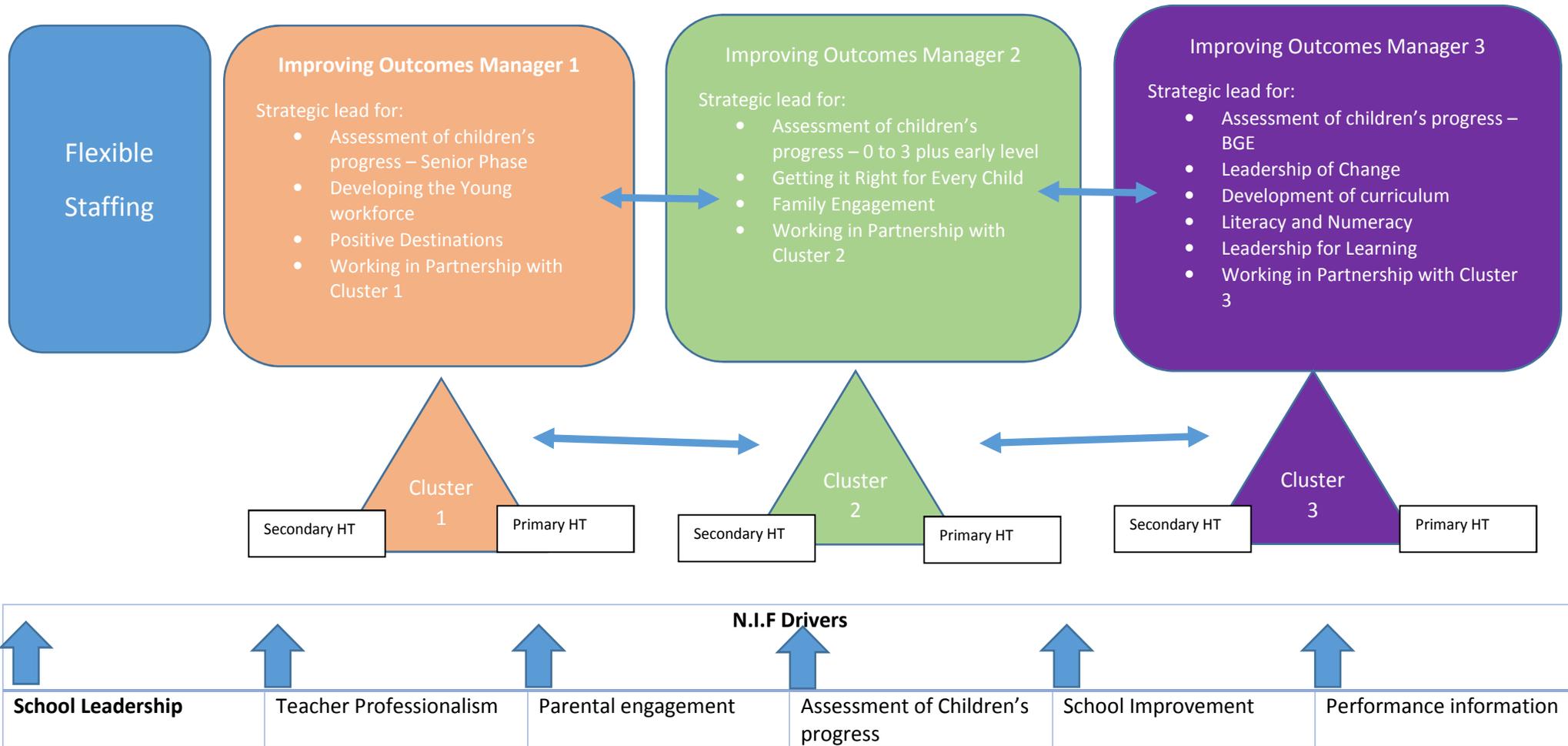
Appendix 1

Education Central Management

Chief Education Officer

NIF Priorities for Clackmannan Council

- Improvement in attainment, particularly in literacy and numeracy;
- Closing the attainment gap between the most and least disadvantaged children;
- Improvement in children and young people's health and wellbeing; and
- Improvement in employability skills and sustained, positive school leaver destinations for all young people



Report to: Council

Date of Meeting: 23 June, 2016

Subject: Cessation of Shared Services – Social Services

Report by: Chief Executive

1.0 Purpose

- 1.1 The purpose of this report is to update Council on considerations for social services in the context of the cessation of shared services.

2.0 Recommendations

- 2.1 It is recommended that Council agrees:

- a) to establish the post of Head of Social Services/Chief Social Work Officer to be responsible for social services in Clackmannanshire once shared services cease;
- b) to recruit openly to that post, establishing an Appointments Sub-Committee with the membership as set out at paragraph 3.11 to make the appointment;
- c) appoints members to sit on the Sub-Committee according to the political balance set out at paragraph 3.11; and
- c) the principle that the line management and operational responsibilities for those council services which fall within the scope of health and care integration should at an appropriate time in the future transfer from the Head of Social Services to the Chief Officer for Health & Social Care Integration.

3.0 Background & Considerations

Interim Arrangements

- 3.1 Social Services are different to Education insofar as, other things being equal, the Council will continue to employ all management staff who are presently deployed across the shared service.
- 3.2 To start to reduce the uncertainty about future roles, retain capacity and minimise the risk to business continuity between now and shared social services ceasing, steps are being taken to realign manager responsibilities to work in a more dedicated manner in each authority in readiness for smooth transitions to any new structures. It is hoped that this will bring a clarity of role

and focus which will facilitate business continuity over the next six to nine months.

- 3.3 Accordingly, new interim management arrangements have been put in place as follows:
- i) at Assistant Head level - two Assistant Heads (2FTE) who have left the Council very recently have been replaced on a short, fixed term basis by three individuals (2.2 FTE). The interim Assistant Head of Service Adult Care (1 FTE) works across both councils in context of integrated health and care and the interim Assistant Heads of Child Care (1.2 FTE, two individuals @ 3 days each) work primarily for one Council only; all three interim managers have held senior management posts in the recent past and will bring capacity and the senior management experience required in the service to manage the high level of complexity and change;
 - ii) at Service Manager level in childcare, where there were three service managers working across both Councils in the context of shared services, there are now two managers in each council aligned to the respective organisations (the fourth post will be an acting up position recruited to internally).
- 3.4 It is hoped that these interim moves will provide greater certainty to staff by providing clearer reporting lines and accountability and will enable both councils to pursue their own future organisational designs with greater ease.
- 3.5 In tandem with these interim management arrangements, Clackmannanshire staff in certain shared teams (e.g. Disability, Fostering & Adoption, Through Care & After Care) are being realigned to their respective authorities to be managed locally.
- 3.6 There are some particular aspects of social services which require further detailed consideration in the context of any new arrangements. These primarily relate to the functions of the Strategy & Partnership Team which covers the following functions: commissioning, workforce planning, contracts and procurement, learning and development, service planning and performance, management information.
- 3.7 This has always been an area of complexity in the shared service as pre shared services Clackmannanshire had significantly fewer staff engaged in these activities than did Stirling. As there is only a small number of posts in those areas of business which will default to Clackmannanshire as lead authority, Council will have to consider how the functions might be delivered in the context of wider service and organisational redesign.

Future Arrangements

- 3.8 Going forward, the Council needs to create a new structure for social services to take into account the ending of shared services.

- 3.9 At some point in the future, it is anticipated that the role of the chief officer for health and care integration will encompass the operational management of those services which come within the scope of integration (i.e. currently adult services). This will require discussion with Stirling Council and NHS Forth Valley as partners in the Integration Joint Board. Until such time as any transfer is agreed, the Council will continue to directly manage adult care services.
- 3.10 It is, therefore, recommended that in the context of the ceasing of shared services and the development of health and care integration, Council establishes the post of Head of Social Services/Chief Social Work Officer for Clackmannanshire, the broad responsibilities of which would be:
- adult services until such time as responsibility transfers to the chief officer for health and care integration
 - childcare social services
 - community justice social work (from April, 2017)
 - ensuring adequate arrangements for public protection
 - acting as the statutory Chief Social Work Officer to the Council
 - acting as Chief Social Work Officer to the Integrated Joint Board
 - taking on corporate responsibilities as part of the Council's senior management team.
- 3.11 It is further recommended that the Council recruits openly to that post and establishes an Appointments Sub-Committee to make the appointment. Membership of that Sub-Committee would be six members as follows:
- 3 from the Administration
 - 2 from the main opposition
 - 1 from neither the Administration or main opposition
- 3.12 Council is asked to nominate members on the above basis to sit on the Sub-Committee.
- 3.13 Until such point as the Head of Social Services is appointed and presents proposals to Council for a revised structure, management arrangements for social services will be based on the approach set out at paragraph 3.3 of this report and as per the diagram set out at the Appendix to this report.

4.0 Sustainability Implications

N/A

5.0 Resource Implications

Financial & Staffing

- 5.1 If Council agrees to the proposals in this report, a new post will be created. Costs (including employer costs) will be around £90,000. There may be

opportunities for savings once a post shared services structure is implemented.

6.0 Exempt Reports

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)

N/A

8.0 Equalities Impact

The approach to staffing is in keeping with the provisions of employment law.

9.0 Legality

In adopting the recommendations contained in this report, the Council is acting within its legal powers.

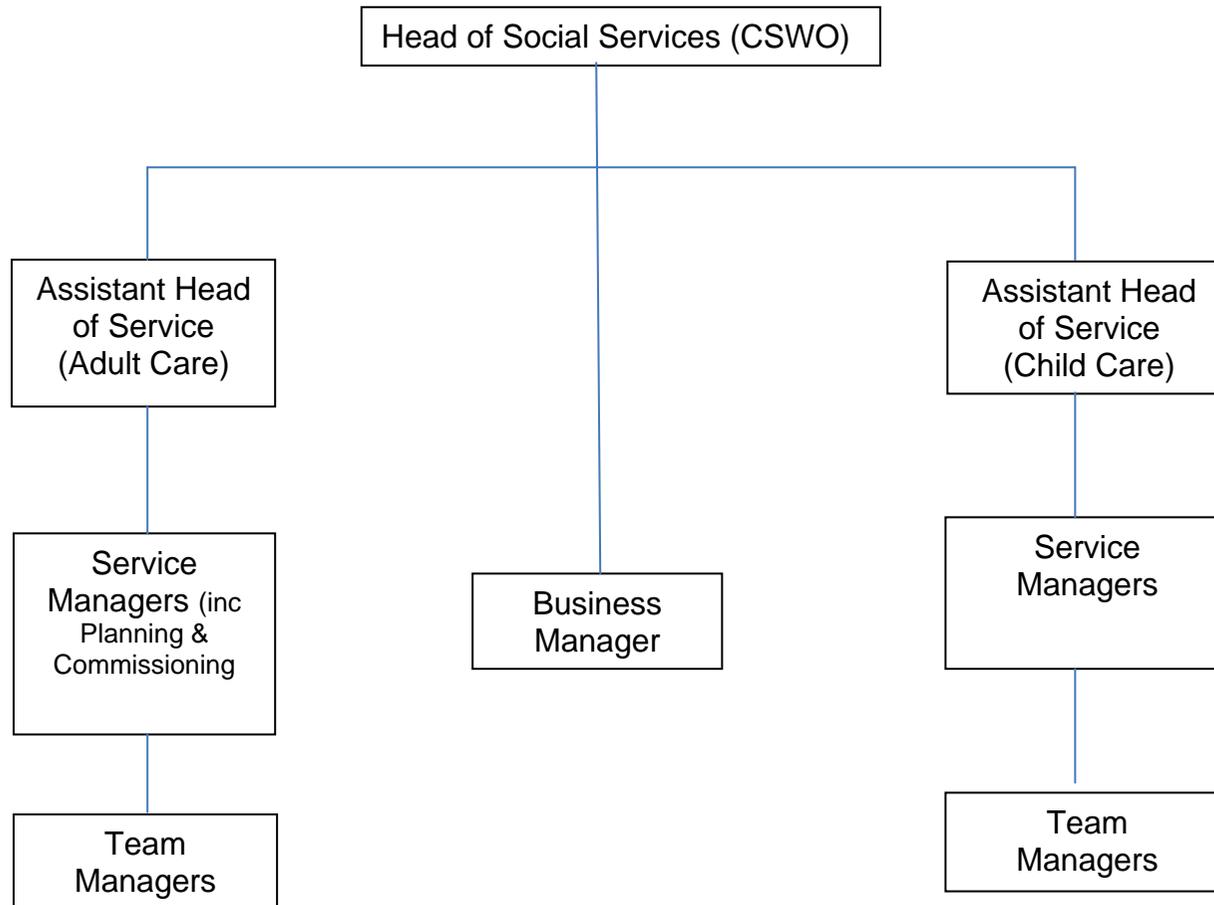
10.0 Appendices

1 – Transitional Social Services Structure

11.0 Background Papers

None

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	Signed: E McPherson



CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 23rd June, 2016

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 Council's Budget Strategy. This report also provides an update on progress with the implementation of workforce related savings agreed in the Council's Budget on the 23rd February 2016 and the development of Business Case proposals in support of the next Budget setting round.

2.0 Recommendations

2.1 It is recommended that Council notes:

- a. the potential impacts on revenue funding based on Fiscal Affairs Scotland analysis in section 3
- b. the revised indicative funding gap scenarios, should Fiscal Affairs Scotland assumptions on key variables be applied for a High, Realistic and Low scenario (Tables 3 to 6 and paragraphs 4.2 to 4.4)
- c. the timing of the Scottish Spending Review in the early Autumn 2016 (paragraph 4.5)
- d. the development of management information arrangements to monitor and track the delivery of 2016/17 agreed budget savings (paragraph 4.6 and 4.7)
- e. work to develop savings proposals and Business Cases in support of the 2017/18 Budget preparation process (paragraph 4.8)
- f. ongoing discussion with trade union representatives in respect of maximising redeployment opportunities (paragraph 4.9)
- g. the current position with regards expressions of interest received in respect of both Targeted Voluntary Redundancy and Voluntary Severance (paragraphs 4.10 to 4.12).

3.0 Economic and Fiscal outlook

3.1 Following the election of a new Scottish Government in May 2016, the most recent Fiscal Affairs Scotland analysis focusses on the potential funding levels for the resource (revenue) and capital budgets ahead of the Scottish Spending Review announcements. It proposes adjustments to the Scottish Government's Draft Scottish Budget 2016/17 based on known Barnett consequentialia and/ or on the pledges and commitments set out in the Scottish Government's Manifesto.

3.2 The key pledges and commitments considered are in respect of:

- additional funds raised by changes to Council Tax and Income Tax, these having been 'earmarked for 'schools' and childcare respectively at this stage
- the NHS Budget is guaranteed to increase by £500 million above inflation by 2021-2022. It is likely that this will be largely met by Barnett consequentialia
- the Police Budget is guaranteed to rise in line with inflation (real terms protection)
- other funding pledges may also impact the availability of funding for the unprotected revenue budget including the increased number of Apprenticeships and the increased Carers' Allowance.

3.3 Table 1 summarises Fiscal Affairs Scotland's analysis of the potential impacts of changes to revenue funding. This analysis shows a smaller than previously anticipated reduction of 1.2% in 2017/18 revenue funding in unprotected budgets (including Local Government) with subsequent years showing reductions in revenue funding in unprotected budgets of 1.9%.

Table 1 – Fiscal Affairs Scotland RDEL Analysis

Cash, £ million	15-16	16-17	17-18	18-19	19-20
RDEL	26,033	26,098	26,299	26,348	26,468
change		65	201	49	120
% change		0.2%	0.8%	0.2%	0.5%
<i>Protected Budgets</i>					
Health	11,986	12,383	12,718	12,964	13,269
change (Barnett)		397	335	246	305
% change		3.3%	2.7%	1.9%	2.4%
Sc Police Auth'y	1,036	1,053	1,089	1,111	1,133
change		17	36	22	22
<i>2016 Budget consequ'ns</i>					
Business rates related		0	141	4	4
Non- business rates		(17)	15	9	2
<i>Tax related changes</i>					
Income tax change			(120)	(70)	(70)
Air Passenger Duty			0	-30	-30
Council Tax change			(100)	0	0
Non Protected	13,011	12,662	12,648	12,412	12,181
Non Protected change		-349	-14	-236	-231
% change		-2.7%	-0.1%	-1.9%	-1.9%
change exc Bus. Rates			-155	-240	-235
% change			-1.2%	-1.9%	-1.9%

- 3.4 The Scottish Government's Manifesto includes larger funding pledges in respect of capital when compared with revenue funds. These include:
- an additional £200 million for the NHS
 - infrastructure spend of over £20 billion over the term of the Parliament
 - £3 billion to deliver 50,000 affordable homes.

At present, no Scottish Budget figure has been set for either revenue or capital for 2020/21. However, in 2020/21, the UK capital budget is currently projected to increase by 25% in cash terms.

- 3.5 UK Budgetary decisions will continue to change depending on the economic and fiscal forecast which continues to be highly uncertain. This could result in increased or reduced spending levels as a consequence of the continued use of the Barnett formula. Having said this, at present, the resource Budget looks more optimistic than it did for 2016/17, especially in 2017/18.

4.0 Budget Strategy Implementation

- 4.1 At the reconvened Council meeting of 12 May, which was held on 2nd June 2016, Council was updated on the post-Budget setting indicative funding gap which was a cumulative funding gap of £18.263 million up to 2019/20 and £7.761 million for 2017/18. This is shown in Table 2 below.

