



**Clackmannanshire
Council**

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

Meeting of Clackmannanshire Council

Thursday 12 January 2017 at 10.00 am.

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

Contact Resources and Governance (Legal Services), Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB
Phone: 01259 452106/452004 E-mail: customerservice@clacks.gov.uk Web: www.clacksweb.org.uk

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 Committee Services by e-mail at customerservice@clacks.gov.uk or by telephone on 01259 452106 or 452004.

4 January 2017

A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 12 JANUARY 2017 at 10.00 am.

**ELAINE McPHERSON
Chief Executive**

B U S I N E S S

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1. Apologies	--
2. Declaration of Interests Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
3. Confirm Minutes of Meeting held on 15 December 2016 (Copy herewith)	07
4. Committee Meetings Convened Since the Previous Council Meeting on 15/12/16 <i>(For information only)</i> <ul style="list-style-type: none">• Scrutiny Committee on 20/12/16	--
5. Update of Tullibody South Campus Development – report by Chief Education Officer (Copy herewith)	17
6. Scheme for the Establishment of Community Councils – report by the Head of Strategy and Customer Services (Copy herewith)	21

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 9 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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| 7. | Proposed Lease or Sale of the Former Gartmorn Dam Visitor Centre – report by the Head of Development and Environment (Copy herewith) | 27 |
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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	2	Clackmannanshire North	SNP
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

Appointed Members (3)

Rev Sang Y Cha	Church of Scotland
Father Michael Freyne	Roman Catholic Church
Pastor David Fraser	Scottish Baptist Church

Nb. Religious representatives (Appointed Members) only have voting rights on matters relating to the discharge of the authority's function as education authority.

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on THURSDAY 15 DECEMBER 2016 at 10.00 am.

PRESENT

Depute Provost Jim Stalker (In the Chair)
Councillor Donald Balsillie
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Archie Drummond
Councillor Kenneth Earle
Councillor Kathleen Martin (Items 1-18)
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE (Items 1-9)
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Graham Watt
Councillor Gary Womersley (Items 1-17)

Rev Sang Y Cha, Appointed Member (Church of Scotland) (items 1-6)
Pastor David Fraser, Appointed Member (Scottish Baptist Church) (items 5-6)
Father Michael Freyne, Appointed Member (Roman Catholic Church) (items 1-6)

IN ATTENDANCE

Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Stephen Coulter, Head of Resources and Governance
Stuart Crickmar, Head of Strategy and Customer Services
Celia Gray, Head of Social Services/Chief Social Work Officer
Ahsan Khan, Head of Housing and Community Safety
Gordon McNeil, Head of Development and Environment
Ann Pearson, Chief Education Officer
Murray Sharp, Service Manager (Strategy and Revenues)
Lindsay Sim, Chief Accountant
Andrew Wyse, Acting Legal Services Manager (Clerk to the Council)
Gerry Collins, Audit Scotland (Observer) (Items 1-17)

CC(16)93 APOLOGIES

Apologies for absence were received from Provost Derek Stewart, Councillor Ellen Forson, Councillor Irene Hamilton and Councillor Craig Holden.

In the absence of the Provost, the meeting was chaired by the Depute Provost, Councillor Jim Stalker.

CC(16)94 DECLARATIONS OF INTEREST

Councillor Kathleen Martin declared an interest in agenda item 18 as an ordinary member of Clackmannan Development Trust.

CC(16)95 MINUTES OF MEETING HELD ON 10 NOVEMBER 2016

The minutes of the meeting of the Clackmannanshire Council held on 10 November 2016 were submitted for approval.

The minutes of the meeting of the Clackmannanshire Council held on 10 November 2016 were agreed as a correct record of proceedings and signed by the Depute Provost.

CC(16)96 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 10 NOVEMBER 2016

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 10 November 2016 as:

- (i) Audit and Finance Committee on 17 November 2017
- (ii) Clackmannanshire Licensing Board on 23 November 2016
- (iii) Clackmannanshire Licensing Board on 29 November 2016

CC(16)97 ASSESSMENT OF CHILDREN'S PROGRESS – TEACHER PROFESSIONAL JUDGEMENT DATA COLLECTION 2016

A report was submitted by the Chief Education Officer which updated the Council on the Data Collection of Teacher Professional Judgement for 2016 which was submitted to the Scottish Government in September. The Chief Education Officer provided a further update at the meeting on what had been published

Motion

That Council notes the information set out in the report.

