



**Clackmannanshire
Council**

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**THIS PAPER RELATES TO
ITEM 03
ON THE AGENDA**

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Patons Building, Kilncraigs, ALLOA, FK10 1EB, on THURSDAY 11 August 2016 at 10.00 am.

PRESENT

Provost Derek Stewart (In the Chair)
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, MBE
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Jim Stalker
Councillor Graham Watt
Councillor Gary Womersley

Religious Representatives

Pastor David Fraser, Appointed Member (Scottish Baptist Church) (Items 1-5)
Father Michael Freyne, Appointed Member (Catholic Church) (Items 1-5)

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Stephen Coulter, Head of Resources and Governance
Stuart Crickmar, Head of Strategy and Customer Services
Val de Souza, Head of Social Services
Anne Pearson, Chief Education Officer
Shiona Strachan, Chief Officer Health and Social Care Integration
Alan Milliken, Assistant Head of Education
Sharon Evenden, Manager, Early Years
Andrew Wyse, Acting Legal Services Manager, Clerk to the Council
Gillian White, Business Support to the Council

CC(16)48 APOLOGIES

Apologies were received from Councillor Les Sharp.

CC(16)49 DECLARATIONS OF INTERESTS

None.

**CC(16)50 MINUTES OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL –
2 JUNE 2016 AT 9.30 AM**

The minutes of the special meeting of the Clackmannanshire Council held on Thursday 2 June 2016 at 9.30 am were submitted for approval.

Decision

The minutes of the special meeting of the Clackmannanshire Council held on Thursday 2 June 2016 at 9.30 am were agreed as a correct record of proceedings and signed by the Provost.

**CC(16)51 MINUTES OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL –
2 JUNE 2016 AT 9.45 AM**

The minutes of the special meeting of the Clackmannanshire Council held on Thursday 2 June 2016 at 9.45 am were submitted for approval.

Decision

The minutes of the special meeting of the Clackmannanshire Council held on Thursday 2 June 2016 at 9.45 am were agreed as a correct record of proceedings and signed by the Provost.

**CC(16)52 MINUTES OF RECONVENED MEETING OF CLACKMANNANSHIRE
COUNCIL – 2 JUNE 2016 AT 10.40 AM**

The minutes of the reconvened meeting of the Clackmannanshire Council held on Thursday 2 June 2016 at 10.40 am were submitted for approval.

Decision

The minutes of the reconvened meeting of the Clackmannanshire Council held on Thursday 2 June 2016 at 10.40 am were agreed as a correct record of proceedings and signed by the Provost.

**CC(16)53 MINUTES OF MEETING OF CLACKMANNANSHIRE COUNCIL –
23 JUNE 2016**

The minutes of the meeting of the Clackmannanshire Council held on Thursday 23 June 2016 were submitted for approval.

Councillor Balsillie advised that the statement at the bottom of Page 49 of the minute regarding Councillor Campbell giving notice to amend Standing Orders was incorrect. Councillor Campbell agreed, therefore this paragraph was removed from the Minute.

Councillor Womersley also advised that his first name had been spelt incorrectly. It was agreed that minute be amended accordingly

Decision

Subject to the above amendments, the minutes of the meeting of the Clackmannanshire Council held on Thursday 23 June 2016 were agreed as a correct record of proceedings and signed by the Provost.

CC(16)54 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 23 JUNE 2016

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 23 June 2016.

- (i) Planning Committee on 30/06/16
- (ii) Licensing Board on 05/07/16
- (iii) Education Appeals Committee on 27/07/16

CC(16)55 OUTCOME OF CONSULTATION ON TULLIBODY SOUTH CAMPUS DEVELOPMENT

The report, submitted by the Chief Education Officer, provided information on the outcome of the formal consultation on the Tullibody South Campus comprising of the new build relocated St Bernadette's RC Primary School and the new build Abercromby Primary School.

Motion

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

Moved by Councillor George Matchett QPM. Seconded by Councillor Jim Stalker.

Voting

In terms of Standing Order 14.7, Councillor George Matchett QPM asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 18 members (including 2 appointed members) present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Motion (18 votes)

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
Provost Derek Stewart
Pastor David Fraser
Father Michael Freyne
Councillor Gary Womersley
Councillor Walter McAdam
Councillor Craig Holden
Councillor Tina Murphy
Councillor Irene Hamilton
Councillor Ellen Forson
Councillor Donald Balsillie

Decision

The Council unanimously agreed:

1. To the construction of a Tullibody South Campus, incorporating a new build of Abercromby PS and a relocation and new build of St Bernadette's PS within the grounds of Abercromby Primary School;

2. To declare the existing St Bernadette's PS as surplus to requirements; and
3. To note that a further report will be brought to Council in January 2017 providing information on the outcome of the further stakeholder engagement, and outlining design proposals.