Table 2: General Services 2017/18-2019/20 Indicative funding gap

	2017/18	2018/19	2019/20
	£000	£000	£000
Net expenditure	118,766	123,219	127,633
Net Funding	111,005	109,314	109,370
Cumulative indicative Funding Gap	7,761	13,905	18,263

- 4.2 During 2015/16, elected members have been provided with financial scenarios to provide a potential range of indicative funding situations that the Council might face depending on changes in the underlying assumptions. This work has been refreshed based on the most recent information available from Fiscal Affairs Scotland and Directors of Finance for this report. The approach aims to recognise the range of potential permutations of the key variables, with illustrative forecasts for a Low, Realistic and High position in respect of the key assumption factors. The underpinning assumptions for the three scenarios are summarised in Table 3 below and the

outcome for each scenario is set out in Tables 4 to 6:

Table 3: Underpinning assumptions for Tables 4 to 6

Assumption	Scenario 1 (Table 4) LOW	Scenario 2 (Table 5) REALISTIC	Scenario 3 (Table 6) HIGH
Income: Grant level	Flat cash in 2017/18 and cash reduction 1.6% in 2018/19 and 2019/20	Cash reduction 1.2% in 2017/18 and 1.9 % in 2018/19 and 2019/20	Cash reduction 3% in 2017/18 and 4.5% in 2018/19 and 2019/20
Income: Council Tax	0%	0% in 2017/18 and 2% in 2018/19 and 2019/20	3% each year 2017/18 to 2019/20
Pay inflation	0.5%	1%	1.5%
Inflation	£1m	£1.3m	£1.5m
Demand Pressures	£1m	£1.2m	£1.5m

- 4.3 This refreshed range of assumptions differs from previous versions particularly in respect of grant income levels and assumptions on Council tax income. However, there remains significant uncertainty over the precise impacts of such changes and it is likely that a further review of assumptions will be required following the Scottish Spending Review in the early Autumn. In addition, a significant factor in the final funding position in respect of the current financial year (2016/17) related to estimates on Non-Domestic Rates Income at the national level. It is intended that this will be reviewed at a local level and consideration given to further refinements to the assumptions based on the latest forecast position for the next Council meeting.
- 4.4 Tables 4 to 6 below set out the three scenarios. These suggest a potential range in the forecast gap of between £5,425m and £9.309m in 2017/18 and £13,238m to £23,202m cumulatively over the period to 2019/20. The most significant points to note when comparing Tables 2 and 5 (post Budget gap and the realistic scenario) are:
- Table 5 (realistic scenario) has revised assumptions on pay awards downwards, reducing the pressure on the indicative funding gap
 - Table 5 assumes additional Council Tax income which also reduces the pressure on the indicative funding gap. However, in reality this additional income might be ringfenced and not available to offset general expenditure
 - as yet unresolved UK budget issues, may result in a negative impact on Scottish funding levels, particularly for the latter years of the Spending review period. This has the potential to increase the indicative funding gap in the latter years.

Table 4: Scenario 1-LOW Indicative budget Gap based to 2019/20

	2017/18	2018/19	2019/20
	£000	£000	£000
Net expenditure	117,685	121,053	124,183
Net Funding	112,260	110,889	110,945
Cumulative indicative Funding Gap	5,425	10,164	13,238
Indicative Annual Gap	5,425	4,739	3,074

Table 5: Scenario 2- REALISTIC Indicative budget Gap to 2019/20

	2017/18	2018/19	2019/20
	£000	£000	£000
Net expenditure	118,572	122,837	126,873
Net Funding	111,190	109,950	110,007
Cumulative indicative Funding Gap	7,382	12,887	16,866
Indicative Annual Gap	7,382	5,506	3,979

Table 6: SCENARIO 3- HIGH Indicative budget Gap to 2019/20

	2017/18	2018/19	2019/20
	£000	£000	£000
Net expenditure	119,459	124,625	129,575
Net Funding	110,150	106,315	106,373
Cumulative indicative Funding Gap	9,309	18,310	23,202
Indicative Annual Gap	9,309	9,000	4,892

- 4.5 There is much more information required before the position can be forecast with any reliability, especially for the latter years. The Scottish Spending Review announcement is currently anticipated in early October and CoSLA is seeking to lobby for an announcement which provides figures for three financial years. This position may, however, be impacted by the availability of income tax figures and estimates for the Scottish Government for financial planning purposes. At a local level, both the assumptions and their impact will be kept under review, particularly as we get closer to

the SSR.

Management Information development

4.6 Since the Budget was set in February 2016, considerable investment has been made in developing the management information arrangements for:

- monitoring the management actions taken in respect of implementing 2016/17 agreed savings
- tracking the delivery of financial savings relative to management action in respect of 2016/17 savings
- identifying, recording and mitigating risks associated with savings implementation.

4.7 The Management information arrangements have been developed by the Programme Co-ordinator based on the Covalent Browser. This allows 'real time' information to be viewed collectively by service and corporate management teams or individually by service and senior management. The screens are user-friendly, clearly flagging where project milestone deadlines have been missed or where activity is on track. CMT is using the live data to collectively challenge progress every month. In addition, service management is regularly updating the information as actions are progressed. It is intended that the live system and data will also be used with elected members through the MCB Forum meetings.

4.8 Current development work is aligned with that of Service and Corporate management to develop Business Cases for consideration as part of the 2017/18 onwards budget preparations. Current management activity includes:

- review of the 'Plan B' management analysis of statutory and discretionary service delivery and the potential for further savings above those already implemented.
- the establishment of a number of strategic workstream groups focused on delivering transformational change of service delivery based on prioritized, integrated service delivery.

It is anticipated that by early July, management will have a schedule of the key areas proposed for Business case development and /or savings based on this activity. Business cases will then be prepared through the Summer with a view to further political engagement post Council recess. Once the schedule of proposed areas for review is in place, the Covalent management reporting tool will also consolidate the details of each proposal in order to keep a coherent and consistent corporate record of proposals and developments.

Managed contraction in the cost of employment

- 4.9 In the 12th May Council Budget Strategy Update report, elected members were asked to note the intention to progress formal discussions with trade union representatives in respect of maximising redeployment opportunities. At this stage, whilst discussions have taken place, and there is general and mutual agreement on the need to progress discussions with regards to redeployment, further discussion is required to examine the practical application of the Council's policy. A further update will be brought to the August Council meeting.
- 4.10 Since the last meeting of Council, almost all of the details on pension costs and entitlements have been received from Falkirk Pensions in respect of those staff who expressed an interest in Targeted Voluntary Redundancy (TVR). These figures have recently been shared with the Executive Team and in total 48 TVR out of 52 have currently been approved. These approved expressions of interest are now being discussed with individual members of staff to see if the terms of the offer are acceptable.
- 4.11 Now that the majority of TVR related pension details have been received, the next batch of forms (numbering 99) have been issued to Falkirk Pensions. These relate to expressions of interest in Voluntary Severance (VS). To date, 148 VS applications have been approved for discussion with members of staff.
- 4.12 In summary, at this stage 48 TVR and 31 VS applications have been approved for discussion with members of staff. To date this has resulted in 6 acceptances (2 TVR and 4 VS) and 20 refusals (10 TVR and 10 VS). This means that at this stage the Council has secured £84,655 of TVR savings and £99,292 VS savings against the budget savings of £1.154m and £400,000 respectively. The current year's savings were assumed to be achievable on the basis of implementation by 30 September 2016. At the current rate of turnaround, at this stage, it seems unlikely that the year's savings targets will be made.

5.0 Conclusions

- 5.1 This report reviews the latest analysis of Scotland's position following the election of the new Scottish Government. The report looks at potential funding scenarios for Local Government based on the relative priorities set out in the new Government's Manifesto.
- 5.2 The report refreshes previous scenario planning assumptions based on the latest Fiscal Affairs Scotland financial analysis. This suggests that the position for 2017/18 may be more positive than originally reported, when compared with greater funding reductions that are now anticipated for 2019/20 and 2020/21. There remains considerable uncertainty over many of the key financial planning factors and it is anticipated that the Scottish Spending Review in the early Autumn will provide further clarity. Further revisions to assumptions will be made as new information comes to light.
- 5.3 The report also provides an update on the implementation of the Council's agreed workforce related savings, ongoing discussions with trade union representatives in

respect of redeployment and the introduction of new monitoring and reporting tool to track progress with agreed savings and the development of new business cases.

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. *Staffings 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) Council Policies (Please detail)

Financial Strategy

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? **N/A**

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 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 2016/17
Fiscal Affairs Scotland
TVR/VS Clearing stage 3

February 2016
May 2016
June 2016

Author(s)

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NAME	DESIGNATION	SIGNATURE
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Report to: Clackmannanshire Council

Date of Meeting: 23 June 2016

Subject: Annual Review of Debtors 2015-16

Report by: Head of Housing & Community Safety

1.0 Purpose

- 1.1. The purpose of this report is to provide Council with an update on income collection and to propose the “write off” of those arrears considered irrecoverable or ‘bad debts’. The report also sets out the main improvement actions being undertaken to either sustain or improve performance.
- 1.2. The presentation of this report is a key milestone in the preparation of the Council's financial statements which needs to be approved by end of June each year.

2.0 Recommendations;

- 2.1. It is recommended that Council:
 - 2.1.1 Note the trends in income collection levels and related arrears positions,
 - 2.1.2 Amend the Corporate Recovery and Write Off Policy, to allow the Service Manager to approve the write off of small council tax balances under £20, where the debt is over two financial years old and all recovery action has been exhausted (paragraph 5.5)
 - 2.1.3 Approve the write off of 252 Council tax accounts, totalling £5,941 (paragraph 5.6)
 - 2.1.4 Approve the proposed write off of £774,444, which represents 1.06% of the total Council income raised in the year (Table 2)
 - 2.1.5 Note and comment as appropriate on the matters raised in the report.

3.0 Background

- 3.1. This report provides the annual update of the income and debtors position during 2015/16. It proposes the write off for the financial year 2015/16 and updates members on the improvement actions being undertaken within the Revenues service.
- 3.2. The Revenues team within the Housing & Community Safety Service collects income and arrears for council tax, sundry income/debtors and some council house rents. The management of rent for current tenants is gradually being

integrated into the tenancy management function. This work will be concluded later in the financial year. The revenues team also collects Non Domestic Rates (NDR) on behalf of the Scottish Government under the current rates pooling system and Water Service Charges (collected with the Council Tax) are collected on behalf of Scottish Water under direction from the Scottish Government. The team also invoices for the local Business Improvement Districts (BIDs).

- 3.3. During 2015/16, £72.899m of charges were raised in total by the Council, which is an increase from £72.260m in 2014/15.
- 3.4. The value and volume of billing has increased across all main income streams throughout 2015/16. This has been as a result of a reduction in the amount of council tax discounts given, for example through the targeted work on reviewing single persons discounts and a reduction in discounts given to properties classed as a second home or a long term empty property.

4.0 Collection Position and Debt Position

Council Tax

- 4.1. Council Tax and Water Service charges are levied on each domestic dwelling within Clackmannanshire. There are 24,138 such dwellings and the annual charge levied against these residential properties amounts to £30.57 million, an increase from £30.07 million for 2014/15.
- 4.2. One key performance indicator used to measure the council tax collection rates performance is the in-year collection rate. This represents the amount of council tax collected in the year as a percentage of the amount raised in the same year. For 2015/16, the Council's collection rate was 95.77%, an increase of 0.8%, from 94.97% in 2014/15. This represents the highest in year collection rate since 2009. This is the result of a greater focus on recovery processes, improvements made to the IT system, and better engagement with new sheriff officers.

Table 1 Debt Trend over Three Years

Debtor	2013-14 £000 ¹	2014-15 £000 ¹	2015-16 £000 ²
Council Tax	9,576	10,302	10,531
Sundry Debtors	2,381	3,063	3,358
Rent Arrears	2,124	2,477	2,710
Total Gross Debtor	14,081	15,883	16,599
Total Provision	(8,645)	(9,562)	(10,612)
Total Net debt	5,436	6,321	5,987

¹ These figures are post audit figures and reflect the position on the Council's Financial Statement

² These figures are draft and are still subject to change as part of the 2015/16 external audit of the Council's Financial Statements

- 4.3. The Council's debtors' position is reported as both a gross and net position. The gross debtor reflects the total amount due to the Council.
- 4.4. The net debtor reflects the amount that the Council realistically expects to recover. The difference between these two figures is the debtor provision which is a prudent calculation of debt that is not expected to be recovered. The net debtor position is recognised as the best reflection of debts that can be recovered.
- 4.5. For 2015/16, the figures are draft and still subject to audit. They also incorporate the proposed write off of £774,444 to show a comparable position of the gross and net debtors over the three years. Each year there is adequate provision made against the debtor. The key indicator for debtor performance is that of net debtor, which is not affected by any write off.
- 4.6. Collection for Sundry debtors showed a slight decline from 73.95% to 73.84% at the end of the year. Performance was adversely affected by the significant proportion of invoices raised in quarter 4 which results in insufficient time for collection and / or recovery activity. Improvements in corporate processes will be made to avoid a repeat of this. NDR collection showed an increase from 97.26% to 98.15% due in part to a more pro-active approach being taken to eligibility for business reliefs.
- 4.7. As members noted in previous reports, a significant area of concern during the year was declining housing benefit performance. Audit Scotland also sought assurances during the year that appropriate action was being taken. These assurances were provided and performance greatly improved during quarter four. The new Service Manager led the team on a 'Vanguard' review of processes which resulted in significant improvements in the last two quarters of the year. These improvements now need to be fully embedded into working practices, and Members will be updated on performance during the course of the financial year.

	Q4	Pre / post intervention 12.10.15	Overall Year 15/16
New Claims Clackmannanshire	14	43 / 19	34
Scottish Average	24		24
Change of Circumstances Clackmannanshire	3	30 / 4	14
Scottish Average	10		10

- 4.8. The service has also completed a Vanguard review of the Council tax process and the team are looking to start experimenting with new ways of working in July this year. This will involve removing the separation between the billing process and recovery to make the process more streamlined for the customer.

5.0 Annual Write Off

- 5.1. As part of the Corporate Recovery and Write Off Policy that was approved by Council in January 2012, all debt that is deemed as irrecoverable will be identified

and presented to members annually to be written off. In doing so, the Council follows general accounting principles ensuring that all reasonable recovery actions have been undertaken prior to the identifying a debt for write off.

- 5.2. The Corporate Recovery and Write Off Policy also provides that the Section 95 officer will make adequate provision for such irrecoverable debts. All the debts as detailed below have been fully provided for.
- 5.3. The following table identifies the proposed write offs for each income stream for 2015/16, together with a comparison for the write off approved for 2014/15. The 2015/16 Statement of Accounts reflects the net debt position. More detail for each income stream along with the reasons for the write off are set out in Appendix B.

Table 2 Proposed Write-offs for 2015/16

	Approved Write Off 2014/15		Proposed Write Off 2015/16	
Type of Debt	Number of accounts	Value	Number of accounts	Value
Council Tax	726	285,604	1,056	348,233
NDR	37	76,438	48	218,816
Sundry Debt	129	41,098	253	96,948
Former Tenant Arrears	41	33,652	111	110,447
Total	933	436,793	1,468	774,444

- 5.4. The write off for each category of income represents the following percentage of total debt raised:-
- Council Tax write off represents 0.48% of the total charges raised,
 - Non Domestic Rates represents 0.3% of the total charges raised,
 - Sundry Debt represents 0.13% of the charges raised,
 - Former Tenant Arrears represents less than 0.6% of the total rent raised in year.
- 5.5. Following the work with Vanguard Scotland and the team, there are a considerable number of Council Tax accounts where there are penny and/ or very small balances. The team have reviewed accounts which are older than 2 financial years old, the balance is under £20 and all recovery action has been exhausted. Some of these low balances have been caused by back year benefit adjustments that in most occasions the Council Tax System carries out automatically, following DWP benefit updates. Given that it would be a significant challenge to explain these balances to customers who may feel they have complete clear balances, then it is felt prudent to write these accounts off, especially since the sheriff officers don't pursue individual debts under £20. There are 3,922 accounts which have a value of £22,617 and the average write off is therefore £5.77.
- 5.6. Moreover, the work that we have carried out with Vanguard identified in 252 accounts, where customers have been informed that their balance our amount due will be written off. The value of these accounts is £5,941. These balances were not brought forward in those years for Council approval. Given

that the average balance is £23.58 and we have notes detailing the decision and customer being informed of a clear balance it is felt prudent to bring these accounts forward for write off at this stage. The highest balance affected is £825. To decide to not write off these accounts could cause significant customer service challenges.

- 5.7. In accordance with the Corporate Recovery and Write off Policy a full record of each write off is retained by the Revenue Team to allow the debt to be written back and pursued in the future, if new information comes to light on the debtor.

6.0 Actions Taken and Conclusion

- 6.1. The overall collection levels of the Council continue to be closely monitored. The service has implemented Vanguard supported reviews in Housing Benefits and Council tax with early results. During the course of 2016/17 the service will be carrying out further reviews to eliminate waste, reduce duplication and improve process for the customer.

7.0 Sustainability Implications

- 7.1. None

8.0 Resource Implications

8.1. Financial Details

- 8.2. 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

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

8.4. Staffing

- 8.5. There are no staffing implications arising from this report

9.0 Exempt Reports

- 9.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

10.0 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 | <input checked="" type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input checked="" type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input type="checkbox"/> |
| Vulnerable people and families are supported | <input checked="" type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |

- 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)

Corporate Recovery and Write Off Policy

11.0 Equalities Impact

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

Yes

No

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

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

Appendix A - Review of Income collection performance

Appendix B - Irrecoverable Debt for Write Off

Appendix C - Detailed Debtors Position to March 2016

14.0 Background Papers

14.1. 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

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Nikki Bridle	Depute Chief Executive	Signed: N Bridle

ANNUAL DEBTORS REVIEW 2015/16**REVIEW OF INCOME COLLECTION PERFORMANCE****1.0 Introduction**

- 1.1 During 2015/16, £72.899 million of total income was charged by the Council, an increase from £72.260 million in 2014/15. In accordance with the Corporate Recovery and Write Off policy, responsibility for the collection and recovery of this income lies with the Housing and Community Safety Service.
- 1.2 The total income charged only increased by £640k due to the fact although some areas have seen an increase in billing (Council Tax, Rent), some other areas such as NDR have seen a reduction. The reduction in Non Domestic Rates (NDR) was in excess of £550k, this was due to the team being more proactive with business claiming appropriate reliefs.

2.0 Council Tax Collection

- 2.1 Council Tax and Water Service charges are levied on each domestic dwelling within Clackmannanshire. There are 24,138 such dwellings and the annual charge levied against these residential properties amounts to £30.57 million, an increase from £30.07 million for 2014/15.
- 2.2 The level of Council Tax debt (excluding water service charge debt) is £10.5M.
- 2.3 One key performance indicator used to measure the council tax collection rates performance is the in-year collection rate. This represents the amount of council tax collected in the year as a percentage of the amount raised in the same year. For 2015/16, the Council's collection rate was 95.77%, an increase from 94.97% in 2014/15. This represents the highest in year collection rates since 2009/10. It is the result of a greater focus on recovery processes, improvements made to the IT system, and better engagement with new sheriff officers.