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

Decision

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

CC(16)98 EMPOWERING TEACHERS, PARENTS AND COMMUNITIES TO ACHIEVE EXCELLENCE AND EQUITY IN EDUCATION: A GOVERNANCE REVIEW

A report was submitted by the Chief Education Officer which advised Council of the Scottish Government's Governance Review on how education is run. The report sought Council's views on a draft response to this consultation.

Motion

That Council agrees the recommendations set out in the report.

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

Voting

In terms of Standing Order 14.8, Councillor Archie Drummond for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 14 elected members and 3 appointed members present who were eligible to vote. On the roll being called, the elected members and appointed members present voted as follows:

For the Motion (11 votes)

Councillor Bobby McGill
Councillor Graham Watt
Councillor George Matchett, QPM
Councillor Janet Cadenhead
Councillor Kathleen Martin
Councillor Kenneth Earle
Councillor Alastair Campbell
Depute Provost Jim Stalker
Rev Sang Y Cha
Pastor David Fraser
Father Michael Freyne

Against the Motion (6 votes)

Councillor Les Sharp
Councillor Donald Balsillie
Councillor Archie Drummond
Councillor Gary Womersley
Councillor Tina Murphy
Councillor Walter McAdam

The motion was carried by 11 votes to 6.

Decision

Accordingly, on a division of 11 votes to 6, the Council agreed to:

- (1) Note the Governance Review and the main questions it covers as attached at Appendix 1 of the report.
- (2) Approve the draft response to the consultation on the review as set out in Appendix 2 of the report.

Action

Chief Education Officer

- *All three appointed members withdrew from the meeting at this point in the proceedings (1145 hrs)*

CC(16)99 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report was submitted by the Chief Executive which sought Council approval of a recommendation which had been made by the Audit and Finance Committee on 17 November 2016.

Decision

The Council agreed:

- (1) From the Audit and Finance Committee of 17 November 2016 in relation to the report entitled, "Council Financial Performance 2016/17 – August Outturn"

- To approve the reallocation of funding of £60k from underspends within the existing GF capital programme for a new project to upgrade security arrangements at Kelliebank.

Action

Chief Executive

CC(16)100 SCRUTINY COMMITTEE MEMBERSHIP

A report was submitted by the Executive Director which asked Council to appoint a replacement member to the Scrutiny Committee.

The Council agreed unanimously to appoint Councillor Archie Drummond to the Scrutiny Committee as a replacement member for Councillor Irene Hamilton.

Action

Executive Director

CC(16)101 WORKFORCE COMMITTEE – PROPOSED CHANGE IN REMIT

A report which sought Council approval to change the remit of the Workforce Committee was submitted by the Leader of the Council.

Motion

That Council removes from the remit of the Workforce Committee the hearing of appeals by employees below the level of Head of Service.

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

Voting

In terms of Standing Order 14.8, Councillor Les Sharp 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 (8 votes)

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

Against the Motion (6 votes)

Councillor Les Sharp
 Councillor Donald Balsillie
 Councillor Gary Womersley
 Councillor Archie Drummond
 Councillor Tina Murphy
 Councillor Walter McAdam, MBE

Decision

Accordingly, on a division of 8 votes to 6, the Council agreed to remove from the remit of the Workforce Committee the hearing of appeals by employees below the level of Head of Service.

Action

Chief Executive

The Depute Provost adjourned the meeting at this point in the proceedings (1230 hrs). When the meeting resumed at 1300 hrs, twelve (12) members were present. Councillor McAdam withdrew from the meeting at 1230 hrs.

Councillor Martin re-joined the meeting at 1330 hrs during debate on the following item. Thirteen members (13) were present at this point in the proceedings.

CC(16)102 BUDGET STRATEGY UPDATE

A report which maintained Council's regular update on the approved budget strategy was submitted by the Depute Chief Executive. The report also provided an update on the fiscal outlook, the UK Chancellor's Autumn Statement, Budget 2017/18 preparations and progress with the implementation of workforce related savings agreed in the Council's Budget on the 23 February 2016.

