

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, ALLOA, FK10 1EB, on THURSDAY 13 OCTOBER 2016 at 10.00 am.

PRESENT

Depute Provost Jim Stalker (In the Chair)
Councillor Donald Balsillie
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Kenneth Earle
Councillor Irene Hamilton
Councillor Craig Holden
Councillor Kathleen Martin
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Graham Watt
Councillor Gary Womersley

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Stephen Coulter, Head of Resources and Governance
Stuart Crickmar, Head of Strategy and Customer Services
Ahsan Khan, Head of Housing and Community Safety (Items 1 – 9)
Gordon McNeil, Head of Development and Environment
Celia Gray, Head of Social Services and CSWO
Lindsay Sim, Chief Accountant
Andy Wyse, Solicitor, Clerk to the Council

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The Depute Provost welcomed everyone to the new Council Chamber and thanked everyone involved in getting Council Chambers ready for the meeting.

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On behalf of the Council, the Provost welcomed Celia Gray, Head of Social Services to her first meeting of the Clackmannanshire Council and wished her well in her new post.

CC(16)72 APOLOGIES

Apologies for absence were received from Provost Derek Stewart, Councillor Les Sharp and Councillor Ellen Forson.

CC(16)73 DECLARATIONS OF INTERESTS

Councillor Kathleen Martin and Councillor Irene Hamilton declared a non financial interest in item 8 Clackmannan Regeneration Project as they are both ordinary members of Clackmannan Development Trust.

**CC(16)74 MINUTES OF MEETING OF CLACKMANNANSHIRE COUNCIL -
8 SEPTEMBER 2016**

The minutes of the meeting of the Clackmannanshire Council held on 8 September 2016 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 8 September 2016 were agreed as a correct record of proceedings and were signed by the Depute Provost.

**CC(16)75 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL
MEETING ON 8 SEPTEMBER 2016**

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 8 September 2016.

- (i) Audit and Finance Committee on 15 September 2016
- (ii) Regulatory Committee on 20 September 2016
- (iii) Planning Committee on 22 September 2016
- (iv) Local Review Body on 22 September 2016
- (v) Clackmannanshire Licensing Board on 27 September 2016

CC(16)76 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report was submitted by the Chief Executive which sought Council approval of recommendations which had been made by the Audit and Finance Committee on 15 September 2016.

Decision

The Council agreed:

- (1) From the Audit and Finance Committee of 15 September 2016 in relation to the report entitled, "External Audit Final Report to Members on the 2015/16 Audit"
 - To approve the final amended Accounts for 2015/16.
- (2) From the Audit and Finance Committee of 15 September 2016 in relation to the report entitled, "Council Financial Performance 2016/17 – June Outturn"
 - To approve the additional funding of £150k for the Scottish Welfare Fund from the underspend within Housing and Community Safety"
- (3) From the Audit and Finance Committee of 15 September 2016 in relation to the report entitled "Social Services Finance Report"
 - To approve the Child Care External Placements provider uplift request from Seamab and consider appropriate governance.
 - To approve the creation of the £2 million Earmarked Reserve for Social Services in 2016/17.

Action

Chief Executive

CC(16)77 POLITICAL BALANCE AND COMMITTEE MEMBERSHIP

A report was submitted by the Chief Executive which advised Council of a change in the political balance of the Council and of the implications of that change for the Council's political decision-making framework. The Chief Executive advised that as Councillor Cadenhead had withdrawn her resignation as Chair of the Audit and Finance Committee and recommendations d) and f) in the report were not being put forward.

Motion

That Council agrees that recommendations as set out in the report with the exception of recommendations (d) and (f).

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

Councillor McGill advised that Councillor Watt will step down from the Audit and Finance Committee, Councillor Martin will step down from the Planning Committee and Councillor Cadenhead will step down from the Regulatory Committee.

Councillor Balsillie advised that Councillor Drummond would take up membership of the Audit and Finance Committee, Planning Committee and Regulatory Committee.

Decision

The Council agreed to :

- (a) Note that Councillor Archie Drummond has joined the SNP political group;
- (b) Note the impact of that on the Council's political balance generally and specifically the implications in respect of the membership of certain Council committees;
- (c) The changes in the membership balance of the Audit and Finance Committee, the Planning Committee and the Regulatory Committee as intimated by Councillor McGill and Balsillie.