3.0 Non Domestic Rates Collection

- 3.1 NDR income is billed and collected by Clackmannanshire Council on behalf of the Scottish Government under the rates pooling system. In 2015/16 the Council billed £14.720 million to over 1550 business premises in the Council area (a decrease from £15.274m in 2014/15). This is due to an uptake of rates relief and changes to rateable value.
- 3.2 The Collection Team will continue to proactively approach rate payers who fail to pay their rates with early interventions to ensure debt is minimised. They will also continue to undertake closer working with internal services and external partners to ensure debtors are billed in a timeous manner and recovery action is taken, when appropriate, as soon as legislation allows.

ANNUAL DEBTORS REVIEW 2015/16

REVIEW OF INCOME COLLECTION PERFORMANCE

4.0 Sundry Debtors Collection

- 4.1 Sundry debtors are billed by invoices raised to a customer or members of the community in respect of services provided. In 2015/16 £9,807million (up from £9.674million in 2014/15) value of invoices were raised for services.
- 4.2 The net debt position has decreased from £2.610m to £2.525m in 2015/16, in year collection decreased from 73.95% in 2014/15 to 73.84% in 2015/16. Performance was adversely affected by the significant proportion of invoices raised in quarter 4, which results in insufficient time for collection and / or recovery activity. Improvements in corporate processes will be made to avoid a repeat of this.
- 4.3 The second performance measure for sundry debtors relations to the value of debts outstanding over 90 days. This illustrates how long it is taking to debt accounts to be cleared. This figure is currently being skewed by a number of large invoices which are the service is working with legal services on obtaining appropriate payment arrangements. Due to value of these invoices being pursued by legal services the provision for sundry debts has been increased. If legal services are successful in pursuing these cases, then the provision can be reduced next financial year.

5.0 Housing

- 5.1 The Housing debtor relates to all income collected in relation to the housing service, including residential, lock up and garage rents, re-chargeable repairs and housing benefit overpayments. The housing debtor can be broken into the following different categories.

Table 3**HRA arrears position 2013/14 to 2015/16**

	2013-14 £000	2014-15 £000	2015-16 £000
Current tenant arrears	526	589	634
Former tenant arrears	569	622	727
HB Overpayments	912	1,038	1,139
Rechargeable Repair	181	182	197
Other Misc	-64 ^a	46	13
Total Gross Debtor	2,124	2,477	2,710
Provision	(1,635)	(1,960)	(2,220)
Total Net Debtor	424	517	490

^a In year adjustment for bad debt write off relating to financial year 2012-13

ANNUAL DEBTORS REVIEW 2015/16**REVIEW OF INCOME COLLECTION PERFORMANCE**

- 5.2 The majority of this debt is accounted for within the Housing Revenues Account with the exception of Housing Benefit Overpayments which are included in the general fund account.
- 5.3 The gross debt has increased £586k (27.6%) in the three years to 2015/16. This has arisen due to all housing debts increasing over the period. This has been recognised by the increase in provision for bad debt. The net debt position has increased £66k over the three years ending at £490k at end 2015/16

Current Tenant Arrears

- 5.4 Total gross rental income for 2015/16 payable by the Council's almost 5,000 tenants and associated lock-ups was £17.792 million (up from £17.243 million in 2014/15) an increase of £550,000.
- 5.5 The key measure of performance for current tenant rent arrears is expressed as the percentage of gross rent arrears as measured by the Housing Charter. For 2015/16 this was 7.95% an increase from 2014/15 performance of 7.39%. Rent management is part of the Tenancy Management Vanguard experiment and improvements are expected in the coming year.
- 5.6 The management of rent is being rolled in to tenancy management and not all areas were covered by the year end. Staff measure the number of increasing and decreasing arrears cases on a weekly basis while individual rent accounts are managed by officers along as part of the management of the tenancy. For the areas that had been rolled in to the new way of working by the year end, the cash arrears figure had reduced by £18,575.

Former Tenant Arrears

- 5.7 Former tenant arrears occur when a tenant gives up a Council tenancy for various reasons including death, abandonment or evictions and any outstanding rent has not been paid.
- 5.8 For all Housing providers, this debt continues to be challenging to collect, as after a tenant leaves there are few sanctions that can be imposed. With the movement of current tenant rent moving to tenancy management, this will allow the revenues team to focus on targeting this specific debt. This will include passing these debts to our Sheriff Officer for further recovery action when we have exhausted all reasonable actions in line with our recovery policy.

Housing Benefit Overpayments

- 5.9 Overpayments of housing benefit occurs where benefit has been received by an individual yet the DWP assesses that the individual was not entitled to receive benefit. This can occur for a variety of reasons such as fraud, claimant error or backdated change in circumstances. Where overpayments are

ANNUAL DEBTORS REVIEW 2015/16

REVIEW OF INCOME COLLECTION PERFORMANCE

identified, these are recovered immediately by DWP, which can result in a considerable amount being owed by the individual to the landlord.

- 5.10 Housing benefit overpayment relating to Council tenants, known as public sector overpayments increased from £1,038,000 in 2014/15 to £1,139,000 in 2015/16. These are being passed to our Sheriff Officer incrementally as we exhaust all other means of recovery.
- 5.11 The greater focus of tenancy management staff in their patch to keep the benefits team up to date with any change in individual or family circumstances should also mitigate in as far as possible tenants facing overpayment charges.

Rechargeable Repairs

- 5.12 Rechargeable repairs outstanding invoices have increased in 2015/16 with outstanding invoices totalling £197,000 from £182,000 in 2014/15. Rechargeable repairs relates to repairs which are recharged to tenants where there has been malicious or negligent damage.
- 5.13 In line with the corporate approach rechargeable repairs will soon be issued from the Councils finance system Tech 1. This will ensure that customers can pay for works using the included Paypoint Barcode that the current solution doesn't allow.

ANNUAL DEBTORS REVIEW 2015-16
IRRECOVERABLE DEBT FOR WRITE OFF

1.0 Introduction

- 1.1 The following table identifies the proposed write offs for each income stream for 2015/16, together with a comparison of the write off approved for 2014/15. The 2015/16 Statement of Accounts reflects the net debt position.

Proposed write-offs for 2015-16

Type of Debt	Approved Write Off 2014/15		Proposed Write Off 2015/16	
	Number of accounts	Value	Number of accounts	Value
Council Tax	726	£285,604	3,922	£348,233
NDR	37	£76,438	48	£218,816
Sundry Debt	129	£41,098	253	£96,948
Former Tenant Arrears	41	£33,652	111	£110,447
Total	933	£436,793	4,334	£774,444

Council Tax and Water Charges

- 1.2 The following tables split the proposed write off's for Council Tax and Water Charges by reason for the write off.

Reason	2014-15		2015-16	
	No of Accounts	Total £	No of Accounts	Total £
Deceased	389	87,100	353	94,021
Sequestration	295	190,245	393	197,767
Untraceable	42	8,259	45	27,888
Small Balance	0	0	3,922	22,617
Management W/O	0	0	252	5,941
TOTAL	726	285,604	4,965	348,234

- 1.3 The proposed write off for Council tax compared with 2014-15 has increased due to a number of factors. Firstly an increase in the value of accounts where despite all reasonable efforts, the debtors cannot be traced either by the Council or our partner external agencies. Following the work with Vanguard Scotland and the team, there is considerable number of accounts where there is penny and very small balances. The average write off for these small balance accounts is £5.77. These are accounts where balances are under

ANNUAL DEBTORS REVIEW 2015-16

IRRECOVERABLE DEBT FOR WRITE OFF

£20 and some of the low balances have been caused by back year benefit adjustments that in most occasions the system carries out automatically following DWP benefit updates. Given that it would be a significant challenge to explain these balances to customers who may feel they have complete clear balances, then it is felt prudent to write these amounts off.

- 1.4 In addition, the work that we have carried out with Vanguard identified in 252 accounts, where customers have been informed that their balance our amount due will be written off. These balances were not brought forward in those years for Council approval. Given that the average balance is £23.58 and we have notes detailing the decision and customer being informed of a clear balance it is felt prudent to bring these accounts forward for write off at this stage. To decide to not write off these accounts could cause significant customer service challenges.

Non Domestic Rates (NDR)

- 1.5 The following tables split the proposed write offs by reason for the write off. Full case records are retained by the Revenues Team for audit purposes.

Year	2014-15		2015-16	
	No of Accounts	Total £	No of Accounts	Total £
Moved away/Untraceable	16	26,664	38	149,049
Deceased	1	4,094	0	0
Sequestration/liquidation	11	43,400	8	68,088
Immaterial Balances	8	2,233	0	0
Trust Deed	1	47	2	1,679
TOTAL	37	76,438	48	218,816

- 1.6 The largest increase in the proposed NDR write off has been from untraceable/unknown and ceased trading tenants. This is not a phenomenon exclusive to Clackmannanshire but is being experienced across Scotland. This area is being discussed at officer practice forums to see if legislation can be altered to place responsibility onto owners to inform local authority of business tenant changes.

Sundry Debt

- 1.7 The following tables split the proposed write offs by originating service. It should be noted that the split by service reflects the current structure of the Council. Case level records have been retained by Revenues Service for audit purposes.

ANNUAL DEBTORS REVIEW 2015-16
IRRECOVERABLE DEBT FOR WRITE OFF

Reason	2014-15		2015-16	
	Number	Total £	Number	Total £
Deceased	20	1,940	66	31,124
Sequestration	5	850	37	14,247
Untraceable	104	38,309	150	51,577
TOTALS	129	41,098	253	96,948

Service	2014-15		2015-16	
	Number	Total £	Number	Total £
Community & Regulatory	10	11,237	23	17,726
Education	12	741	22	3,973
Facilities Management	14	2,750	54	12,893
Housing	27	12,315	45	24,776
Social Services	43	4,229	93	31,553
Support Services	22	9,826	16	6,027
TOTALS	129	41,098	253	96,948

Former Tenant Rent Arrears

- 1.8 The following tables show the proposed write offs for Former Tenant Arrears for dwellings and lock-ups showing the write offs split into each reason type.
- 1.9 Members should note that given the move of Current rent management to tenancy management has ensured a greater focus on FTA's. Every account over £500 has been reviewed to identify the best way to pro-actively reduce this debt. Unfortunately this review has meant that there is sizeable proportion of cases that are deemed irrecoverable. A similar exercise will be carried out during 2016/17 on FTA's below £500. This again could highlight similar collection challenges with this particular debt type.

ANNUAL DEBTORS REVIEW 2015-16
IRRECOVERABLE DEBT FOR WRITE OFF

Reason	2014-15		2015-16	
	Number	Total £	Number	Total £
Deceased	23	17,805	14	13,427
Untraceable	-		55	48,714
Prescribed	13	11,226	35	42,457
Sequestered	5	4,621	4	2,867
In Prison	-		1	698
Long Term Care			2	2,284
TOTALS	41	33,652	111	110,447

APPENDIX C

ANNUAL DEBTORS REVIEW 2015/16
DETAILED DEBTORS POSITION TO MARCH 2016

Debtor	2012-13 £000 ¹		2013-14 £000 ¹		2014-15 £000 ¹		2015-16 £000 ²	
Council Tax	9,388		9,576		10,302		10,531	
Provision	(6,312)	3,076	(6,477)	3,099	(7,108)	3,194	(7,559)	2,972
Rent	1,847		2,124		2,477		2,710	
Provision	(1,470)	377	(1,700)	424	(1,960)	517	(2,220)	490
Sundry Debtors	1,919		2,381		3,104		3,358	
Provision	(417)	1,502	(468)	1,913	(494)	2,610	(833)	2,525
Total Net Debt		4,955		5,436		6,321		5,987

¹ These figures are post audit and reflect the position on the Council's Financial Statement

² These figures are draft and are still subject to change as part of the 2015/16 external audit of the Council's Financial Statements

Report to: Clackmannanshire Council

Date of Meeting: 23 June 2016

Subject: Draft Financial Statements 2015/16

Report by: Depute Chief Executive

1.0 Purpose

- 1.1. The Council is required by law to prepare a statement of accounts in accordance with 'proper practices' which set out its financial position at the end of each financial year. This is defined as meaning compliance with the terms of the Code of Practice on Local Authority Accounting in the United Kingdom prepared by the CIPFA/LASAAC Joint Committee.
- 1.2. The Code specifies the principles and practices of accounting required to give a 'true and fair' view of the financial position and transactions of the Council, including group financial statements where Councils have material interests in subsidiaries, associates or joint ventures. The financial statements aim to identify the key factors affecting the finances of the Council and that affect the physical resources that the Council can control to provide services.
- 1.3. The Local Authority Accounts (Scotland) 1985 Regulations require the Depute Chief Executive, as the Council's s95 officer, to prepare the Statement of Accounts as soon as practicable after the end of each financial year and to submit these to the Council and to the Controller of Audit by 30 June of the next financial year. The draft Financial Statements continue to be finalised for audit and have been made available in advance of the Council meeting in councillors rooms and on the portal. In addition to this all elected members have had the opportunity to attend a specific briefing on the draft Financial Statements on 20 June 2016.
- 1.4. As in previous years, we have also prepared a Trustees Report and Financial Statement for Sundry Trust Funds where the Council is the sole trustee.
- 1.5. A Management Commentary is included within the accounts which is required to present the collective view of those charged with governance and apply relevant sections of the Companies Act 2006 in respect of the preparation of a Strategic Report. The Management Commentary is signed by the Leader of the Council, Chief Executive and Depute Chief Executive (as s95 officer). The Management Commentary includes the financial outlook for the Council. However, there is also a separate Budget Strategy report on this Council meeting agenda to provide for a fuller consideration of recent information.
- 1.6. The Council's Draft Financial Statements also include the annual Remuneration Report, and the Annual Governance Statement (AGS) which is signed on behalf of the Council by the Leader of the Council and the Chief Executive. Improvement

actions associated with the AGS are incorporated within routine performance reporting using the Covalent system.

2.0 Recommendations

Council is asked to:

- 2.1. approve the 2015/16 draft Financial Statements as presented to 20 June 2016 elected member briefing and summarised in this report
- 2.2. approve the 2015/16 Clackmannanshire Council Sundry Trust Funds draft Report and Financial Statements as presented to 20 June 2016 elected member briefing and summarised in this report
- 2.3. approve the submission of these draft Financial Statements to the Controller of Audit no later than 30th June
- 2.4. note that finalised audited financial statements will be presented to the Audit and Finance Committee in September 2016
- 2.5. note that a revised report will be circulated prior to the Council meeting
- 2.6. otherwise note the contents of the report.

3.0 Considerations

- 3.1. The accounts have been prepared in accordance with proper practices as set out in the *Code of Practice on Local Authority Accounting in the United Kingdom 2015/16*. The Financial Statements show the actual figures for 2015/16 and the comparable figures for 2014/15.

Revenue Outturn

To follow

Other Reserves

- 3.9 The opening balance on the Capital Receipts Reserve was £2.946m with an additional £2.699m received as a consequence of asset sales during the year. During 2015/16, the Council utilised £3.497m of capital receipts leaving a sum of £2.148m. A sum of £2m from this balance was identified to augment the Employment Fund as part of the Council's Budget setting for 2016/17. The remaining balance is available going forward to invest in new capital projects or to repay existing debt.
- 3.10 During the year £0.169m has been added to the Capital Grants and Contributions Unapplied account taking the balance at 31 March 2016 to £329k. This is the proceeds from the sale of land which is ring-fenced for future economic development.

Pensions Liability

- 3.11 The estimation of the Council's net liability in respect of pensions payable is a complex set of judgements. It requires estimates of the life expectancy of scheme members, assumptions about changes in retirement ages and expected returns on

pension fund assets such as stock market investments. The Council engages actuaries to provide expert advice about prevailing assumptions.

- 3.12 As a result of the latest valuation of our Pension accounts in accordance with International Accounting Standard 19 (IAS19), we have witnessed an improvement in our Balance Sheet position, with our net liability now standing at £108.274m compared to £135.470m at March 2015.

Provisions

- 3.13 The Council has made further progress in the year to settle equal pay claims with £32k being paid out during 2015/16. The Council's provision for equal pay has consequently been re-assessed at £0.124m at 31 March 2016 with £25k, therefore, being released back to general reserves. It is considered that this remaining sum will be sufficient to meet the outstanding liabilities on existing claims which are expected to be concluded in the current financial year.
- 3.14 At the start of the year, the provision for early retirement was £787k. During 2015/16 £0.725m has been utilised. Of the remaining balance of £62k, £43k has been carried over to 2016/17 to fund previously agreed voluntary severances due to be realised in 2016/17 and £19k has been returned to reserves as it is no longer required. No additional provisions have been made in the year.
- 3.15 During 2015/16 the Council made a payment of £24K against the provision of £61k made in 2014/15 relating to the claim from Pyramid, a Bathroom and Kitchen contractor. This provided for arbitration loss and expenses in respect of Phase 1 of the works. An additional provision of £263K has now been established to meet the final costs to conclude this action.
- 3.16 The provision for Municipal Mutual Insurance Limited (MMI) was established in 2012/13 on the advice of our insurers to cover a potential 30% levy triggered under the Scheme of Arrangement in respect of the winding down of the former Municipal Mutual Insurance Limited (MMI). This exposure relates back to former District and Regional Council operations. In 2015/16, £12k has been paid out against the original provision for claims and £8k has been transferred to current provisions. This transfer recognises the notification received of an increase in the levy from 15% to 25% which is due in 2016/17. The remaining balance of £54k has been carried forward to meet further claims.
- 3.17 In 2014/15 £78k was provided for to meet the costs of ongoing legal cases and was fully utilised in the year. A further provision of £78k has also been made in 2015/16 to cover future estimated costs.

Contingent Liabilities

- 3.18 In order to reflect as yet potential uncertain and unquantified timing and liabilities issues, aspects of those matters referenced in respect of Equal Pay, the Kitchen and Bathroom contract, MMI Ltd and PPP contract, set out in paragraphs 3.14 to 3.17, are also reflected in the draft Financial statements as contingent liabilities. The previous contingent liability in respect of thinkWhere has been removed as the Council withdrew its shareholding during 2015/16. No new Contingent Liabilities or Assets have been identified at 31 March 16.
- 3.19 Further details of the provisions and contingent liabilities summarised in this report were provided to elected members at the briefing which was held on 20th June 2016.

