



**MINUTES OF RECONVENED MEETING of the CLACKMANNANSHIRE COUNCIL held
within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on
THURSDAY 2 JUNE 2016 at 10.40 am.**

PRESENT

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 Walter McAdam
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Jim Stalker
Councillor Derek Stewart
Councillor Graham Watt
Councillor Gary Womersley

In Attendance

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Stephen Coulter, Head of Resources and Governance
Stuart Crickmar, Head of Strategy and Customer Services
Kevin Kelman, Assistant Head of Education
Ahsan Khan, Head of Housing and Community Safety
Gordon McNeil, Head of Development
Shiona Strachan, Chief Officer, Health and Social Care Integration
Andrew Wyse, Acting Legal Services Manager (Clerk to the Council)

CC(16)19 APOLOGIES

None

CC(16)20 DECLARATIONS OF INTEREST

None

CC(16)21 BUDGET STRATEGY UPDATE

A report which maintained Council's regular update on the Council's Budget Strategy was submitted by the Depute Chief Executive. The report also provided an update on progress with the implementation of workforce related savings agreed in the Council's Budget on 23 February 2016.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed to note:

- (a) The economic and fiscal outlook detailed in section 3 of the report.
- (b) The revised indicative funding gap and underlying assumptions (table 2 and paragraphs 4.1 and 4.2 of the report)
- (c) Progress in implementing workforce related savings agreed within the 2016/17 Budget (paragraphs 4.3 to 4.9 of the report)
- (d) The intention to progress formal discussions with trade union representatives in respect of maximising redeployment opportunities (paragraph 4.6 of the report)
- (e) The current position with regards expressions of interest received in respect of both Targeted Voluntary Redundancy and Voluntary Severance (paragraphs 4.5 and 4.8 and Exhibits 1-4 of the report)
- (f) That an update on savings delivered by Targeted Voluntary Redundancy and Voluntary Severance, compared with those planned, will be made available to elected members and other key stakeholders as soon as acceptance and pension cost information is available (paragraph 4.7 of the report)
- (g) Progress in establishing consistent corporate arrangements for monitoring the delivery of agreed budget savings (paragraph 4.9 of the report).

CC(16)22 TRIPARTITE REMIT

A report was submitted by the Head of Resources and Governance which sought Council approval of the terms of reference for the Tripartite Group.

Motion

That Council adopts the terms of reference for the Tripartite Group.

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

Decision

The Council agreed to adopt the terms of reference for the Tripartite Group

Action

Head of Resources and Governance

CC(16)23 STANDARDS COMMISSION FOR SCOTLAND: DECISION OF THE HEARING PANEL IN RESPECT OF COUNCILLOR A DRUMMOND

A report was submitted by the Monitoring Officer to have Council consider the decision of the Standards Commission for Scotland ("the Commission") dated 20 April 2016 in respect of Councillor A Drummond.

Motion

That Council notes the recommendations set out in the report.

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

Amendment

Regarding Appendix 3:

That Council agrees to impose a further suspension of Councillor A Drummond from all the highlighted vacancies until the end of the Council term in May 2017.

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

The Provost adjourned the meeting at this point in the proceedings (1205 hrs). The meeting resumed at 1210 hrs. Seventeen (17) members remained present.

Vote on the amendment

Councillor Craig Holden asked for a roll call vote. The Council agreed that a vote be taken by calling the roll. On calling the roll there were 17 members present who were eligible to vote.

Against the amendment (10 votes)

Councillor Les Sharp
Councillor Donald Balsillie
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Craig Holden
Councillor Walter McAdam, MBE
Councillor Tina Murphy
Councillor Gary Womersley
Councillor Alastair Campbell
Councillor Kenneth Earle

Abstain (not voting 7)

Councillor Graham Watt
Councillor Kathleen Martin
Councillor Jim Stalker
Councillor Janet Cadenhead
Councillor Bobby McGill
Councillor George Matchett, QPM
Councillor Derek Stewart

Decision

On a division of 10 votes to 0 with 7 abstentions the amendment was defeated.

Accordingly, the Council agreed to support the recommendations set out in the report:

- (a) To note the decision of the Standards Commission for Scotland attached as Appendix 1 of the report.

- (b) To consider appointing other councillors to the vacancies on committees or sub committees and to any other body where Councillor Drummond has been the Council's representative or nominee consequent on the suspension of the councillor.
- (c) To note that any actions the Council may decide to take having considered the decision are to be reported back to the Standards Commission.

CC(16)24 NOTICE OF MOTION: NOTICE OF CENSURE

"That Clackmannanshire Council censures Councillor Archie Drummond for failing to comply with the provisions of the Councillors Code of Conduct in that he contravened paragraphs 3.3, 3.4 and 3.5 relating to relationships with Council Employees, as well as paragraph 2 of Annex C which deals with the protocol for relationships between Councillors and Employees in Scottish Councils".

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

Voting

Councillor Craig Holden asked for a roll call vote. The Council agreed that a vote be taken by calling the roll. On calling the roll there were 17 members present who were eligible to vote

For the motion (9 votes)

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

Against the motion (8 votes)

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

Decision

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

Accordingly, the Council agreed to censure Councillor Archie Drummond for failing to comply with the provisions of the Councillors Code of Conduct in that he contravened paragraphs 3.3, 3.4 and 3.5 relating to relationships with Council Employees, as well as paragraph 2 of Annex C which deals with the protocol for relationships between Councillors and Employees in Scottish Councils.

EXEMPT INFORMATION

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

CC(16)25 ANNUAL PROPERTY REVIEW

A report was submitted by the Head of Development and Environment which provided an overview of progress on the disposal of surplus property assets since approval by Council of the previous annual review on 14 May 2015.

The Director pointed out a correction to Table 2 (Property Ref DW352)(page 87) the £40k figure has not been progressed; an alternative offer of £35k has been received.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor George Matchett.

Amendment

An amendment was moved by Councillor Graham Watt. Seconded by Councillor Ellen Forson.

Councillor Watt accepted a proposal from Councillor Holden that the first 8 words of the amendment be deleted "Prior to a sale or lease being concluded"

Decision

The motion as amended to include the deletion of the first 8 words was approved without division.

Action

Executive Director

CC(16)26 TILlicOUNTRY GLEN

A report was submitted by the Head of Development and Environment which followed on from a report to Council in October 2015.

Councillor Womersley asked that it be recorded in the minute that "Tillicoultry Glen" is in fact "Mill Glen, Tillicoultry"

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed the recommendations set out in the report.

Action

Head of Development and Environment

**CC(16)27 ECONOMIC STIMULUS INITIATIVE – DUMYAT BUSINESS PARK AND
LOCHIES ROAD, CLACKMANNAN**

A report was submitted by the Executive Director which sought Council approval to assist the relocation of an expanding business to a business development site at Dumyat Business Park.

The Executive Director pointed out a typographical error at recommendation 2.1(a); this should read 2.7 acres and not 2.9 as indicated in the report.

Motion

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

Moved by Councillor Kathleen Martin. Seconded by Councillor Irene Hamilton.

Decision

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

Action

Executive Director

Ends 1.30 pm