Action

Chief Executive

**Councillor Earle withdrew from the meeting during the next item of business. Thirteen (13) members remained present.*

CC(16)78 BUDGET STRATEGY UPDATE

A report was submitted by the Depute Chief Executive which maintained Council's regular update on the Council's Budget Strategy. The report also provided an update on financial planning assumptions and the associated potential impact on the indicative funding gap in 2017/18, and progress with the implementation of workforce related savings agreed in the Council's Budget on the 23 February 2016.

Motion

That Council agrees to note the recommendations set out in 2.1 (a) to (f) of the report, to approve 2.2a as set out in the report and to approve 2.2b as set out in the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Bobby McGill

Councillor Balsillie asked that the Council vote on recommendation 2.1, 2.2a and 2.2b as separate items. It was agreed that these recommendations would be taken separately.

Decision on recommendation 2.1 (a) to (f)

The Council agreed unanimously to note:

- (a) the potential timing of the Scottish Draft Budget (as set out in paragraph 3.4 of the report)
- (b) information on key aspects of the Scottish Government's Programme for Scotland 2016/17 which provides an indication of budget priorities (as set out in paragraphs 3.6 and 3.7 of the report).
- (c) the refresh of financial planning assumptions and the indicative funding gap impacts in 2017/18 (as set out in Tables 1 and 2 and paragraphs 4.1 to 4.5 of the report).
- (d) the proposals in respect of implementing Community Matters, Clackmannanshire Council's participatory budgeting pilot (as set out at paragraphs 4.6 to 4.9 of the report).
- (e) progress in the discussions with trade union representative on the implementation of unsocial hours changes in terms and conditions which were agreed as part of the 2016/17 Budget (as set out at paragraphs 4.10 to 4.12 of the report).
- (f) progress with regards the implementation of workforce related savings in 2016/17 in respect of Targeted Voluntary Redundancy and Voluntary Severance (as set out at paragraphs 4.13 to 4.16 of the report);

Decision on recommendation 2.2 (a)

The Council agreed unanimously to approve delegation of authority to senior managers to identify and include additional posts in the TVR pool during 2016/17 to provide potential compensatory savings for those not implemented to date (as set out at paragraph 4.16 of the report).

Voting on Recommendation 2.2 (b)

For the motion	7
Against the motion	6
Abstain from voting	0

Decision on Recommendation 2.2 (b)

On a division of 7 votes to 6 with 0 abstentions, the Council agreed to approve capital funding of £69k to establish Community Matters, the Council's Participatory Budgeting pilot (as set out at paragraph 4.9 of the report)

Action

Depute Chief Executive

CC(16)79 CLACKMANNAN REGENERATION PROJECT

A report was submitted by the Head of Strategy and Customer Services which updated Council on an award of £2 million for the regeneration of Clackmannan as part of the Scottish Government's Economic Development Fund.

Councillor Kathleen Martin and Councillor Irene Hamilton declared a non financial interest in this item as they are both ordinary members Clackmannan Development Trust. Councillors Martin and Hamilton both remained within the Chamber and participated in the item.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Kathleen Martin. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed to note and endorse the Clackmannan Regeneration Project.

Action

Head of Strategy and Customer Services

CC(16)80 STRATEGY AND REGENERATION UPDATE

A report was submitted by the Head of Housing and Community Safety which provided an update on the affordable housing programme and reported on the recent legislative changes introduced by the Housing (Scotland) Act, 2014.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Kathleen Martin. Seconded by Councillor Bobby McGill.

Decision

The Council agreed unanimously to :

- (1) approve the draft Strategic Local Programme, including the shadow programme, for 2016/17 onwards to deliver new affordable housing as detailed in the report;
- (2) approve Clackmannan as the preferred location for the site to be supported by the pension fund;
- (3) approve £230,000 of the 2016/17 Housing Revenue Account budget of £1,530,000 to be earmarked to cover the refurbishment costs of properties purchased; and
- (4) note the remainder of the report, having commented on and challenged it.