Capital Expenditure and Financing

- 3.20 During 2015/16 the Council invested £16.430m of capital expenditure on its assets. This reflects an underspend of £9.829m on the budgeted programme, and an increase in the projected underspend of £0.3m reported to Resources and Audit Committee in April 2016.
- 3.21 Capital expenditure in the year has been financed by capital receipts (£1.607m), government grants and contributions (£7.858m) and direct revenue funding (£6.553m) leaving a balance of £0.413m requiring to be financed from borrowing. The balance was funded through cash reserves and there was therefore no need to incur further external borrowing. Principal repayments against borrowing of £7.048m were made in the year.
- 3.22 The Councils gross external debt as at March 2016 stands at £146.367m, a decrease of £17.296m from the position as at March 2015. As reported in the Annual Treasury report this decrease was due to the running down of internal cash balances. No additional borrowing was undertaken to fund Capital Financing in line with our approved Investment Strategy which focuses on reducing the overall level of debt liabilities carried by the Council.

Sundry Trust Funds

- 3.23 The Council currently acts as sole trustee for the Trust Funds of four organisations which have charitable status and are registered with the Office of the Scottish Regulator (OSCR). The Objectives and activities of each of the four Sundry Trust Funds are set out at Appendix A to this report and the Draft Financial Statements are set out at Appendix B.
- 3.24 The full Trustees Report and Draft Financial Statements were discussed in greater detail, along with Clackmannanshire Council's Draft Financial Statements, as part of the elected member briefing held on the 20 June 2016.

Public Inspection

- 3.25 The Financial Statements, once submitted to the Controller of Audit will be made available for public inspection from the 1st July and will be subject to an audit period of up to three months.
- 3.26 The Council's final audited Financial Statements will be presented to Audit and Finance Committee along with the External Auditors Key Issues Memorandum in September 2016.

4.0 Conclusion

- 4.1 The results for the year are positive against the backdrop of the current economic climate. A surplus has been achieved in the year on General Fund which ensures our uncommitted reserves remain in excess of the Council's approved level. This assists the Council by ensuring the retention of a sound financial platform from which to manage the Council's finances in the future.
- 4.2 Managers across the Council have sustained a clear focus on managing expenditure pressures and ensuring overall spend remains within budget throughout the year. There has, however, been a more significant movement in financial reporting outturns during the year and work has been undertaken to ensure that sound financial management practices are applied by budget holders. This corporate approach is an important feature of the Council's arrangements. Elected members have received

regular updates on progress in implementing the Budget Strategy through Council and performance monitoring reports during the year, including management actions within services and corporately to improve the outturn position.

4.3 In summary, the Council has consistently applied its agreed budget, finance and investment strategies throughout 2015/16.

5.0 Sustainability Implications

5.1 Not applicable

6.0 Resource Implications

6.1 *Financial Details*

6.2 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

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

6.4 *Staffing*

7.0 Exempt Reports

7.1 Is this report exempt? Yes (please detail the reasons for exemption below) 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 area has a positive image and attracts people and businesses | <input type="checkbox"/> |
| Our communities are more cohesive and inclusive | <input type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/> |
| Our communities are safer | <input type="checkbox"/> |
| Vulnerable people and families are supported | <input type="checkbox"/> |
| Substance misuse and its effects are reduced | <input type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input type="checkbox"/> |
| The environment is protected and enhanced for all | <input type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input checked="" type="checkbox"/> |

(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?

Yes No

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

Appendix A - Sundry Trust Funds Objectives

Appendix B - Sundry Trust Funds Trustees' Report and Draft Financial Statements 2015/16

12.0 Background Papers

12.1 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 draft financial statements 2015/16

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Sim	Chief Accountant	2078
Nikki Bridle	Depute Chief Executive	2373

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Depute Chief Executive	Signed: N Bridle
Elaine McPherson	Chief Executive	Signed: E McPherson

**APPENDIX A - EXTRACT FROM SUNDRY TRUST FUNDS
DRAFT TRUSTEE'S REPORT AND FINANCIAL STATEMENTS
FOR THE PERIOD 1 APRIL TO 31 MARCH**

OBJECTIVES AND ACTIVITIES

Name	Objective	Activities
Clackmannan District Council Charitable Trust	The income of the Trust Fund capital may be applied at the discretion of the Trustees for the benefit of the poor, sick, aged and handicapped persons and generally all persons in necessitous circumstances who normally reside within the boundary of Clackmannanshire.	The Trustees generally meet twice in a year (September and March) to consider applications. In recent years it is noted that the benefits from the trust have been to grant assistance in the form of essential household goods e.g. electric cooker, fridge, washing machine, beds and bedding.
Clackmannanshire Educational Trust	The income of the trust may be applied to supplementary bursaries for Students attending Universities, Central Institutions etc. Assistance in obtaining practical experience of trades etc. Grants for student apprentices, travel grant, educational excursions, educational travel, adult education and educational experiments and research.	The main activity undertaken this year has been the assistance of 3 individuals with awards totalling £225. £75 was awarded to a student to attend a school trip and two payments of £75 were paid to two individuals to support adult Education courses.
Tillicoultry Old Age Pensioners Outing Fund	To meet the cost of the annual excursion for old age pensioners.	This year as in recent years the income has been used to fund the hire of a coach to enable a day trip for the benefit of the old age pensioners of Tillicoultry.
Old Folks Welfare Fund	Bequest from Tillicoultry and District Nursing Association. Income to be applied by Clackmannanshire Council for the welfare of the old people of Tillicoultry and District.	No trip was funded this year.

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Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT

1. INTRODUCTION

Clackmannanshire Council acts as sole trustee for the Sundry Trust Funds listed below which have charitable status and are registered with the Office of the Scottish Charity Regulator (OSCR):

Charity Number	Charity Name
SC011479	Clackmannan District Council Charitable Trust
SC008282	Clackmannanshire Educational Trust
SC002564	Tillicoultry Old Age Pensioners Outing Fund
SC004079	Old Folks Welfare Fund

The principal address of the Sundry Trust Funds is:

Clackmannanshire Council
Resources and Governance
Kilncraigs
Alloa
FK10 1EB

The financial statements have been prepared on the basis that The Charities Accounts (Scotland) Regulations 2006 allow aggregated financial statements to be prepared where charities have common control or unity of administration. Clackmannanshire Council administers the Sundry Trust Funds and separately accounts for them. They do not form part of the Council's single entity balance sheet, although under s222 of the Local Government (Scotland) Act 1973, the property of the Sundry Trusts "vest(s) in" the relevant local authority. However they are included in the financial statements of the Council as a Note to the main financial statements.

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

1. INTRODUCTION (CONTINUED)

Independent Auditor:

Deloitte LLP
Chartered Accountants and Statutory Auditor
Saltire Court
20 Castle Terrace
Edinburgh
EH1 2DB

TRUSTEES

In terms of the "Trustees" of the Sundry Trusts, the guidance provided by OSCAR is that those who have "general control and management" of the charity are the charity Trustees. Decisions regarding the general control and management of the Sundry Trust Funds are made by the full Council of elected members.

The following individuals were the Trustees of the Sundry Trust Funds in their capacity as elected members of Clackmannanshire Council for the full year, and up to the date of this report.

Alastair Campbell
Archie Drummond
Craig Holden
Derek Stewart
Donald W. Balsillie
Ellen Forson
Gary Womersley
George Matchett QPM
Graham Watt
Irene Hamilton
Janet Cadenhead
Jim Stalker
Kathleen Martin
Kenneth Earle
Les Sharp
Robert McGill
Tina Murphy
Walter McAdam MBE

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

1. INTRODUCTION (CONTINUED)

TRUSTEES (CONTINUED)

All of the Trustees are normally elected or re-elected at local government elections. By-elections are held on the occasions of elected members vacating their positions to elect new members, who automatically become Trustees.

2. STRUCTURE, GOVERNANCE AND MANAGEMENT

The Sundry Trusts are constituted in a variety of ways, many coming in the form of bequests by individuals or families who have entrusted a predecessor local authority with the task of disbursing the funds for a charitable purpose.

HISTORY

The following table gives an indication of the purpose of the Trusts:

Charity No.	Name	Purpose
SC011479	Clackmannan District Council Charitable Trust	Extract Decree by lords of Council and Session dated 30 March 1990 whereby the income of the trust fund capital, thereof may be applied at the discretion of the Trustees for the benefit of poor, sick, aged and handicapped persons and generally all persons in necessitous or deserving circumstances and who are normally resident within the boundary for the time being of the District of Clackmannanshire.
SC008282	Clackmannanshire Educational Trust	To provide financial support in the form of Educational Grants, to aid with travel expenses, educational research and experiments and practical experience.
SC002564	Tillicoultry Old Age Pensioners Outing Fund	To meet the cost of the annual excursion for old age pensioners.
SC004079	Old Folks Welfare Fund	Bequest from Tillicoultry and District Nursing Association. Income to be applied by Clackmannanshire Council for the welfare of the old people of Tillicoultry and District.

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

STATEMENT OF RESPONSIBILITIES

Responsibilities of Trustees

The Trustees are responsible for the strategic direction and governance of the Sundry Trust Funds. The Trustees are responsible for the distribution of funds from the Sundry Trust Funds and hold regular meetings, with any resulting payments made at their sole discretion. The trustees are responsible for preparing the Trustees' Annual Report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice). The law applicable to charities in Scotland requires the trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charity and of the incoming resources and application of resources of the charity for that period. In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and then apply them consistently;
- make judgments and estimates that are reasonable and prudent;
- state whether applicable accounting standards have been followed; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in business.

The Provost on behalf of the Trusts is required to approve the Financial Statements. As the funds of the Sundry Trust Funds are held by Clackmannanshire Council the responsibilities of the Council in respect of these funds are detailed below.

The Council's Responsibilities as Sole Trustee

The Council is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. The Depute Chief Executive has been designated as that officer in Clackmannanshire Council. This officer manages the affairs of the Council to secure the economic, efficient and effective use of resources and safeguard its assets and those of any charitable trust it administers. Given the Sundry Trust Funds are administered by the Council; these specific provisions are supplemented by general provisions relating to the administration of local authority monies, i.e. the duty to obtain best value.

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

STATEMENT OF RESPONSIBILITIES (CONTINUED)

The Council's Responsibilities as Sole Trustee (continued)

The Council provides administrative services to the Trusts and prepares the Financial Statements of the Sundry Trust Funds free of charge.

The Depute Chief Executive's Responsibilities

The Depute Chief Executive has responsibility for ensuring an effective system of internal financial control is maintained and operated. This system of internal financial control can only provide reasonable and not absolute assurance that assets are safeguarded, transactions are recorded and properly authorised and that material errors or irregularities are either prevented or would be detected within a timely period. The system of internal financial control is based on a framework of regular management information, financial regulations, administrative procedures and a system of delegation and accountability. The Depute Chief Executive is responsible for keeping proper accounting records that disclose with reasonable accuracy at any time the financial position of the charity and enable them to ensure that the financial statements comply with the Charities and Trustee Investment (Scotland) Act 2005, the Charities Accounts (Scotland) Regulations 2006 (as amended) and the provisions of the charity's constitution. They are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

3. OBJECTIVES AND ACTIVITIES

Income to the Sundry Trust Funds is solely from investment returns and bank interest - no donations to the Funds are solicited.

Name	Objective	Activities
Clackmannan District Council Charitable Trust	The income of the Trust Fund capital may be applied at the discretion of the Trustees for the benefit of the poor, sick, aged and handicapped persons and generally all persons in necessitous circumstances who normally reside within the boundary of Clackmannanshire.	The Trustees generally meet twice in a year (September and March) to consider applications. In recent years it is noted that the benefits from the trust have been to grant assistance in the form of essential household goods e.g. electric cooker, fridge, washing machine, beds and bedding.
Clackmannanshire Educational Trust	The income of the trust may be applied to supplementary bursaries for Students attending Universities, Central Institutions etc. Assistance in obtaining practical experience of trades etc. Grants for student apprentices, travel grant, educational excursions, educational travel, adult education and educational experiments and research.	The main activity undertaken this year has been the assistance of 3 individuals with awards totalling £225. £75 was awarded to a student to attend a school trip and two payments of £75 were paid to two individuals to support adult Education courses.
Tillicoultry Old Age Pensioners Outing Fund	To meet the cost of the annual excursion for old age pensioners.	This year as in recent years the income has been used to fund the hire of a coach to enable a day trip for the benefit of the old age pensioners of Tillicoultry.
Old Folks Welfare Fund	Bequest from Tillicoultry and District Nursing Association. Income to be applied by Clackmannanshire Council for the welfare of the old people of Tillicoultry and District.	No trip was funded this year.

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

4. ACHIEVEMENTS AND PERFORMANCE

The Clackmannan District Council Charitable Trust made payments, in respect of charitable activities, totalling £1,340 (2014/15: £4,158) over this period. These payments granted assistance in the form of household goods, to various applicants residing within the boundary of Clackmannanshire. The total number of payments made was 3 (2014/15: 29). The interest received over this period was £93 (2014/15: £178).

The Clackmannanshire Educational Trust made payments, in respect of charitable activities, totalling £225 (2014/15: £200) over this period. These payments were made to cover the costs associated with adult education courses. The total number of payments made was 3 (2014/15: 3). The interest received over this period was £133 (2014/15: £180).

The Tillicoultry Old Age Pensioners Outing Fund made one payment of £420, in respect of charitable activities, over this period (2014/15: no payments). This payment covered the cost of bus hire for a day trip. The interest received over this period was £12 (2014/15: £18).

The Old Folks Welfare Fund made no payments in respect of charitable activities over this period (2014/15: 1 payment of £320). The interest received over this period was £33 (2014/15: £46).

The combined monies of the Sundry Trusts were invested in the Council's Loans Fund on the basis that the returns available were better than those available commercially. The average rate of interest achieved in the period was 0.46% (2014/15: 0.59%).

The external audit fee of £5,000 has been apportioned across the 4 Trusts weighted between the number of transactions in the year and the closing balance held by the Trust at 31 March 2016.

Clackmannanshire Council Sundry Trust Funds

TRUSTEES' ANNUAL REPORT (CONTINUED)

5. FINANCIAL REVIEW

As a general principle the "capital" of the funds is held effectively as a permanent endowment, with only the annual income available for disbursement in the year. However this is not a legal obligation and capital can be reduced on the agreement of the Trustees.

In recent years the Trustees have taken the decision to award above the annual income and reduce the capital that is held. This has been in response to increased applications to the trusts brought on by the economic downturn and a reduction of income, due to historically low interest rates.

Whilst the Sundry Trust Funds have incurred an operating deficit this year each of the individual funds remain in surplus.

6. CHANGES WITHIN YEAR AND FUTURE PLANS

There are currently no plans to significantly change the purpose or allocation bases of any of the Sundry Trust Funds. However, active steps are being taken to appoint independent members to each of the Sundry Trust Funds.

The Trustees wish to thank the Clackmannanshire Council officers involved in producing the Annual Report and Financial Statements.

Signed:

Nikki Bridle
Depute Chief Executive
Clackmannanshire Council

Date: 23 June 2016

On behalf of the Trustees
Signed:

Provost Derek Stewart
Sundry Trust Chairperson
Clackmannanshire Council

Date: 23 June 2016

Clackmannanshire Council Sundry Trust Funds

INDEPENDENT AUDITOR'S REPORT (to follow)

Clackmannanshire Council Sundry Trust Funds

SUNDRY TRUST ACCOUNTS FINANCIAL STATEMENTS OVERVIEW

1. INTRODUCTION

The following pages 12 to 18 detail the Statement of Receipts and Payments, the Statement of Balances and relevant Notes to the Financial Statements, as required by The Charities Accounts (Scotland) Regulations 2006. A Cash Flow Statement is not required as all of the charities are classified as small charities as defined in the Charities SORP and therefore are exempt from producing a Cash Flow Statement.

2. STATEMENT OF RECEIPTS AND PAYMENTS

The Statement of Receipts and Payments provides an analysis of the incoming and outgoing cash and bank transactions for the period. The Sundry Trust Funds have receipts and payments in their respective unrestricted funds.

The statement also shows any movement of funds between the endowment and unrestricted funds.

3. STATEMENT OF BALANCES

The Statement of Balances reconciles the cash and bank balances at the beginning and end of the financial year with the surplus or deficit shown in the Statement of Receipts and Payments. The Statement of Balances also summarises final closing balances at the end of the year.

4. NOTES TO THE FINANCIAL STATEMENTS

Notes to the Financial Statements expand on or explain the information contained in the Statement of Receipts and Payments and Statement of Balances.