Motion

That Council notes the information set out in the report.

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

Decision

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

- (a) The fiscal outlook and information on the incidence of savings across Scottish Local Government (Section 3 of the report)
- (b) That recent SPICe analysis suggests that Clackmannanshire is experiencing the greatest budget pressure of all 32 Scottish Councils (paragraph 3.6 of the report).
- (c) Key messages from the UK Government's Autumn Statement made on 23 November 2016 (paragraph 3.7 of the report).
- (d) The new financial planning scenario based on the most recent feedback received in respect of financial planning assumptions (Table 4).
- (e) The timing of the Scottish Draft Budget on 15 December 2016 and the members' briefing arranged for the 22 December 2016.
- (f) Budget preparation activity detailed in paragraphs 4.4 to 4.8 of the report.
- (g) Those savings proposals which will form the basis of consultation in December 2016 and January 2017 (Appendix A of the report).
- (h) The latest version of the Focus on Finance newsletter (Appendix B of the report).
- (i) Progress with regard the implementation of workforce related savings in 2016/17 in respect of targeted voluntary redundancy and voluntary severance (paragraphs 4.09 to 4.12 of the report).

CC(16)103 TREASURY MANAGEMENT UPDATE AT 30 SEPTEMBER 2016

A report which presented an update of Treasury Management activity for the period to 30 September 2016 was submitted by the Chief Accountant. The mid year report ensures that Council is implementing best practice in accordance with the CIPFA Code of Practice for Treasury Management.

Motion

That Council notes and considers the mid year review of the Council's Treasury Management activities.

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

Decision

The Council agreed to note and consider the mid year review of the Council's Treasury Management activities.

CC(16)104 INTERIM PROCUREMENT STRATEGY REPORT

A report was submitted by the Head of Resources and Governance which advised Council of the Procurement Reform (Scotland) Act 2014 Section 15 which states that the Council must prepare a procurement strategy by 31 December 2016.

The interim procurement strategy covers the remainder of the Council's 2016/17 financial year and its full 2017/18 financial year.

Motion

That Council notes the information set out in the report.

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

Decision

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

- (a) That during 2017/18 the Council will undertake relevant and proportionate consultation to prepare a full procurement strategy.
- (b) That a paper will be presented to Council on the full Procurement strategy once the consultation and engagement has been completed.

Action

Head of Resources and Governance

CC(16)105 COUNCIL TAX REGULATIONS SCOTLAND

A report was submitted by the Head of Housing and Community Safety which provided an update on the changes to Council Tax regulations applying from the start of financial year 2017/18.

The Scottish Government has published a Statutory Instrument to change the proportion of Council Tax collected at certain bands. Final details to be confirmed formally in the Local Government Finance Settlement expected on 15 December 2016.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed unanimously that the Council will no longer give any discount on second homes from April 2017.

The Council also agreed to note:

- the implications of the proposed changes to Council Tax regulations from April 2017
- the communication to households regarding the introduction of the changes to Council Tax Bands E-H
- The process and timing for issuing Council Tax bills and rent increase notifications for 2017/18.

Action

Head of Housing and Community Safety

CC(16)106 STRATEGIC HOUSING INVESTMENT PLAN 2017-2022

A report was submitted by the Head of Housing and Community Safety which sought approval of the Strategic Housing Development Plan (SHIP). The SHIP sets out the policy framework for affordable housing development in Clackmannanshire over the next 5 years.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

Having noted the information set out in the report and having commented on and challenged the report, the Council agreed to approve the Strategic Housing Investment Plan for 2017-2022, including the 5 year programme of housing sites, detailed in Appendices 1 and 2 of the report.

Action

Head of Housing and Community Safety

CC(16)107 SOCIAL SERVICES COMPLAINTS REVIEW COMMITTEE MEETING

A report was submitted by the Head of Resources and Governance which informed the Council that the Social Services Complaints Review Committee met on 8 November 2016. The findings and any observations from that meeting require to be reported to Council.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Archie Drummond.

Decision

The Council agreed to consider and endorse the findings of the Social Work Complaints Review Committee and to request that the Head of Social Services reports to the next Scrutiny Committee (16 February 2017) in response to the observations made by the Committee.