Action

Chief Education Officer

** The two Appointed Members, Pastor Fraser and Father Freyne, withdrew from the Chamber at this point in the proceedings 11.50 am. Sixteen (16) members remained present.*

CC(16)56 ALLOA FAMILY CENTRE

The report, submitted by the Head of Social Services, gave an update on the information previously provided in the report that was presented to Council on 23 June 2016 on the proposed redesign of the day care service at Alloa Family Centre.

Motion

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

Moved by Councillor Graham Watt. Seconded by Councillor Janet Cadenhead.

Procedural Motion

In terms of Standing Order 15, Councillor Balsillie moved a procedural motion:

"That the report is deferred for submission of further information."

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

The Provost advised that the Procedural Motion was in order and put it to the vote.

Voting on the Procedural Motion

For the Procedural Motion	7 votes
Against the Procedural Motion	9 votes

On a division on 7 votes to 9, the Procedural Motion was defeated.

Voting on the Motion

For the motion	9 votes
Against the motion	7 votes

On a division of 9 votes to 7, the Council agreed:

1. To note the content of the report and the range of work currently being undertaken by Alloa Family Centre; and
2. 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.

Action

Head of Social Services

The Provost, on behalf of the Council congratulated the Head of Social Services, Val de Souza on her new role with South Lanarkshire Council and wished her well for the future.

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CC(16)57 COMMITTEE MATTERS AND SPOKESPERSONS

The report, submitted by the Chief Executive, asked Council to take decisions on various matters relating to committee appointments and membership, as well as to appoint two further spokespersons.

Motion

That the Council agree the recommendations as set out in the report; and that Councillor George Matchett QPM is appointed as the member of the Administration to replace Councillor Stewart on the Regulatory Committee (as set out in 2.1c of the report). Also, that Councillor Matchett QPM is appointed as Vice Chair of the Regulatory Committee (as set out in 2.1d of the report)..

Moved by Councillor Kenneth Earle. Seconded by Councillor Graham Watt.

Decision

The Council agreed to:

- a. Note the members of the main Opposition who will sit on the Scrutiny and Audit and Finance Committees:

Scrutiny Committee

Councillor Sharp, Councillor Balsillie, Councillor Forson and Councillor Hamilton

Audit and Finance Committee

Councillor Holden, Councillor Murphy and Councillor Womersley

- b. Note the resignation of Councillor Derek Stewart from the Regulatory Committee;
- c. Appoint Councillor George Matchett QPM as the member of the Administration to replace Councillor Stewart on the Regulatory Committee;
- d. Appoint Councillor George Matchett QPM as the new Vice Chair of the Regulatory Committee: and
- e. Create two new spokesperson roles and to appoint to these roles as set out below:

Spokesperson for Business and Enterprise - Depute Provost

Spokesperson for the Voluntary Sector – Chair of the Audit and Finance Committee

Action

Chief Executive

CC(16)58 COUNCILLORS' CODE OF CONDUCT – STANDARDS COMMISSION FOR SCOTLAND UPDATED GUIDANCE

The report, submitted by the Chief Executive, advised Council of updated guidance on the Councillors' Code of Conduct which has been issued by the Standards Commission for Scotland.

Motion

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

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

Decision

The Council unanimously agreed to:

- a) Note the updated guidance which was included in the Appendix to the report;
- b) Note that a training session on the Code of Conduct involving the Standards Commission is being arranged;
- c) Develop best practice protocols in relation to the aspects of the Code of Conduct which deals with "respect for other councillors and employees"; and
- d) Encourage all its members to promote and support the Code at all times.

Action

Chief Executive

The Provost adjourned the meeting at this point in the proceedings (1233 hours). When the meeting resumed at 1300 hours, fifteen (15) members remained present. (Councillor McAdam withdrew from the meeting at 1233 hours)

CC(16)59 BUDGET STRATEGY UPDATE

The report, submitted by the Depute Chief Executive, maintained Council's regular update on the Council's Budget Strategy. The report also provided an update on progress with the implementation of workforce related savings agreed in the Council's Budget on the 23rd February 2016 and the timetable for the preparation of the 2017/18 budget.

Motion

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

Moved by Councillor Janet Cadenhead. Seconded by Councillor Graham Watt.

Decision

The Council agreed to note:

- a. The economic and fiscal outlook update from Fiscal Affairs Scotland and CIPFA following the EU referendum (section 3 of the report);
- b. The revised timing of the Scottish Spending Review and local government settlement in December 2016 at the earliest (paragraph 4.5 of the report);
- c. The revised “realistic” indicative funding gap scenario, should Council tax increases be maintained at 0% (Table 2 and paragraph 4.3 of the report)
- d. Progress with budget preparation including arrangements in place for briefing elected members and trade union representatives (paragraphs 4.5 – 4.8 of the report);
- e. The high level indicative Budget preparation timeline (Appendix A and paragraph 4.9 of the report);
- f. The outcome of recent discussions with trade union representatives in respect of maximising redeployment opportunities (paragraph 4.10 of the report); and
- g. The current position with regards to both Targeted Voluntary Redundancy and Voluntary Severance (paragraphs 4.11 to 4.14 and Exhibits 1-4 of the report)

CC(16)60 PUTTING CUSTOMERS FIRST – LOCAL SERVICE PROVISION

The report, submitted by the Chief Executive and the Head of Strategy and Customer Services, brought to Council proposals from the Administration to undertake a community consultation on the development of more responsive, effective and accessible services, particularly at locality level.