Clackmannanshire Council Sundry Trust Funds

STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 31ST MARCH 2016

	Clackmannan District Council Charitable Trust SC011479			Clackmannanshire Educational Trust SC008282			Tillicoultry Old Age Pensioners Outing Fund SC002564			Old Folks Welfare Fund SC004079		
	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £
<u>Receipts</u>												
Receipts from investments other than land and building	93	0	93	133	0	133	12	0	12	33	0	33
Investment Reimbursed	853	0	853	0	0	0	0	0	0	0	0	0
Total Receipts	946	0	946	133	0	133	12	0	12	33	0	33
<u>Payments</u>												
Charitable Activities	(1,340)	0	(1,340)	(225)	0	(225)	(422)	0	(422)	0	0	0
Audit Fee	(1,071)	0	(1,071)	(2,852)	0	(2,852)	(367)	0	(367)	(710)	0	(710)
Investment Reimbursed	0	(853)	(853)	0	0	0	0	0	0	0	0	0
Total Payments	(2,411)	(853)	(3,264)	(3,077)	0	(3,077)	(789)	0	(789)	(710)	0	(710)
Surplus/(deficit) for year	(1,465)	(853)	(2,318)	(2,944)	0	(2,944)	(777)	0	(777)	(677)	0	(677)

Clackmannanshire Council Sundry Trust Funds

STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 31ST MARCH 2015

	Clackmannan District Council Charitable Trust SC011479			Clackmannanshire Educational Trust SC008282			Tillicoultry Old Age Pensioners Outing Fund SC002564			Old Folks Welfare Fund SC004079		
	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £
<u>Receipts</u>												
Receipts from investments other than land and building	178	0	178	180	0	180	18	0	18	46	0	46
Investment Reimbursed	1,553	0	1,553	0	0	0	0	0	0	0	0	0
Total Receipts	1,731	0	1,731	180	0	180	18	0	18	46	0	46
<u>Payments</u>												
Charitable Activities	(4,158)	0	(4,158)	(200)	0	(200)	0	0	0	(320)	0	(320)
Audit Fee	(1,413)	0	(1,413)	(2,531)	0	(2,531)	(342)	0	(342)	(713)	0	(713)
Investment Reimbursed	0	(1,553)	(1,553)	0	0	0	0	0	0	0	0	0
Total Payments	(5,571)	(1,553)	(7,124)	(2,731)	0	(2,731)	(342)	0	(342)	(1,033)	0	(1,033)
Surplus/(deficit) for year	(3,840)	(1,553)	(5,393)	(2,551)	0	(2,551)	(324)	0	(324)	(987)	0	(987)

Clackmannanshire Council Sundry Trust Funds

STATEMENT OF BALANCES AS AT 31ST MARCH 2016

	Clackmannan District Council Charitable Trust SC011479			Clackmannanshire Educational Trust SC008282			Tillicoultry Old Age Pensioners Outing Fund SC002564			Old Folks Welfare Fund SC004079		
	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £
Bank and Cash in hand												
Opening Balances	4,579	853	5,432	27,599	0	27,599	2,693	0	2,693	6,808	0	6,808
Surplus/(deficit) for year	(1,465)	(853)	(2,318)	(2,944)	0	(2,944)	(777)	0	(777)	(677)	0	(677)
Closing Balance	3,114	0	3,114	24,655	0	24,655	1,916	0	1,916	6,131	0	6,131

Signed:

Nikki Bridle

Depute Chief Executive

Clackmannanshire Council

Date: 23 June 2016

Clackmannanshire Council Sundry Trust Funds

STATEMENT OF BALANCES AS AT 31ST MARCH 2015

	Clackmannan District Council Charitable Trust SC011479			Clackmannanshire Educational Trust SC008282			Tillicoultry Old Age Pensioners Outing Fund SC002564			Old Folks Welfare Fund SC004079		
	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £	Unrestricted £	Endowment £	Total £
Bank and Cash in hand												
Opening Balances	8,419	2,406	10,825	30,150	0	30,150	3,017	0	3,017	7,795	0	7,795
Surplus/(deficit) for year	(3,840)	(1,553)	(5,393)	(2,551)	0	(2,551)	(324)	0	(324)	(987)	0	(987)
Closing Balance	4,579	853	5,432	27,599	0	27,599	2,693	0	2,693	6,808	0	6,808

Clackmannanshire Council Sundry Trust Funds

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

1. ACCOUNTING POLICIES (CONTINUED)

RESOURCES EXPENDED

Liability Recognition

Liabilities are recognised when cash is paid out.

Charitable Activities

Decisions regarding the way the Sundry Trust Funds' income is spent are taken by the Trustees of each respective Sundry Trust Fund.

Costs of Generating Funds

The internal cost of administering the Sundry Trust Funds is borne entirely by Clackmannanshire Council.

Governance Costs

Governance Costs, where applicable, include the:

- costs of the preparation and examination of statutory Financial Statements;
- cost of any legal advice to Trustees on governance or constitutional matters.

Grants Payable Without Performance Conditions

These are recognised in the Financial Statements when the grant has been paid.

2. ANALYSIS OF PAYMENTS

Details are provided in the Trustees' Annual Report (pages 7 and 8) explaining the grants that have been paid out by the relevant Sundry Trust Funds.

Clackmannanshire Council Sundry Trust Funds

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

3. TRUSTEES' REMUNERATION AND EXPENSES

Neither the Trustees of the Sundry Trust Funds nor any associated person connected with them have received any remuneration for their services. Further, no directly incurred expenses were reimbursed to the Trustees during the period 2015/16.

4. RELATED PARTIES

During the period, the Sundry Trust Fund balances were invested by Clackmannanshire Council, who manage the administration of the Funds on behalf of the Trustees. No costs were incurred by the Sundry Trust Funds for this administration. The Council also acts as the banker for the Sundry Trust Funds and all transactions, incoming and outgoing are made via the Council's Financial Statements.

5. INVESTMENT HOLDINGS

Only one of the Sundry Trust Accounts currently held external stock. At the beginning of the year the Clackmannan District Council Charitable Trust held £853 in treasury stock, providing a return for this period of £70 (2014/15: £131). During the year the stock was reimbursed in full, leaving a closing balance of nil.

Report to: Council

Date: 23 June 2016

Subject: Annual Treasury Report 2015/16

Report by: Chief Accountant

1.0 Purpose

- 1.1. The purpose of this report is to detail the Treasury Management activities for the Council for 2015/16.

2.0 Recommendations

- 2.1. It is recommended that the Council note and consider the Annual Report 2015/16 of the Council's Treasury Management activities.

3.0 Considerations

- 3.1. The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management recommends that Council be updated on treasury management activities regularly (Treasury Management Strategy Statement, annual and midyear reports). This annual report therefore ensures the Council is implementing best practice in accordance with the Code.

- 3.2 The report covers the following:

- The Economy and Interest Rates
- Interest Rate Forecast
- Investment Outturn for 2015/16
- Borrowing Requirement and Debt
- Borrowing Outturn for 2015/16
- Compliance with Treasury and Prudential Limits

The Economy and Interest Rates

- 3.3 Market expectations for the timing of the first increase in Bank Rate moved considerably during 2015/16, starting at quarter 3, 2015 but soon moving back to quarter 1, 2016. However, by the end of the 2015/16 financial year, market expectations have again moved back to quarter 1, 2017. This is due to fears

and uncertainties including concerns about China's economic growth; the potential destabilisation of some emerging market countries particularly exposed to the Chinese economic slowdown; and the continuation of the collapse in oil prices during 2015 together with continuing Eurozone growth uncertainties.

- 3.4 These concerns have caused sharp market volatility in equity prices during the year with corresponding impacts on bond prices and bond yields. Bank Rate, therefore, remained unchanged at 0.5% for the seventh successive year. Economic growth (GDP) in 2015/16 has been disappointing, with growth falling steadily from an annual rate of 2.9% in quarter 1, 2015 to 2.1% in quarter 4. The proposed referendum on the UK remaining part of the EU has also created uncertainty.
- 3.5 Forecasts for inflation have repeatedly been revised downwards and expectations of increases in central rates have been pushed back. In addition, a notable trend in the year was that several central banks introduced negative interest rates as a measure to stimulate the creation of credit and hence economic growth.
- 3.6 In America, the economy has continued to grow healthily on the back of resilient consumer demand. The first increase in the central rate occurred in December 2015, though this has subsequently been tempered due to concerns around the risks to world economic growth.

Interest Rate Forecast

- 3.7 The Council's treasury advisors - Capita Asset Services, have provided the following interest rate forecast which shows an expected increase in Bank rate in the first quarter of 2017 in line with the economic outlook set out in paragraph 3.3.

Table1: Investment Rate Forecast provided by Capita Asset Management

	Jun-16	Sep-16	Dec-16	Mar-17	Jun17	Sep-17	Dec-17	Mar-18
Bank rate	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%
5yr PWLB rate	1.90%	2.00%	2.10%	2.20%	2.30%	2.40%	2.60%	2.70%
10yr PWLB rate	2.40%	2.50%	2.60%	2.70%	2.80%	2.90%	3.00%	3.10%
25yr PWLB rate	3.20%	3.30%	3.30%	3.50%	3.50%	3.60%	3.60%	3.70%
50yr PWLB rate	3.00%	3.10%	3.10%	3.30%	3.30%	3.40%	3.40%	3.50%

Investment Outturn for 2015/16

- 3.8 The Treasury Management Strategy Statement (TMSS) for 2015/16, which includes the Annual Investment Strategy, was approved by the Council on 5th March 2015. It can be confirmed that the approved limits within the Annual Investment Strategy were not breached during the year ended 31st March 2016.
- 3.9 The Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for seven years. Market expectations as to the timing of the start of an increase to this rate have been pushed back to the first quarter of 2017.
- 3.10 As at 31st March 2016 the Council held immediately available cash balances of £3m (£20m at 31st March 2015). Cash balances have reduced in 2015/16 due to the repayment of maturing debt. The average level of funds available for investment during the year was £9m. These funds were available on a temporary basis and the level of funds available was mainly dependent on the timing of payments, receipt of grants and progress on the Capital Programme.
- 3.11 The benchmark investment returns over the last quarter of the 2015/16 financial year are illustrated in the undernoted table:

Benchmark	Benchmark Return
7 day	0.36%
1 month	0.39%
3 month	0.46%
6 month	0.62%
12 month	0.88%

- 3.12 The Council's budgeted cash investment return for 2015/16 was 0.60%. The Council achieved an actual investment return of 0.46% (£74k) for the year ended 31st March 2016 on cash deposits. This comprised of 0.57% return on four separate 3 month deposits and 0.80% of the initial 1 month of a 6 month deposit where both rates outperformed the benchmark by 0.11%, and 0.18% respectively. Everyday cash balances earned interest at 0.4% which also outperformed the benchmark return for both 7day and 1 month investments. The actual investment return is lower than the budgeted return of 0.60% which was originally based on an expected interest rate rise during 2015/16. To date interest rates have remained at 0.5% and are expected to do so until the end of the next financial year.

3.13 Borrowing Requirement and Debt

The Council's underlying need to borrow to finance capital expenditure, termed the Capital Financing Requirement (CFR) is shown below. This shows a reduction in actual CFR from Budget mainly due to slippage in the Council's General Services and HRA Capital programme.

	31 March 2015 Actual £000	31 March 2016 Budget £000	31 March 2016 Actual £000
CFR General Fund	130,536	127,710	124,994
CFR HRA	30,702	34,549	28,319
Total CFR	161,238	162,259	153,313

3.14 Borrowing Outturn for 2015/16

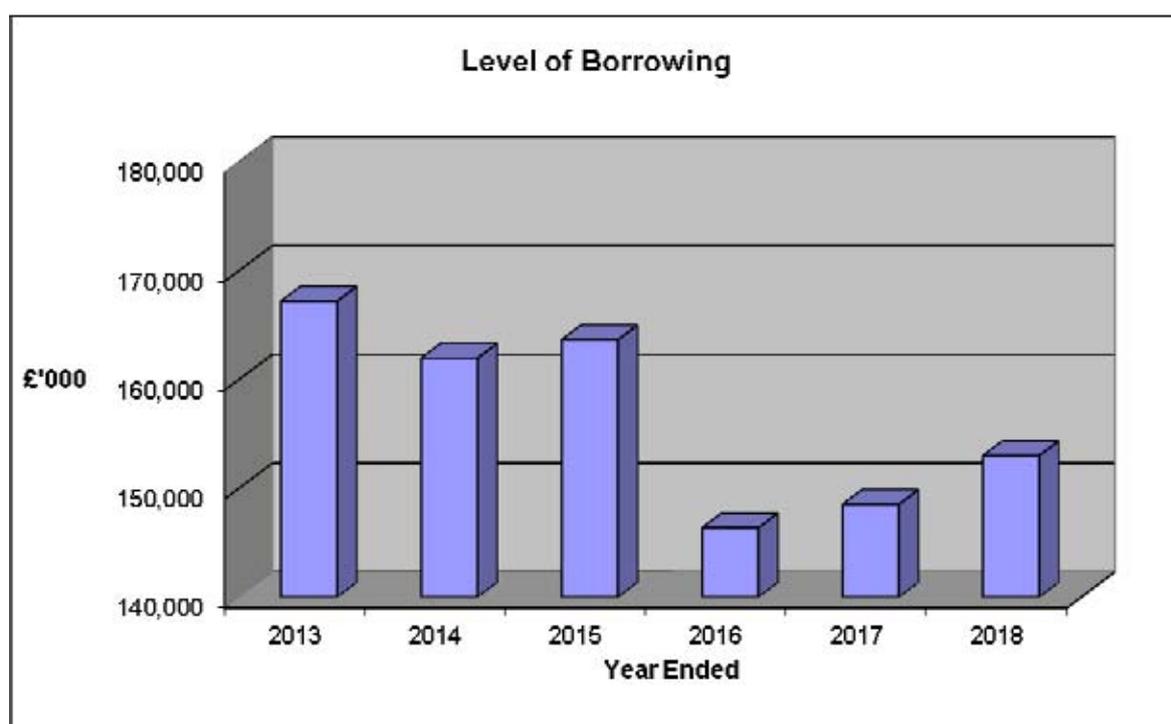
New Borrowing

- 3.15 During 2015/16, the Council repaid £16m of maturing debt which was budgeted to be replaced. In line with the Treasury Strategy, maturing debt has not been replaced due to the running down of internal cash balances.
- 3.16 Repayments of £1.3m were made in the year toward the Council's PFI and finance lease
- 3.17 The Council's external borrowing position as at 31st March 2016 is illustrated in the undernoted table:

	March 2015 £000	March 2016 £000
Public Works Loan Board	84,646	78,646
Market Loans	24,012	24,006
Other long term liabilities	45,005	43,715
Temporary Loans (<1 year)	10,000	0
Total	163,663	146,367

- 3.18 The Council continues to work towards reducing overall external debt in line with the Treasury Strategy. This is illustrated in the following chart demonstrating actual and forecast level of debt up to 2017/18. In line with the Treasury Strategy maturing debt has not been replaced due to the running down of internal cash balances, however it is anticipated that this borrowing will be replaced in future years to fund the re-profiled capital programme and as cash balances are now at a sufficient level. The level of cash balances and interest rates will continue to be monitored and this will be reviewed if significant changes occur.
- 3.19 The Council's debt position has reduced significantly in 2015/16 due to underspends in the capital programme and the re-profiling of current year capital spend to future years. Repayment profiles of debt maturity mean there are variations in annual change in debt year on year. The table shows a slight increase in the next two years as a result of repayment of maturing debt however there is an overall reduction in cumulative external debt by the end of 2018 showing that the Council is not increasing its level of debt to finance its capital programme. Repayments towards PFI and finance leases also

continue to reduce the Council's overall level of external debt on an annual basis.



3.20 Borrowing in advance of need

3.21 The Council has not borrowed in advance of need during 2015/16 and has no intention to borrow in advance in 2016/17.

3.22 Debt Rescheduling

3.23 Debt rescheduling opportunities have been limited in the current economic climate as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable. Consequently no debt rescheduling was undertaken during the year.

3.24 Compliance with Treasury and Prudential Limits

3.25 It is a statutory duty for the Council to determine and keep under review the affordable capital expenditure limits. The Council's Treasury and Prudential Indicators (affordability limits) are included in the approved Treasury Management Strategy Statement.

3.26 During the financial year the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement and in compliance with the Council's Treasury Management Practices. The prudential and treasury Indicators are shown in appendix 2.

4.0 Conclusions

4.1 No additional borrowing was undertaken during 2015/16.

4.2 Matured debt totalling £16m was repaid in 2015/16.

- 4.3 The council has repaid £1.3m towards PFI and Finance leases.
- 4.4 The Council continues to outperform the benchmark return in interest on investments and cash balances are at a level of c£4m which contributes to supporting the Council's capital financing requirement internally.

5.0 Sustainability Implications

5.1 None

6.0 Resource Implications

6.1 Financial Details

6.2 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

6.3 Finance have been consulted and have agreed the financial implications as set out in the report.

Yes

6.4 Staffing

6.5 None

7.0 Exempt Reports

7.1 **Is this report exempt?** Yes (please detail the reasons for exemption below)
No

8.0 Declarations

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

(1) **Our Priorities** (Please tick)

- 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)

Treasury Management Policy Statement and Practices

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 Yes No

10.0 Legality

10.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

11.0 Appendices

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

Appendix 1 – Investment Portfolio as at 31st March 2016

Appendix 2 - Prudential and Treasury Indicators as at 31st March 2016

12.0 Background Papers

12.1 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

Treasury Management Strategy 2015/16 - report to Council March 2015.

Author

NAME	DESIGNATION	TEL NO / EXTENSION
Anne Wallace	Accountant	2256
Lindsay Sim	Chief Accountant	2078

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Depute Chief Executive	Signed: N Bridle
Elaine McPherson	Chief Executive	Signed: E McPherson

APPENDIX 1: Investment Portfolio as at 31st March 2016

Borrower	Principal (£000)	Interest Rate	Start Date	Maturity Date
Bank of Scotland Plc	3,640	0.40%	Instant Access	
Other Accounts	25	-		
Total Cash and Cash Equivalents	3,665	0.40%		

Short Term Investments	Principal (£000)
CSBP Developments	15
Bank of Scotland	3,000
Total Short Term Investments	3,015

Long Term Investments	Principal (£000)
CSPB Investments	1
Clackmannanshire Regeneration	4,906
Coalsnaughton NHT Project	2,976
Total Long Term investments	7,883

TOTAL INVESTMENTS	14,563
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APPENDIX 2: Prudential and Treasury Indicators as at 31st March 2016

Treasury Indicators	2015/16 Budget £'000	2015/16 Actual £'000
Authorised limit for external debt	175,000	175,000
Operational boundary for external debt	165,000	165,000
Gross external debt	154,246	146,367
Investments	21,447	14,538
Net borrowing	132,799	131,829

Maturity structure of fixed rate borrowing - upper and lower limits (excluding PFI and Finance Leases)	Upper and Lower Limits	Fixed Rate Borrowing as at 31st March 2016 £'000	% of Total Fixed Rate Borrowing
Under 12 months	25% - 0%	6,200	7.4%
12 months to 2 years	25% - 0%	0	0.0%
2 years to 5 years	50% - 0%	5,412	6.4%
5 years to 10 years	75% - 0%	5,007	5.9%
10 years and above	100% - 0%	67,532	80.3%

Prudential Indicators	2015/16 Budget £'000	2015/16 Actual £'000
Capital expenditure - General Fund Services	9,895	6,694
Capital expenditure - Housing Revenue Account	14,743	9,784
Capital Financing Requirement (CFR) - General Fund	127,683	124,994
Capital Financing Requirement (CFR) - HRA	34,576	28,319
Annual change in CFR - General Fund	(2,853)	(5,542)
Annual change in CFR - HRA	3,874	(2,383)
In year borrowing requirement	7,871	0
Ratio of financing costs to net revenue stream - General Fund	8.16%	8.37%
Ratio of financing costs to net revenue stream - HRA	18..31%	16.80%

Report to: Council

Date of Meeting: 23 June 2016

Subject: Alloa Family Centre

Report by: Head of Social Services

1.0 Purpose

- 1.1. The purpose of this report is to give an update and summary of the nature of services provided by Alloa Family Centre in Clackmannanshire and the proposed redesign and associated budget costs of those services going forward.
- 1.2. Alloa Family Centre sits within the Social Services Childcare Service. The work of Alloa Family Centre sits robustly within our Single Outcome Agreement (SOA) priorities, national policies including Getting it Right For Every Child (GIRFEC), Early Years Framework (EYF), the Early Years Collaborative (EYC), the Integrated Children's Services Plan and the Parenting and Family Support Strategy. Governance and oversight of this work is also enhanced by the Early Years Collaborative.
- 1.3. On the 17th December 2015 Clackmannanshire Council approved the Education Service moving to a cluster model of delivery. The move to a cluster model of delivery of Education has important implications on how the Social Services Childcare Service redesigns services for children and families, whilst ensuring we have an effective workforce with the mix and range of skills to deliver the required services across Clackmannanshire.