Action

Head of Social Services

CC(16)108 SOCIAL SERVICES SCRUTINY REVIEW: INTERIM REPORT

A report was submitted by the Executive Director which provided an interim report on the Social Services Scrutiny Review, the scope for which was agreed by the Resources and Audit Committee on 21 April 2016. The report detailed progress against each of the key aspects outlined in the scope document, progress on key lines of enquiry identified as part of the review and the next steps for completion of the review.

Motion

That Council agrees to note the information set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Graham Watt.

Decision

The Council agreed to note:

- (a) The activity and progress since September (paragraphs 2.11 and 2.12 of the report)
- (b) Progress against the agreed scope set out in table 1 of the report, and
- (c) The next steps (paragraphs 2.14 to 2.15 of the report)

CC(16)109 CITY DEAL

A report was submitted by the Head of Development and Environment which updated Council on 'City Deal' following the Chancellor of the Exchequer's announcement of a Clackmannanshire and Stirling City Deal and sought approval to collocate financial resource to support development and to establish steering arrangements to take forward City Deal activities.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Bobby McGill. Seconded by Councillor Les Sharp.

Decision

The Council agreed unanimously to:

- (1) Welcome the UK and Scottish Government's support for a Clackmannanshire and Stirling City Deal.
- (2) Allocate £500,000 in the 2017/18 Capital Programme for City Deal development.
- (3) Earmark up to £100,000 from the Council's General Fund uncommitted reserves to support City Deal development in the 2016/17 financial year.
- (4) Establish an Officer/Member Steering forum as set out in the report to take forward City Deal developments.
- (5) Establish a Clackmannanshire City Deal Advisory Board as set out in the report.

Action

Head of Development and Environment

- *Councillor Womersley withdrew from the meeting at this point in the proceedings (1532 hrs). Twelve (12) members remained present.*

EXEMPT INFORMATION

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

CC(16)110 CLACKMANNAN REGENERATION PROJECT

Councillor Kathleen Martin had previously declared an interest in this item as an ordinary member of Clackmannan Development Trust (CC(16)94 Declarations of Interests).

A report was submitted by the Executive Director which updated Council on the progress of the Clackmannan Regeneration Project and sought authority to pursue particular actions to ensure the Scottish Government's Economic Development Fund award is legally committed by 31 March 2017.

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 the recommendations set out in the report.

Action

Executive Director

- *Councillor Martin withdrew from the meeting at this point in the proceedings (1545 hrs). Eleven (11) members remained present.*

CC(16)111 PROPOSED SALE OF 15/15A MAR STREET, ALLOA, AND 5 TRON COURT, TULLIBODY

A report was submitted by the Head of Development and Environment which asked Council to consider two offers to purchase 15/15A Mar Street, and to consider declaring 5 Tron Court surplus to requirements.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Kenneth Earle.

Amendment

That Council agrees recommendation 2.1(b) to declare 5 Tron Court surplus to requirements but defers a decision for a six months period on recommendation 2.1(a) to sell until Council has further details in relation to 'City Deal'.

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

Voting

In terms of Standing Order 14.8, Councillor Archie Drummond asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 11 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Amendment (4 votes)

Councillor Archie Drummond
Councillor Les Sharp
Councillor Donald Balsillie
Councillor Tina Murphy

For the Motion (7 votes)

Councillor Alastair Campbell
Councillor Kenneth Earle
Councillor Janet Cadenhead
Councillor George Matchett, QPM
Councillor Graham Watt
Councillor Bobby McGill
Depute Provost Jim Stalker

Decision

Accordingly, on a division of 7 votes to 4, the amendment fell and Council agreed to approve recommendations 2.1(a) and 2.1(b) as set out in the report.

Action

Head of Development and Environment

Ends 1610 hrs

Report to: Clackmannanshire Council

Date of Meeting: 12 January 2017

Subject: Update of Tullibody South Campus Development

Report by: Chief Education Officer

1.0 Purpose

- 1.1 The purpose of this report is to update Council on the progress in relation to the consultation on the design and build of the new Abercromby and St Bernadette's primary schools and nursery. It outlines the current timetable for completion of this project and occupancy of the schools.
- 1.2 A further progress report will be brought to Council in April 2017.