Action

Head of Housing and Community Safety

The Depute Provost adjourned the meeting at this point in the proceedings (1218 hours). When the meeting resumed at 1245 hours, eleven (11) members remained present. (Councillor Campbell and Councillor Hamilton withdrew from the meeting during the adjournment)

CC(16)81 STREET LIGHTING LED LANTERN REPLACEMENT PROGRAMME ACCLERATION

A report was submitted by the Head of Development and Environment which updated Council on progress with the LED Lantern Replacement Programme, sought Council's approval to accelerate the programme and the associated energy and revenue savings through the programme and street light dimming.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Kathleen Martin. Seconded by Councillor George Matchett, QPM.

Decision

The Council agreed unanimously to approve:

- (1) amendments to the Council's Capital Programme to increase the funding available for the street lighting LED lantern replacement in financial years 2016/17 and 2017/18 as set out in paragraph 3.6 of the report;
- (2) dimming of street lights to 75% luminance between midnight and 6 am; and
- (3) an application for, and acceptance of a Scottish Government backed interest free loan of £400,000 from SALIX Ltd as part funding towards the Street Lighting Replacement Programme.

Action

Head of Development and Environment.

CC(16)82 PUBLIC BODIES' CLIMATE CHANGE DUTIES: CLACKMANNANSHIRE COUNCIL ANNUAL REPORT

A report was submitted by the Head of Development of Environment which gave an overview of Clackmannanshire Council's compliance with its climate change duties, with measures to improve performance relating to sustainability and climate change.

Motion

That Council agrees the recommendation set out in the report.

Moved by Councillor Kathleen Martin. Seconded by Councillor Graham Watt.

Decision

The Council unanimously agreed to approve the report on Clackmannanshire Council's progress in delivering its climate change duties (as set out in Appendix 1 of the report), for submission to the Scottish Government.

Action

Head of Development and Environment

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 item 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)83 PROPERTY REVIEW 2016/17

A report was submitted by the Head of Development and Environment which sought Council approval for property disposals/acquisitions.

**Councillor Walter McAdam, MBE withdrew from the Chamber during questions to this item. Ten (10) members remained present.*

Motion (a)

That Council agrees the recommendation 2.1(a) as set out in the report.

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

Decision on recommendation 2.1 (a)

The Council unanimously agreed recommendation 2.1(a) set out in the report.

Motion (b)

That Council agrees the recommendation 2.1(b) as set out in the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Bobby McGill.

Decision on recommendation 2.1 (b)

The Council unanimously agreed recommendation 2.1(b) set out in the report.

Motion (c)

That Council agrees the recommendation 2.1(c) as set out in the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Bobby McGill.

Decision on recommendation 2.1 (c)

The Council unanimously agreed recommendation 2.1(c) set out in the report.

Motion (d)

That Council agrees the recommendation 2.1(d) as set out in the report.

Moved by Councillor Kathleen Martin seconded by Councillor Bobby McGill

Decision on recommendation 2.1 (d)

The Council unanimously agreed recommendation 2.1(d) set out in the report.

**Councillor Janet Cadenhead withdrew from the Chamber during part (e) this item. Nine (9) members remained present.*

Motion (e)

That Council agrees the recommendation 2.1(e) as set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Kathleen Martin.

Amendment to (e)

That a further report will be brought back to Council.

Moved by Councillor Donald Balsillie. Seconded by Councillor Craig Holden.

Voting on Amendment to (e)

For the amendment 4 votes

Against the amendment 5 votes

On a division of 4 votes to 5, the amendment was defeated.

Vote on recommendation 2.1 (e)

In terms of Standing Order 14.7, Councillor Craig Holden asked for a roll call vote. At this point there were 9 members present who were eligible to vote. On the roll being called the members presented voted as follows:

For (5 votes)

Councillor George Matchett, QPM

Councillor Bobby McGill

Councillor Jim Stalker

Councillor Kathleen Martin

Councillor Graham Watt

Against (4 votes)

Councillor Craig Holden

Councillor Donald Balsillie

Councillor Gary Womersley

Councillor Tina Murphy

Abstention (0 votes)**Decision**

On a division of 5 votes to 4 with 0 abstentions, the Council agreed to recommendation (e) as set out in the report.

Motion (f)

That Council agrees the recommendation 2.1(f) as set out in the report.

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

Decision on recommendation 2.1 (f)

The Council agreed recommendation 2.1(f) as set out in the report and agreed that a report should come back to next Council.

Action

Head of Development and Environment.

Ends 1445 hrs