2.0 Recommendations

- 2.1. Council is asked to note the content of the report and the range of work currently being undertaken by Alloa Family Centre.
- 2.2. Council is asked to approve the proposed redesign of services, with the specific movement of the day care provision to the Education Service and to note the associated budget savings.

3.0 Considerations

- 3.1. Clackmannanshire Community Planning Partnership agreed that it would work to better enable parents, families and communities to raise healthy, fulfilled children and young people through the provision of quality information and advice and accessible and effective supports shaped by the needs of parents, children, families and their communities.
- 3.2. Clackmannanshire Community Planning Partnership finalised this commitment through the Parenting and Family Support Strategy.
- 3.3. Alloa Family Centre works closely with a range of partners in Health, Housing, Integrated Mental Health, Education and Third sectors and provides a range of services to meet the ongoing needs of our families with young children aged 0-8 years. In recent years the focus has shifted and refined to ensuring our services, and those of our partners, are working together to deliver flexible, targeted, effective and best value services to meet families needs. Services have a particular focus on those most at need and vulnerable including those who are affected by family substance misuse, domestic violence, poverty and parental mental health issues.
- 3.4. Alloa Family Centre has been working practically with families and parents in the Family Centre, Community Centres, Town Halls, and other settings for groups within communities throughout Clackmannanshire, as well as in their home and home type settings. This continues to remain key in changing parental behaviours through modelling and direct practical support and interventions.
- 3.5. Alloa Family Centre has adopted an approach of ensuring a continuum of support from universal provision through to specialist targeted provision to most effectively meet the needs of children and families. The service is fully aware that a variety of different services and interventions continue to be required to address the very different needs of families and the multiple risk factors that impact on our children's outcomes. The aim of Alloa Family Centre services in working with families with children is to support children and their families to remain within the (universal pathway) wherever possible bringing in targeted or specialist provision only where appropriate.
- 3.6. Alloa Family Centre has an outreach service which delivers a range of parenting supports including Baby Massage groups, Parent and Toddlers, Young Parents groups, Mellow Parenting, practical cookery groups as well as working with the Integrated Mental Health Service on; Living Life to the Full groups, building self esteem and stress management. The service also recently undertook successful work with Polmont YOI to look at parenting and the impact of being a parent on Young Dads.
- 3.7. All groups run by Alloa Family Centre and parenting programmes are designed to help parents identify positive ways of dealing with challenging situations and behaviours.

- 3.8. Mellow Parenting is being run from Alloa Family Centre, this is an evidenced based programme which includes, Mellow Futures, Mellow Dads, Mellow Bumps and Mellow Babies and is used to support hard to reach and vulnerable families.
- 3.9. In addition, the outreach service continues to work to support parents in their homes through a range of outreach work including practical supports for managing children's behaviour in the home, home safety, the skills required to run a family home, including cooking skills and budgeting. Staff are also trained in the use of Video Interaction Guidance (VIG). This is an evidence based technique which aims to improve communication and relationships between children and their parents. The service also works closely with Speech and Language Therapy and Clinical Psychology services.
- 3.10. Supporting families also involves working closely with other services such as money advice and housing support. Building on the partnership work of this many families have been supported to take back control of their finances and remain in their own tenancies.
- 3.11. It is proposed that in line with the development of the Council wide move to a cluster/hubs model of service delivery going forward that the staff in the outreach service should be realigned across the three clusters within the Social Services Childcare Service, as it is felt that this will continue to support and enhance the delivery of the additional parenting needs across the whole of Clackmannanshire.
- 3.12. The Alloa Family Centre also provides an assessment and contact service, working with families in an intensive and highly focussed way. The assessment part of this service is targeted at families who require very specific intensive interventions to support parenting capacity assessments, linked to permanency planning and are often referred for this service through the Courts or the Children's Hearing System. The service also covers the increasing number of supervised contacts, which once again are also often at the direction of the Courts or the Children's Hearing System.
- 3.13. The contact service is used on a daily basis, including the weekends. The Alloa Family Centre has been the venue of over 2,000 supervised family contacts in the last year and is the main family Contact Centre in Clackmannanshire.
- 3.14. It is noted that without this provision there would be a significant and serious risk to the Council in failing to meeting its legal obligations for the provision of Supervised Contacts in appropriate/safe/child/family friendly environments which this building currently provides. The Care Inspectorate noted in their last Inspection of Children's Services about the need for appropriate venues to facilitate quality contacts and the Alloa Family Centre was identified as meeting that requirement very well.
- 3.15. It is proposed that the Alloa Family Centre should continue to build on these existing areas of good practice, in relation to the integrated parenting capacity assessments, permanency planning and the provision of a contact centre, but that staff will also be more closely aligned to, and work more closely

alongside, the social work staff based in Kilncraigs, whilst still delivering these services from the Alloa Family Centre.

- 3.16. The Alloa Family Centre also currently provides a day care service to children who do not access nursery provision in their local community across Clackmannanshire. However, due to the considerable expansion and capital investment in the last two years in nursery provision across Clackmannanshire the number of children accessing this day care service in the Alloa Family Centre has decreased significantly.
- 3.17. The Scottish Government has strongly stated the importance of children having their childcare in their local nurseries in their communities wherever possible, whilst supporting the need to ensure children and their families experience continuity of childcare and the minimum number of transitions in education.
- 3.18. Following discussions with colleagues in the Education Service, it is noted that they have capacity within their own nursery provision to provide a nursery placement for all the children currently being provided a day care service at the Alloa Family Centre.
- 3.19. It is therefore proposed, that in line with Scottish Government guidance, and the available capacity within existing provision within the Education Service, that the day care service currently provided at the Alloa Family Centre should cease, with the staff currently providing this service also moving across to join the children in the Education Service. Staff members will be located to vacant posts within ABC Nursery, Park Nursery Class, Clackmannan Nursery Class, Tillicoultry Nursery Class and Sauchie Nursery. Staff will remain on their existing terms and conditions and provide a 52 week service. This will also support the increased provision of nursery places for 2 year olds and the need for family support within the nursery and the delivery of flexibility for parents in their pre-school education provision. The escort service will no longer be required and the member of staff will be redeployed within the Council. The changes to the day care service will provide savings of £199,742 for the Social work Childcare Service.

4.0 Sustainability Implications

- 4.1 Staff will be required to move to a different area of Service (Education) and work more flexibly to meet the important improvements and changes in service delivery required across Clackmannanshire. Staff in the nursery classes will locate to ABC nursery as their working base during the school holiday periods.

5.0 Resource Implications

5.1 Financial Details

- 5.2 The full financial implications of the recommendations are set out in the appendix to this report. This includes a reference to full life cycle costs where appropriate.
- 5.3 Financial implications. Yes
- 5.4 Finance have been consulted and have agreed the financial implications as set out in the report. Yes
- 5.5 Staffing
Within existing resources.

6.0 Exempt Reports

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

7.0 Declarations

- 7.1 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

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 - Business Case- Redesign of Services Alloa Family Centre.

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

Integrated Children's Services Plan 2015-2018

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Sandy Sneddon	Service Manager Childcare	01259-225010
Sharon Evenden	Team Manager Childcare	01259-225099

Approved by

NAME	DESIGNATION	SIGNATURE
Val de Souza	Head of Social Services	Signed: V de Souza
Nikki Bridle	Depute Chief Executive	Signed: N Bridle

MCB-PMO-04b Final Business Case and Covalent Links Template	Status: Active	Version 0.1
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Project Title	Redesign of Services- Alloa Family Centre	Project ID	Appendix 1 001
		MCB ID	
Accountable Service	SOCIAL SERVICES-CHILDCARE		
Accountable Person	Sandy Sneddon		
Project Status	Business Case		
CMT Approval Date			
Date Created	25/5/16		
Political or Policy Implications	Local Service response and delivery of meeting better Early Intervention Services, Early Learning and Childcare and Improved Permanency Planning for Children and Families in Clackmannanshire. The Proposal sits robustly within our Single Outcome Agreement priorities, National policies including GIRFEC, Early Years Framework, The Early Years Collaborative, the Integrated Children's Services Plan and the Parenting and Family Support Strategy.		

Convenor's Comments	
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1. Executive Summary

<p>Summarise the scope, objectives and options considered as part of this project.</p> <p>Include the recommended option / preferred solution, the benefits and financial benefits associated with the change initiative, along with any consequences of not undertaking this initiative.</p>	<p>Budget 2016/17: This option transfers 8 posts and a small element of the budget for Day Care provision (£16,453) to ensure 52 week provision/family support from the Alloa Family Centre to Education Service.</p> <p>The escort post will be redeployed, separate budget (£10,434)</p> <p>There remains then overall savings of £199,742 associated with this Business Case.</p> <p>Day Care Provision budget savings -£199,742</p> <p>Ledger code: 1002 1040</p> <p>Spend-to-save?: No Spend-to-save investment required: Spend -to-save comments:</p> <p>The proposal is to redesign the provision of service for Children and Families in Clackmannanshire with a particular focus on the move to the agreed cluster model of delivery for Education services going forward.</p>
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	<p>Demand for day care in the Family Centre has reduced with the increase in availability of nursery provision in Education services. The need for support with transport has also reduced.</p> <p>This is to ensure the Authority is meeting the Scottish Government priority to ensure seamless Early Learning and Childcare and to make Scotland the Best Place in the world to grow up.</p> <p>The recommended option is to transfer the Day Care service to Education Service with workers filling vacant posts in Education. The escort post will be redeployed within the Council. This would leave the Outreach and Assessment and Contact service remaining within Social Services.</p>
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2. Background

<p>Summarise the project and driver for the change initiative, such as budgetary saving, regulatory, legal, financial, strategic, increasing efficiency, resilience, stability, etc., and outline problems, issues and impacts that the initiative will solve.</p> <p>This information may be pulled in from the associated <i>Change Proposal, section on Description of Change Proposal</i></p> <p><i>Include the details, including financial, of other options considered and reasons why these are not recommended.</i></p> <ul style="list-style-type: none"> ▪ <i>Clearly set out in bullet format</i> 	<p>On the 17th December 2015 Clackmannanshire approved the Education service moving to a cluster model of delivery. The move to a cluster model supports the need to redesign services for children and families whilst ensuring we have an effective workforce with the mix and range of skills to deliver the required services.</p> <p>Day care provision: due to the considerable physical expansion and capital investment in the last 2 years in nursery provision the number of children accessing day care in Alloa Family Centre has reduced significantly. There is now physical capacity in the nurseries to deliver day care for all of the children currently accessing day care in Alloa Family Centre whilst also supporting families who need additional family support in the nursery. To deliver on this it will involve the transfer of 8 day care staff and a small budget of £16,453 to Education services. This will ensure that the day care staff are able to provide additional family support to families identified through the nursery over the school holiday periods.</p> <ul style="list-style-type: none"> • Outreach Provision, the Family Centre provides a range of Outreach supports to families within their homes and out in the Community. To work on the Community cluster, cluster /hubs model of service delivery going forward the Early Years & Family Workers would be realigned across the three clusters within the Social Services childcare service. This will continue to support and enhance the delivery of the additional parenting needs across Clackmannanshire. • Assessment and Contact: The Assessment and Contact service works with families in an intensive and highly focussed way. Targeted at families who require specific intensive interventions to support their parenting capacity as decided through Statutory Social work Childcare service. Parenting
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	<p>Capacity Assessments to support improvements in Permanency Planning and Supervised Contacts.</p> <p>To support the effective delivery of more integrated Assessments and supervised contacts the Staff involved in this area of the service will be aligned to Childcare Teams.</p> <ul style="list-style-type: none"> The Alloa Family Centre building is heavily used as a Contact Centre on a daily basis, over the last 12 months over 2,000 contacts have taken place and it is also used for this purpose at weekends. The Centre is also used for a large number of Team Around the Child (TAC) meetings and reviews. The Alloa Family Centre is the main family Contact Centre in Clackmannanshire and there would be a significant and serious risk to the Social work childcare service and the Council of failing to meet its legal obligations for the provision of Supervised contacts in appropriate/safe/child/family friendly environments if this building were not to remain providing this essential service. Moving 'day care' into the Education service will provide additional capacity to meet the statutory delivery of the increasing number of supervised contacts and increased parenting capacity assessments. There is a shortage of other appropriate safe/child/family friendly venues in Clackmannanshire.
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3. Dependencies, Assumptions or Constraints

Project Name	Reason for Dependency
<i>e.g. Advice & Guidance</i>	<i>e.g. Need to implement in parallel with TOM 2 & TOM 3</i>
Accessing alternative provision through the Cluster model of delivery	Dependency relies upon the movement of services to the Education Custer model as alternative model of delivery. Retaining the Alloa Family Centre as a Family, parenting, Contact and Assessment Centre.

4. Stakeholder Impact

Stakeholder	Key area of interest	How the change will affect them
<i>e.g. Service users</i>	<i>e.g. Finding service hard to access</i>	<i>e.g. Improved ease of access via new technologies</i>
Service users	Quality of provision	Improved and joined up service delivery
Carers	Access to quality Early Learning & Childcare	Optimises choice and enables greater availability of services and family support Clackmannanshire wide
Staff	Job security and access to workforce development	Greater opportunities for workforce/personal development through

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opportunities	the diversity of services being delivered.
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5. Identification & Evaluation of Options

The options under consideration are, as follows:

Transfer staffing and the Day Care element of service from Alloa Family Centre to the Education Service. A small part of the day care budget to transfer to Education to fund the staff cover costs non-term time where staff will locate to ABC nursery to provide additional Family Support services to identified families.

Escort post to be redeployed in Council.

The Outreach and Assessment and Contact Service and remaining Family Centre budgets to remain with Social Services.

The Alloa Family Centre building to remain within Social Services for use as an Assessment and Contact Centre.

5.1

Description of current state

Current service provision will not meet the arrangements going forward in moving to a cluster model of delivery. The current day care service has seen a significant reduction in demand with the increase in availability of Local Authority Education places. Nurseries have been adapted to take on additional children and offer flexible and seamless delivery across Clackmannanshire.

Benefits	Disbenefits
Highlight the benefit(s) of maintaining current state e.g. Maintain status quo / known delivery model	Highlight risks or disbenefits / disadvantages of maintaining current state e.g. Unsustainable costs will lead to loss of service
Maintain status quo as service users are familiar with this model.	The reduced numbers of children in day care in Alloa Family Centre means that the service will become unviable with many of the children taking up their provision in Education establishments and within local communities.

5.2

Description of change

Current services require to be rationalised to meet the changing needs of children and families and Communities across Clackmannanshire. The move to a cluster model in Education will enable services to work much closer together in a targeted and efficient way. This would also result in savings whilst building community capacity in the clusters to meet the Councils Statutory requirements to provide Early Learning and Childcare and meet the Family Support and Parenting Strategy and Integrated Children's Services priorities. By Rationalising buildings,

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resources and staffing the services delivered will also support the Councils commitment to Early Intervention and improve Permanency Planning.

Benefits	Disbenefits
Highlight the benefit(s) of maintaining current state	Highlight risks or disbenefits / disadvantages of maintaining current state
e.g. Maintain status quo / known delivery model	e.g. Unsustainable costs will lead to loss of service

5.3	
Description of change	
Benefits	Disbenefits
Highlight the benefit(s) of maintaining current state	Highlight risks or disbenefits / disadvantages of maintaining current state
e.g. Maintain status quo / known delivery model	e.g. Unsustainable costs will lead to loss of service

5.4	
Description of change	
Benefits	Disbenefits
Highlight the benefit(s) of maintaining current state	Highlight risks or disbenefits / disadvantages of maintaining current state
e.g. Maintain status quo / known delivery model	e.g. Unsustainable costs will lead to loss of service

6. Options Appraisal				
6.1 Cost / Benefit Analysis				
Financial Benefits				
Revenue Savings (A)	Option A	Option B	Option C	Option D
Total (A) (i.e. budgetary saving as an operating cost reduction / ongoing benefit)	£216,195			
Revenue Costs (B)	Option A	Option B	Option C	Option D
Total (B)	£16,453			
Capital Costs (C)	Option A	Option B	Option C	Option D
Assets				
Housing				
IT				
Land				
Roads				
Total (C)	0			

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Total Costs (B) + (C)	£16,453			
Net Benefit	Option A	Option B	Option C	Option D
((A) - (B+C))	£199,742			

Complete Section 7 onwards for the recommended option only

7. Impact Analysis

7.1 Equality Impact (Stage 1: Equality Impact Assessment)

Describe any foreseen impact on Service Users and what can be done to mitigate it:

Gauge the type of impact - either *Positive (1)* *Negative (-1)* or *Neutral (0)* for each of the protected characteristic below:

Characteristic	Impact
Gender	0
Age	0
Disability	0
Religion	0
Race	0
Sex	0
Pregnancy & Maternity	0
Sexual Orientation	0

If the preferred solution will potentially negatively impact any of the protected characteristics, a full Stage 2 *Equality Impact Assessment (EQIA)* is required.