Motion

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

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

** Councillor Balsillie withdrew from the meeting at 1435 hours. Fourteen (14) members remained present.*

Voting

In terms of Standing Order 14.7, Councillor Janet Cadenhead asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 14 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Motion (9 votes)

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
Provost Derek Stewart

Against the Motion (5 votes)

Councillor Gary Womersley
Councillor Craig Holden
Councillor Tina Murphy
Councillor Irene Hamilton
Councillor Ellen Forson

Decision

On a division of 9 votes to 5, the Council::

1. a. Noted the Administration’s vision to improve services and more effectively achieve priority outcomes;
b. Agreed to undertake community consultation as set out at section 5 of the report;
c. Agreed not to proceed with certain previous decisions of Council as set out at section 6 of the report; and
d. Noted that a report outlining the results of the proposed consultation and bringing forward specific proposals to implement the vision will be brought back to the Council meeting in November of this year.
2. Noted that, with reference to 1c. above, the Provost had been consulted and stated that he is of the view that with the resignation of the former Administration in May and the appointment of the new Administration in June circumstances have changed in a relevant way, such that in accordance with Standing Orders decisions taken within the previous six months could be withdrawn/altered .

Action

Chief Executive and Head of Strategy and Customer Services

** Councillor Balsillie re-joined the meeting prior to the next item of business. Fifteen (15) members were now present.*

CC(16)61 ADVICE SERVICES

The report, submitted by the Head of Housing and Community Safety, recommended supporting Citizen’s Advice Bureau (CAB) to provide additional money advice services whilst reconfiguring the services provided by the Council to concentrate on early preventative work.

Procedural Motion

In terms of Standing Order 15, The Provost indicated his consent to a procedural motion:

“That consideration of the report is deferred pending the outcome of a grievance lodged by the Union.”

Moved by Councillor George Matchett QPM . Seconded by Councillor Graham Watt

The Provost put the matter to the vote.

Voting on the Procedural Motion

For the Procedural Motion 9 votes
Against the Procedural Motion 6 votes

Decision

On a division on 9 votes to 6, the Procedural Motion was carried. Therefore consideration of the report was deferred pending the outcome of a grievance lodged by the Trade Union.

Action

Head of Housing and Community Safety

CC(16)62 INTEGRATION OF HEALTH AND SOCIAL CARE SERVICES

The report, submitted by the Chief Officer, Health and Social Care Integration, provided an update to the Council on the progress to plan and implement health and social care in line with the provisions of the Public Bodies (Joint Working) (Scotland) Act 2014 and the accompanying guidance and regulations. The report built on the previous report to Housing, Health and Care Committee on 28 January 2016.

Motion

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

Moved by Councillor Graham Watt. Seconded by Councillor Janet Cadenhead.

Amendment

To add:

- 2.4 Council is also asked to agree that further to the Council's decision on 23 June 2016 to agree to "*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 and Social Care integration*", the Council Leader and Chief Executive should write to the Chair of NHS Forth Valley and the Leader of Stirling Council to ask them to agree to that same principle and to work with the Council to set a transfer date for as early as practicable.

Moved by Councillor Donald Balsillie. Seconded by Ellen Forson

Decision

The Council agreed:

1. To note the publication of the Strategic Plan and supporting documents;
2. To note that the Integration Joint Board is now fully constituted and Directions have been issued;
3. To note the content of the report Audit Scotland [2016], Changing models of health and social care; and
4. That further to the Council's decision on 23 June 2016 to agree to "*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 and Social Care integration*", the Council Leader and Chief Executive should write to the Chair of NHS Forth Valley and the Leader of Stirling Council to ask them to agree to that same principle and to work with the Council to set a transfer date for as early as practicable.

Action

Chief Officer, Health and Social Care Integration

**CC(16) PROPOSED COUNCIL CHAMBER AND ELECTED MEMBER
ACCOMMODATION AT KILNCRAIGS**

The report, submitted by the Executive Director, provided Council with the opportunity to consider the facilities being provided at Kilncraigs for Elected Members. This included the design and layout of the new Council Chamber and allocation of Group and individual rooms.

Motion

That the Council agrees the preferred seating arrangement is Option 2 as set out in Appendix 2; and that the preferred accommodation arrangement for Member rooms is Option 2 as set out in Appendix 4.

Moved by Councillor George Matchett QPM. Seconded by Councillor Kenneth Earle.

Voting

For the motion	8 votes
Against the motion	6 votes

Decision

On a division of 8 votes to 6, the Council agreed that the preferred seating arrangement is Option 2 as set out in Appendix 2; and that the preferred accommodation arrangement for Member rooms is Option 2 as set out in Appendix 4.

Action

Executive Director

Ends: 3.00 pm