7.2 Sustainability Impact

Gauge the type of impact - either *Positive (1)* *Negative (-1)* or *Neutral (0)* for each of the protected characteristic below:

Characteristic	Impact
Climate Change	0
Greenhouse Gas	0
Community Environmental Activity	0
Outdoor Access	0
Fuel Poverty	0
Wildlife Habitats	0
Pollution	0
Landscape	0
Historic Environment	0

7.3 Community Impact

Describe any foreseen impacts on the Council's priority outcomes, and what can be done to mitigate any negative impact:

Gauge the type of impact - either *Positive (1)* *Negative (-1)* or *Neutral (0)* for each of the protected characteristic below:

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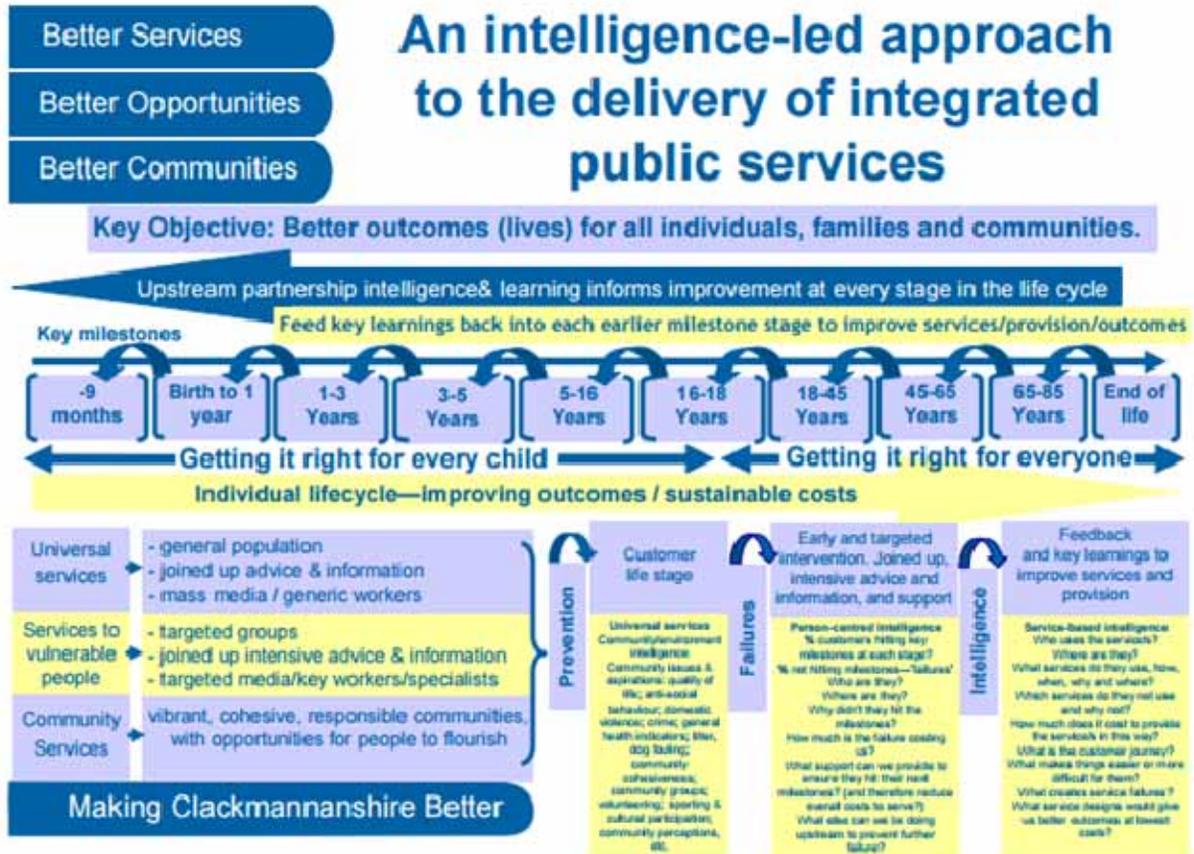
Priority	Impact
The area has a positive image, and attracts people and businesses	0
Our communities are more cohesive and inclusive	1
People are better skilled, trained and ready for learning and employment	0
Our communities are safer	0
Vulnerable people and families are supported	1
Substance misuse and its effects are reduced	1
Health is improving, and health inequalities are reducing	0
The environment is protected and enhanced for all	0
Our public services are improving	1

7.4. Performance Impact

Describe any foreseen impacts on relevant Performance Indicators, and what can be done to mitigate any negative impacts:

The impact on relevant performance indicators would only be positive:

- Improved coordination of services for whole family which may reduce family breakdowns and children being accommodated (improved parenting capacity/early intervention through informed TAC).
- Services are more accessible to those who need them.
- Closer working with social workers around parenting capacity in relation to reports to SCRA
- Closer working with Education staff to reduce the number of inappropriate CP referrals that divert resources
- A focus on improving outcomes for children, young people and their families based on a shared understanding (GIRFEC)
- Maximising the skilled workforce within universal services to address concerns at the earliest point (GIRFEC)
- A coordinated and unified approach to identifying concerns, assessing needs, agreeing actions (GIRFEC)
- Streamlined planning, assessment and decision making processes that lead to the right help at the right time for the child (GIRFEC)
- A more confident and competent workforce in the statutory universal services (GIRFEC)
- Resources are more effectively focused on agreed shared priorities, including prevention and early intervention.(SOA)
- Strategic fit with the 'intelligent-led approach' to the delivery of integrated public services (SOA)



- Works towards the Community Planning vision “We have in place a model and approaches that enables partners resources to be focussed on prevention and early intervention and our GIRFEC and Early Years frameworks are streamlined, integrated and evidenced as highly effective.” (SOA)

Gauge the type of impact - either *Positive* (1) *Negative* (-1) or *Neutral* (0) for each of the protected characteristic below:

Indicator	Impact
(1) % children (looked after) at home with parents	(1)
(2) % children (looked after and accommodated) with foster carers or prospective adopters	(1)
(3) Proportion of children seen by a supervising officer within 15 working days	(0)
(4) % SBRs to the Children's Reporter (on time)	(1)
(5) Child Protection referrals to Social Work (appropriate)	(1)
(6) Number of Looked After & Accommodated Children at end of month	(1)
(7) Permanence Prospective carer assessment completed within 6 months	(1)
(8) % of children aged 0-5 are referred to reporter on grounds of lack of parental care	(1)
(9) Number of children on the Child Protection register	(1)
(10) % of all children will have reached all expected developmental milestones at the time the child starts primary school.	(1)

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(11) All children and young people who have been in Foster Care for 6 months or more should have a clear permanency plan.	(1)
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8. Recommendation - Preferred Solution

<p>Based on strengths, weaknesses, costs and benefits, detail your recommendations for the preferred solution (recommended option) to take forward.</p> <p>Also give reasons why the other options you have given are not deemed as appropriate.</p>	<p>Transfer Day care staff and a small budget of £16,453 to Education Service to enable the staff to provide nursery family support throughout school holiday periods.</p> <p>Redeployment of escort post along with the separate budget of £10,434 Mini bus to return to fleet services.</p> <p>The Outreach and Assessment & Contact staffing and budget to remain within Social Services.</p> <p>Retain Alloa Family Centre as a touch down/cluster hub and Clackmannanshire Family parenting, Contact and Assessment Centre.</p>
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9. Impact of Change

Outline risks identified at this stage for the recommended option - as per corporate matrix 5=HIGH, 1=LOW and how to address it.

Description of Risk	Impact 1 - 5	Likelihood 1 - 5	Action to Mitigate Risk
Public perception	3	2	Effective consultation and engagement.
Financial viability	2	1	Ensure that efficiencies can be made whilst moving services to the cluster model.

10. Financial Benefits for Recommended Option

Detail here anticipated financial benefits (i.e. savings) for the recommended option, by category, by year.

Benefit ID	Benefit Name	2015/16	2016/17	2017/18	2018/19	Total
	Total savings (cumulative)	0	£199,742	0	0	0

11. Outcome Benefit(s) or Performance Improvements for Recommended Option

Proposals will work towards key outcomes and priorities within the current [Integrated Children's Services Plan](#), and [Single Outcome Agreement](#):

- ICSP Outcome 2: Improved Support for Vulnerable People and Families Are Supported (SOA)
- ICSP Priority for improvement 1: Improve support in early years so that all children reach appropriate developmental and social milestones
- ICSP Priority for Improvement 3: Improve processes for assessing risks to ensure that all children and young people are afforded timely protection and support needed.

BENEFITS

Benefit ID	Benefit Name	Measure	Current	Target Performance
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			Performance	
	Ensure all children and young people who have been in Foster Care for 6 months or more should have a clear permanency plan.	Integrated Children's Services Plan indicator	Baseline to be established.	100%
	% of all children will have reached all expected developmental milestones at the time the child starts primary school.	Single Outcome Agreement indicator	75% (Forth Valley)	90% by end of 2016
	Number of children and young people referred to the Reporter on non-offence grounds	Integrated Children's Services Plan indicator	185	Reduction in the long term trend through prevention and early intervention.

12. Cost / Benefit for Recommended Option

Financial Benefit

Revenue Savings (A)	2015/16	2016/17	2017/18	2018/19	Total
Employee		£199,742			
IT					
Premises					
Supplies and Services					
Third Party Payments					
Transport					
Other - Specify					
Total (A) (i.e. budgetary saving as an operating cost reduction / ongoing benefit)		£199,742			
Revenue Costs (B)	2015/16	2016/17	2017/18	2018/19	Total
Employee		£16,453			
IT					
Premises					
Supplies & Services					
Third Party Payments					
Transport					
Other - Specify					
Total (B)		£16,453			
TOTAL REVENUE BENEFIT					
Capital Costs (C)	2015/16	2016/17	2017/18	2018/19	Total
Assets					
Fleet					
Housing					
IT					

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Land					
Roads					
Total (C)		0			
Total Costs (B+C)		£16,453			
Net Benefit (A-(B+C))	2015/16	2016/17	2017/18	2018/19	Total
		£199,742			

13. Resources

13.1 Internal resources required to deliver the change

Project Stage	Resource in Service area		Resource from other Service area	
	Role	Days	Role	Days
Initiate (analysis)				
Design				
Delivery				
Complete (review)				
Other -				
Total	n/a	n/a	n/a	n/a

13.2 External/specialist resources required to deliver the change

Skill	Activity	Effort / Duration
n/a	n/a	n/a

14. Milestones

#	Description	Planned Due Date
1	8 Early Years & Family Workers move to Education Service	31st July 2016
2	1 escort post to be redeployed in Council	31st July 2016
3		
4		
5		
6		

Report to: Clackmannanshire Council

Date of Meeting: 23 June 2016

Subject: Affordable Housing Programme

Report by: Head of Housing & Community Safety

1.0 Purpose

- 1.1. The report recommends continuing the “off the shelf” house purchase programme in order to maximise the take up of additional affordable housing grant funding from the Scottish Government.

2.0 Recommendations

- 2.1. It is recommended that Council

2.1.1. approves the transfer £1.53M from the 2017/18 HRA Capital Budget (the development of 20 properties on lock-up sites) to “Off the Shelf” House Purchases in 2016/17, to maximise the take up of Scottish Government Affordable Housing Supply Grant for Clackmannanshire.

3.0 Affordable housing programme

- 3.1. Total grant claimed in 2015-16 was almost £96K over the original target of £2.2M for Clackmannanshire. Included in this was 15 properties purchased off the shelf. In total over the last three years 72 properties, including two new builds, have been acquired "off the shelf" throughout Clackmannanshire as part of the Council's policy initiative to maximise the number of homes available for all people in housing need, and create a more balanced portfolio of properties.

- 3.2. As previously reported the grant funding available for Clackmannanshire has been considerably increased, with the resource planning assumptions for the next 4 years at least:

- £3,654,000 (16-17)
- £2,923,000 (17-18)
- £2,192,000 (18-19)
- £1,462,000 (19-20)

- 3.3. To help meet the increased targets it is recommended that a new “off the shelf” house purchase programme commence in 2016-17. As well as proving a flexible way of meeting housing need, the programme will help ensure that the affordable housing grant for the area is maximised.
- 3.4. As before, the properties targeted will be of the type and size most needed, and in high demand locations. Only properties on the market are considered, and it is not the intention to bid against other prospective buyers. All properties acquired meet Government value for money benchmark criteria, and prices paid reflect any works required to bring the properties up to the current high standards set for rental property.
- 3.5. RSL partners are also investigating off the shelf purchases to ensure the programme target is achieved.
- 3.6. The rent level subsidy to RSLs for a 3 person equivalent has risen from £58k per unit to £70k per unit. Councils can claim £57k per unit, up from £46k.
- 3.7. It is recommended that the £1.53M funding identified for the 2017/18 development of 20 units on lockup sites is brought forward and transferred to fund the off the shelf purchase programme. It is now likely that an RSL will develop the lock up sites. The HRA approved outstanding borrowing for 2016/17 was £34.1M. With lower than projected borrowing and additional house sale receipts in 2015/16, bringing forward this borrowing still results in a lower than projected year-end borrowing position of £32.7M. This is an improved position of £1.4M on the approved budget in February 2016.

4.0 Sustainability Implications

- 4.1. All properties purchased will meet the Scottish Housing Quality Standard, and the Energy Efficiency Standard for Social Housing (ESSH) by 2020.

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 has been consulted and has agreed the financial implications as set out in the report.

Yes

5.4 Staffing

- 5.5. There are no staffing implications arising from this report

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? No

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. 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). No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Kate Fleming	Housing Strategy Officer	2361
Murray Sharp	Service Manager (Strategy & Revenues)	5113

Approved by

NAME	DESIGNATION	SIGNATURE
Ahsan KHAN	Head of Housing	Signed: A Khan
Nikki Bridle	Deputy Chief Executive	Signed: N Bridle

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 23 June, 2016

Subject: Clackmannanshire Local Scrutiny Plan 2016-17

Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to advise Council of the publication by Audit Scotland of the Clackmannanshire Council Local Scrutiny Plan for 2016-17 and to summarise the key areas of scrutiny activity.

2.0 Recommendations

2.1 It is recommended that the Council notes:

- a) the recent publication by Audit Scotland of the 2016-17 Local Scrutiny Plan for Clackmannanshire; and
- b) the intended planned scrutiny activity in 2016-17.

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 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 Planned Activity

Locally Driven Scrutiny

4.1 Based on its assessment, the LAN has identified risks where it believes there would be value in additional scrutiny in 2016-17 as follows:

- a) audit work around best value in relation to leadership, governance and financial sustainability given the LAN's concerns about political decision-making in terms of target setting and prioritisation within *Making*

Clackmannanshire Better and the significant financial challenges the Council faces;

- b) the Care Inspectorate and Education Scotland will closely monitor developments as a result of the cessation of shared services. The LAN considers that the cessation presents risks around the continuity of education and social work services, the potential impact on the quality of services and outcomes for service users, loss of senior management expertise and the uncertainty relating to the introduction and effectiveness of new management structures. The LAN also identifies risks regarding the council's capacity to deliver a full range of social work services. The external auditor and the Care Inspectorate will also monitor the impact on the Integrated Joint Board of the cessation of shared services
- c) in light of recent poor inspection results in the primary sector, Education Scotland Area Lead Officer will work closely with the authority to monitor educational attainment and the implementation of the Scottish Attainment Challenge
- d) as part of the annual external audit, the Council's progress and planning for the implications of the Community Empowerment Act which comes into force from summer 2016 will be monitored.

National Scrutiny Driven Activity

4.2 As well as scrutiny activity derived from local risks, the following scrutiny activities will take place on a national basis in 2016-17:

a) Audit Scotland plans to undertake performance audit work as follows;

- Performance and audit work on early learning and childcare
- a follow-up audit on self-directed support.
- An audit work on equal pay

a) the Care Inspectorate will undertake work as per:

- validated self-evaluation activity with Alcohol and Drug Partnerships
- joint strategic scrutiny programmes (e.g. for adult services)
- review of strategic commissioning

b) the Scottish Housing Regulator (SHR) will publish the findings of its thematic inquiry work completed during 2015-16 and will carry out further thematic inquiries during 2016-17. SHR will review the Charter data submitted by landlords and carry out data accuracy visits during the second quarter of 2016/17.

4.3 From October, 2016 there will also be a new national approach to auditing best value. This will include assessment as part of an integrated annual audit and a public report for each council at least once in a five year period; that assessment will bring together an overall picture of the council drawn from a range of audit activity. It is anticipated that Clackmannanshire will be in the first tranche of 6 or 7 authorities which will undergo the new approach.

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

The Council is effective, efficient and recognised for excellence

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 2016-17

12.0 Background Papers

Clackmannanshire Local Scrutiny Plan 2016-17

<http://www.audit-scotland.gov.uk/our-work/scrutiny-improvement/scrutiny-plans>

Author(s):

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	Signed: E McPherson

Clackmannanshire Council

Local Scrutiny Plan 2016/17



March 2016

Clackmannanshire Council

Local Scrutiny Plan 2016/17

Introduction

1. This local scrutiny plan sets out the planned scrutiny activity in Clackmannanshire Council during 2016/17. 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 2016/17, which is available on the Audit Scotland website.

Scrutiny risks

3. The 2015/16 Local Scrutiny Plan (LSP) did not identify any specific areas where scrutiny was required. However some non-risk based scrutiny activity was identified in the LSP which had an impact on Clackmannanshire Council. This included:
 - In May 2015 the Care Inspectorate conducted a progress review of Services for Children with the report published in September 2015. Improvement noted in all areas.
 - In May 2015, Audit Scotland published its Housing Benefit risk assessment which included a follow-up of its previous assessment, carried out in October 2012. Audit Scotland reported that the council had not fully addressed all the risks identified in its previous report, resulting in further follow-up checks on progress being required in November 2015 and January 2016. By January 2016, the council had taken a number of actions and some improvements in performance were evident. Given the backlog of issues, Audit Scotland still has concerns about the council's ability to maintain this performance improvement and also deliver continuous improvement. Audit Scotland has therefore asked the council for a further performance update in July 2016, and will then decide if further scrutiny is required.
 - Deloitte's review of Making Clackmannanshire Better (MCB) was completed over summer 2015. While some progress has been made around the MCB programme to address the funding gap, the review concluded that unless significant progress

was made in the rest of 2015 calendar year, the objectives of MCB would not be achieved. Deloitte will follow-up progress in early 2016.

- Care Inspectorate and HM Inspectorate of Constabulary in Scotland: Joint Thematic Review of Multi Agency Public Protection Arrangements (MAPPA) in Scotland. The key message within the national review report, published in November 2015, was that MAPPA was making an effective contribution to public safety and sex offender management.
 - Progress has continued on health and social care integration, and the full Stirling and Clackmannanshire Integration Joint Board (IJB) was established from 3 October 2015. The necessary integration scheme was finalised by June 2015 and the councils are on track to implement full integration by 1 April 2016. The external auditor will continue to monitor progress in implementing the governance and accounting arrangements for the new IJB. The external auditor and the Care Inspectorate will also monitor the impact on the IJB of the move away from shared social work services, which is due to happen by April 2017.
 - During 2014, Audit Scotland carried out a national performance audit on health and social care integration to review the progress made to establish the new integration authorities across Scotland. Clackmannanshire and Stirling was one of the six authorities selected for interview. The audit identified a risk around the size of the Stirling/Clackmannanshire Integrated Joint Board. Audit Scotland is planning to do further work on health and social care integration in 2017/18.
 - During 2015, the Scottish Housing Regulator carried out a thematic inquiry looking at Gypsy/Travellers. This was a national inquiry, and not a result of the LAN shared risk assessment.
4. The LAN agreed to continue to monitor the pace of progressing shared education and social services with Stirling Council during 2015/16, and the outcome of the options appraisal by Ernst and Young. The options appraisal was published June 2015. In mid-September 2015 Stirling Council indicated they did not wish to continue the shared services arrangements. Subsequently Clackmannanshire Council agreed at its meeting in December 2015 to progress a cluster based model for education.
5. The LAN identified risks where there would be value in additional scrutiny in 2016 - 17. The LAN also notes a number of areas which require ongoing oversight and monitoring work on the part of scrutiny partners. These were:
- Progress in the council's transformation programme in the last 12 months has been slower than anticipated – calling into question both the scope and pace of change in the council. The recent Deloitte Best Value (BV) review of Making Clackmannanshire Better raises concerns about political decision-making in terms of target setting and prioritisation.

Deloitte's review also highlighted that the pace and scale of delivery was not yet sufficient to meet the council's stated objectives and to address the council's very

significant short to medium term financial challenges. In 2014/15, in order to agree a balanced budget, the council approved the use of its reserves to meet the budget gap. Following the Scottish Government spending review published in December 2015, the council projected a cumulative funding gap of £27.944 million over the four year period 2016/17 to 2019/10. The 2016/17 budget was approved on the 23 February 2016, which included £7.645 million of savings from the MCB programme plus £1.379 million utilisation of reserves in order to agree a balanced budget for the year. The approved budget also sets out a number of Business cases and areas for further consideration and development during 2016/17 to assist the council in setting future years' budgets.

The council faces additional financial challenges due to the potential for increased costs in re-establishing stand-alone education and social work services with the move away from shared services.

In the coming year the LAN proposes audit work around Best Value in relation to leadership, governance and financial sustainability. The specific scope and timing of the audit work will be finalised in due course in discussion with the council.

- The shared social care and social work services led by Clackmannanshire Council and shared education service led by Stirling Council is due to come to an end in March 2017, but may end earlier. The LAN concluded this presents a number of risks to the council both during and after the transition period. Particular concerns relate to the continuity of education and social work services, the potential impact on the quality of services and outcomes for service users, loss of senior management expertise and the uncertainty relating to the introduction and effectiveness of new management structures which are yet to be developed. The LAN also identified risks regarding the councils' capacity to deliver a full range of social work services. Care Inspectorate will closely monitor developments and will support any planned supported evaluation exercises. Education Scotland will closely monitor developments and consider further action as appropriate.
- There is a need to improve educational attainment in the authority. Clackmannanshire Council is one of the seven authorities receiving support under Scottish Government Scottish Attainment Challenge. Recent inspection results in the primary sector have been poor. The Education Scotland Area Lead Officer will work closely with the authority to monitor both these areas in the coming period.
- Clackmannanshire Council has taken steps to prepare for the implications of the Community Empowerment Act, which comes into force from summer 2016. The external audit will monitor progress and planning as part of the annual external audit.
- To assess the risk to social landlord services SHR has reviewed and compared the performance of all Scottish social landlords to identify the weakest performing landlords. SHR has assessed the performance of this council and concluded that no additional scrutiny is required beyond statutory work.

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 2016/17. For some of their scrutiny activity in 2016/17, scrutiny bodies are still to determine their work programmes and which specific council areas they 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. 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 ongoing inspection of school and care establishments by Education Scotland and the Care Inspectorate respectively. Audit Scotland will carry out a programme of performance audits during 2016/17 and 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.
8. Audit Scotland plans to undertake performance audit work in three areas covering local government during 2016/17. It will undertake a performance audit on early learning and childcare and a follow-up on audit on self-directed support. Audit Scotland will also carry out audit work on equal pay, but is still considering the focus and outputs of work in this area. Any engagement with councils is still to be determined. Details of future audit work are available on the Audit Scotland [website](#).
9. In December 2014, the Accounts Commission concluded its review of Best Value and set out principles for a new approach to auditing Best Value. These principles include the need for more frequent assurance on Best Value across all 32 councils, integrating the audit processes, an increased emphasis on driving improvement, and a strong focus on the quality of service experienced by the public and the outcomes achieved. The new approach will be rolled out from October 2016 but will continue to evolve. It will include assessment each year of aspects of Best Value as part of an integrated annual audit and a public report, (Controller of Audit report to the Accounts Commission) for each council at least once in a five year period that will bring together an overall picture of the council drawn from a range of audit activity.
10. The initial iteration of the rolling programme, which will be reviewed and refreshed annually in response to factors including the SRA, will be presented to the Accounts Commission in April 2016. The results of this current SRA will make a significant contribution to the audit intelligence that will underpin the new approach, and inform the development of the initial programme. 2016 is a transition year. This includes development of the intelligence about each council for the new approach and the handover to new audit appointments. While preparation for the new approach progresses, Best Value audit work will continue. But, appropriate elements of the new approach, such as reporting mechanisms, will also be tested in some councils.
11. The Care Inspectorate will undertake Validated Self-Evaluation (VSE) activity with Alcohol and Drug Partnerships (ADPs). This is to support the validation of ADP and

services' self-assessment of local implementation and service compliance with the Quality Principles: Standard Expectations of Care and Support in Drug & Alcohol Services. The Scottish Government will use the findings from this validation work to consider and inform the future programme of national support that will further encourage and support delivery of continued improvements at ADP and service level. It is anticipated that all 30 ADPs will participate. On-site activity is likely to start in March 2016, with a national overview report completed by the end of 2016. The Care Inspectorate will also provide brief, customised feedback to each ADP in order to help build their capacity for self-evaluation.

12. The Care Inspectorate will work together with partner regulatory agencies to continue to deliver a coordinated programme of joint scrutiny of Community Planning Partnerships and integration joint boards. Partner agencies are reviewing the methodology for joint inspections of Adults' services. As well as joint strategic scrutiny programmes, the Care Inspectorate will also be reviewing its approach to strategic commissioning, reviewing the validated self-assessment of Alcohol and Drug Partnerships and undertaking a variety of thematic programmes of work.
13. The Scottish Housing Regulator (SHR) will publish the findings of its thematic inquiry work completed during 2015-16. It will carry out further thematic inquiries during 2016-17. SHR will also review the Charter data submitted by landlords and carry out data accuracy visits during the second quarter of 2016/17. If the council is to be involved in a thematic inquiry or a data accuracy visit SHR will confirm this directly with the council and the LAN lead.
14. HMICS will continue to inspect local policing across Scotland during 2016/17 as part of its rolling work programme. These inspections will examine, amongst other things, local scrutiny and engagement between Police Scotland and councils. HMICS will identify and notify LANs and the local Policing Divisions to be inspected approximately three months prior to inspection.

March 2016

Appendix 1: Scrutiny plan

Scrutiny body	Scrutiny activity	Date
Audit Scotland	Scotland's Public Sector Workforce – Follow-up audit	June 2016
	Possible performance audit work	TBC
	Possible scrutiny work relating to Housing Benefit	July 2016
External auditor and Audit Scotland	Audit work on Best Value around leadership, governance and financial sustainability.	Timing TBC
Care Inspectorate	Care Inspectorate working in partnership with Clackmannanshire Council will carry out a supported self-evaluation on areas to be agreed.	Late 2016
	Care Inspectorate will undertake Validated Self-Evaluation (VSE) activity with Alcohol and Drug Partnerships.	March 2016
Education Scotland	Education Scotland will monitor developments in relation to the councils' arrangements for the delivery of education. It will consider other action as appropriate.	TBC
	Careers Information, Advice and Guidance (CIAG) follow-up	June 2016
Her Majesty's Inspectorate of Constabulary (HMICS)	No specific work planned at present.	
Her Majesty's Fire Service Inspectorate (HMFSI)	No specific work planned at present.	
Scottish Housing Regulator (SHR)	SHR will carry out further thematic inquiries during 2016-17. SHR will also review the Charter data submitted by landlords with a view to carrying out data accuracy visits during the second quarter of 2016/17. If the council is to be involved in either a thematic inquiry or a data accuracy visit SHR will confirm this directly with the council and the LAN lead.	TBC

Clackmannanshire Council

Local Scrutiny Plan 2016/17

A summary of local government strategic scrutiny activity

This report is available in PDF and RTF formats,
along with a podcast summary at:

www.audit-scotland.gov.uk 

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Report to Council

Date of Meeting: 23rd June 2016

Subject: Bandeath Stray Dog Shelter

Report by: Head of Development and Environment

1.0 Purpose

- 1.1. To update members on the current review being undertaken by partners jointly funding the operation of the Bandeath stray dog facility.
- 1.2. To present a proposal that affirms Clackmannanshire Councils ongoing commitment to fund the stray dog facility.

2.0 Recommendations

- 2.1. It is recommended that the Council :
 - a) Agrees to rescind the notice of intention to withdraw from the Bandeath stray dog kennel partnership, subject to there being no increase to the Councils' current funding contribution.
 - b) Notes that officers will actively pursue a reduction in the Councils' contribution (to reflect a likely reduction in demand and the average unit cost paid by other Local Authorities) in order to achieve best value.
 - c) Writes to Police Scotland seeking their commitment to continue to be a partner in the funding of the Bandeath Stray Dog shelter and affirms that Clackmannanshire Council will not take over responsibility for the duties and powers placed upon the Police in relation to stray dogs should they withdraw from the partnership.

3.0 Considerations

- 3.1. The Council has a statutory duty to seize stray dogs and retain them for a maximum period of 7 days during which time the owner has to collect it. After this time the dog becomes the property of the Council and we may dispose of it through sale, transfer (charity) or destruction. Police Scotland also have duties in relation to stray dogs. They require to treat a dog handed into a Police station in a similar fashion to that of a dog seized by the Council in that they require retain a dog for a maximum period of 7 days.

- 3.2. Clackmannanshire Council is one of four partners including Falkirk, Stirling and Police Scotland, who fund the stray dog facility at Bandeath. This is a facility for the temporary holding of dogs found straying in any of the three Council areas. It is managed on behalf of the partnership by Stirling Council.
- 3.3. The facility, over and above providing temporary accommodation for stray dogs, provides the following services :
- accommodation for dogs not collected by their owners after being held for the statutory period of seven days. Such dogs are looked after at the facility until they are either sold or transferred to a dog home/re-homing centre.
 - a service to allow volunteers to walk dogs. This service has a two fold purpose, 1) it provides a benefit for the welfare of the dogs and 2) provides a therapeutic value to the dog walkers themselves e.g. for individuals suffering/recovering from mental health issues.

The arrangement to allow volunteers to walk dogs is a service Stirling Council has developed, it is not required as part of the formal agreement. The number of volunteers who walk the dogs and the number who have benefited from this is unknown to Clackmannanshire Council.

- 3.4. Clackmannanshire Council has been a partner of the facility since prior to re-organisation in 1996. In 2001 an agreement was made that all partners would contribute an equal share (25%) of the gross operating costs of the facility. This Council took 41 dogs to the facility in 2015/16 and the cost to the Council was £23,384. In relation to other partners Clackmannanshire Council uses the facility the least, with Police Scotland taking in 117 dogs, Falkirk Council 56 dogs and Stirling Council 87 dogs.
- 3.5. The number of dogs placed by the Council at Bandeath has dropped considerably over the years from 200 in 1999-2000 to below 100 in 2009-10 to the current average of 35. This drop is reflected by all partners with the total dogs at the facility dropping from over 800 in 1999-2000 to around 400. Despite the reduction in dog numbers the operating costs of the facility have increased over that same period. The average cost to the Council is around £700.00 per dog.
- 3.6. A survey of other local authorities conducted by Falkirk Council revealed a wide range of differing arrangements for the keeping of stray dogs. Most authorities have arrangements in place to transfer dogs to charitable organisations immediately after the seven day statutory requirement for a Local Authority to hold onto a dog has expired.
- 3.7. The survey also obtained details of the costs other Local Authorities pay for holding stray dogs. This revealed a range of different charging methods which made it difficult to compare like with like, however of the 20 other Local Authorities who replied the average cost per dog, if held for seven days, was estimated to be £118.70.
- 3.8. The Council expects in the coming years the number of dogs taken to a stray dog kennel facility to reduce further as a result of dog microchipping legislation. This requires every dog to be microchipped by law to enable

owner identification to be determined. The Council has purchased microchip scanners to enable more owners of stray dogs to be identified and taken back to the owner, rather than taken to Bandeath. The Service expects to take less than 30 dogs to Bandeath this financial year.

- 3.9. The partnership, as required by the terms of the formal agreement between partners, meets bi-annually and at one of those meetings is required to review and agree the proportions of annual costs payable by each partner. The issue of increasing costs was raised by the Council at a number of partnership meetings sometime ago however no agreement could be reached with partners that would secure either a different proportion of costs or overall reduced operational costs at the facility. It was as a result of this that notice to withdraw from the partnership was given, thus positioning the Council to better enter into more focussed discussion on costs with partners.
- 3.10. The formal notice of withdrawal was issued in December 2015 with a withdrawal date of 1st January 2017. Along side that formal notice partners were advised that the Council was fully committed to working with the other partners to identify a solution that can benefit all.
- 3.11. At the most recent meeting of partners, there was agreement to identify a delivery model that best matches the demand for the service. Partners are therefore actively working on appraising different options and the next meeting of the partnership is scheduled for 23rd June 2016. A review will also take place of the additional services the kennel facility provides.
- 3.12. Possible options for the future could include :
 - reduction in costs for Clackmannanshire – met by other partners.
 - reduction in costs for all partners.
 - alternative delivery model from a sustainable cost base, including consideration of third sector and external funding mechanism and/or a Social Enterprise model for some of the kennel services.
- 3.13. The above options and any other options being considered will be influenced by the continued participation or otherwise of Police Scotland. It is understood that Police Scotland is having to make significant budget savings and is currently reviewing services that don't directly impact upon frontline policing. It is therefore uncertain at the moment as to whether or not they remain committed to sharing the costs of the Bandeath facility. Police Scotland have been asked by the partnership to give the partnership a position statement in regard to the future funding of the Bandeath facility at the next partnership meeting.
- 3.14. Police Scotland have not as yet made any changes to the kennelling arrangements in other Local Authority areas. It is their intention to complete a national review of the kennelling arrangements they have throughout Scotland before making any changes locally.
- 3.15. It should be noted that if any of the partners withdraws from Bandeath the cost to operate the facility would require to be met by the other partners. At current costs this would be around an additional £8k per annum.

- 3.16. Stirling Council have not withdrawn from the partnership agreement and are committed to continuing to work with partners on the options for the future stray dog facilities. There is political support for the facility to remain open.
- 3.17. Falkirk Council have affirmed they are committed to the partnership and to reviewing the options for the future stray dog facilities. Their formal notice to withdraw from the partnership was issued to safeguard their financial position should other partners withdraw funding.
- 3.18. There is now a clear commitment, with the exception of Police Scotland, to identify a delivery model that best matches the demands for the service and therefore there is no reason at this point in time that the Council cannot rescind its notice of withdrawal from the partnership (to enable the other partners to have the assurance that Clackmannanshire Council is committed to a partnership solution), subject to there being no increase to the Councils' current funding contribution.

4.0 Sustainability Implications

- 4.1. The recommendations in the report will have no sustainability implications

5.0 Resource Implications

5.1. *Financial Details*

- 5.2. The rescinding of the notice to withdraw may have budgetary implications for the Council. As referred to in paragraph 3.15 above, should any of the other partners leave the partnership the Councils' contribution is likely to increase.
- 5.3. It should be noted that formal notice period to withdraw from the partnership is 12 months and therefore if costs increase or do not reduce to reflect the current and future likely reduction in demand then a further period of 12 months notice would require to be given.

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

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

Author(s)

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Ian Doctor	Regulatory Services Manager	X2577

Approved by

NAME	DESIGNATION	SIGNATURE
Gordon McNeil	Head of Development & Environment	Signed: G McNeil
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Clackmannanshire Council

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THIS PAPER RELATES
TO ITEM
18
ON THE AGENDA.

**Motion 1 to Clackmannanshire Council
Meeting of Thursday 23rd June 2016**

That Council recognises the good work carried out by staff and volunteers at the Bandeath Dog Shelter; recognises that Bandeath is much more than a dog shelter as it is used to improve the health and wellbeing of vulnerable adults and children; notes that no decision was made by Clackmannanshire Council to reduce funding levels for Bandeath; agrees that the facility must be retained; and commits to working with all partners involved – Police Scotland, Stirling Council and Falkirk Council, as well as the Buddies of Bandeath – to ensure the continuation of this valued service in the future.

Councillor Ellen Forson
Ward 4, Clackmannanshire South

Councillor Ellen Forson

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THIS PAPER RELATES
TO ITEM
19
ON THE AGENDA

**Motion 2 to Clackmannanshire Council
Meeting of Thursday 23rd June 2016**

That Council notes the growing evidence that more young people are consuming excess quantities of energy drinks, which often contain extremely high quantities of caffeine and sugar; notes that 10 to 18-year-olds consume the highest levels of these drinks in the population; acknowledges growing concerns from parents and teachers about the effect on children of consuming such drinks - which includes disruptive behaviour, cardiac problems, nervousness, insomnia, headaches and anxiety; further notes with interest the Can It campaign being launched across Tayside and Fife by The Courier which aims to prevent schoolchildren from consuming excess quantities of energy drinks and the Responsible Retail of Energy Drinks (RRED) campaign, which seeks to secure a ban on the sale of energy drinks to under-16s; considers how it can engage with local retailers to sign up to the RRED's scheme which encourages a voluntary ban on the sale of energy drinks to under-16s; and agrees that with the aim of promoting young people's health, concentration and education to direct the education authority to work with schools, pupils and parents to reduce the consumption of such drinks across Clackmannanshire

A handwritten signature in black ink, appearing to be 'Ellen Forson'.

Councillor Ellen Forson
Ward 4, Clackmannanshire South