2.0 Recommendations

It is recommended that the Council:

- 2.1 Note the progress to date on consultation around the campus and the planned activities for early 2017.
- 2.2 Note that a further progress report will be brought forward to Council in April 2017.

3.0 Considerations

- 3.1 Following the Council decision on 11 August 2016 to agree to build the new schools and early years facilities on the site of the current Abercromby Primary School, the Council has been working with Hubco, who are the private public sector partnership organisation set up to deliver public sector contractor projects. Hubco will assist the Council with the procurement of external architects and construction company. Interviews for these are scheduled for the middle to the end of January.

3.2 Meetings have taken place with staff from Abercromby and St Bernadette's School to explore with them the opportunities around joint working and what the new campus will offer. These meetings also outlined the timetable for the design and construction of the campus. Initial meetings have also taken place with the Tullibody Community Council and the Tullibody Action Group to make them aware of timescales.

3.3 The timescale for the project is as follows:

- January 2017 – Appointment of Architect and Building Contractor.
- January – March 2017 – Detailed consultation on design proposals including the effective use of external space within the ground of the schools.
- February 2017 – Design workshop with staff from Abercromby and St Bernadette's school.
- February 2017 – Visits to other shared campuses in neighbouring authorities particularly Fife and Perth & Kinross.
- February – March 2017 – Discussions with Community Council, Tullibody Action Group, Parent Councils, Church representatives.
- April 2017 – Design brief submitted to Clackmannanshire Council Meeting.
- May 2017 – February 2018 – Finalise design and fully cost design proposals.
- March 2018 – July 2019 – Build and fit out, schools and nursery.
- August 2019 Handover of school.
- August 2019- March 2020 Demolition of current building and landscaping of grounds.

4.0 Sustainability Implications

4.1 The creation of a new campus will allow the school to move from an existing energy inefficient building to a modern efficient building.

5.0 Resource Implications

- 5.1 The estimated cost of the project is currently £15.35m. Funding of £5.35m has been secured through the Scottish Government Schools for the Future Fund. Clackmannanshire Council agreed, as part of its budget in February 2016, to allocate £11.25m for the project.
- 5.2 Finance have been consulted and have agreed the financial implications as set out in this report. Yes
- 5.3 Consultations will take place with Trade Unions over any staffing implications of creating the campus.

6.0 Exempt Reports

- 6.1 Is the 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)
- | | |
|--|-------------------------------------|
| 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 checked="" type="checkbox"/> |
| Our communities are safer | <input checked="" type="checkbox"/> |
| Vulnerable people and families are supported | <input checked="" type="checkbox"/> |
| Substance misuse and its effects are reduced | <input checked="" type="checkbox"/> |
| Health is improving and health inequalities are reducing | <input checked="" type="checkbox"/> |
| The environment is protected and enhanced for all | <input checked="" type="checkbox"/> |
| The Council is effective, efficient and recognised for excellence | <input checked="" type="checkbox"/> |

- (2) Council Policies (Please detail)

Not applicable

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

9.0 Legality

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

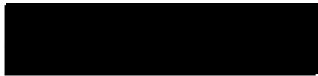
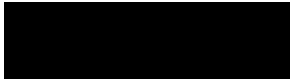
10.0 Appendices

11.0 Background Papers

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Michael Boyle	Service Manager	2444

Approved by

NAME	DESIGNATION	SIGNATURE
Anne M Pearson	Chief Education Officer	
Garry Dallas	Executive Director	

Report to Clackmannanshire Council

Date of Meeting: 12 January 2017

Subject: Scheme for the Establishment of Community Councils

Report by: Head of Strategy & Customer Services

1.0 Purpose

- 1.1. The purpose of this report is to obtain approval to review the Scheme for the Establishment of Community Councils to allow for revisions in keeping with changing circumstances.

2.0 Recommendations

- 2.1. It is recommended that Council:

2.1.1. agrees to propose a new Scheme for the Establishment of Community Councils

2.1.2. agrees to give public notice of its intention to revoke the existing scheme and make a new scheme, inviting the public, within a period of not less than eight weeks from the date of the notice, to make suggestions as to the areas and composition of the community councils in Clackmannanshire.

3.0 Considerations

- 3.1. According to the Local Government (Scotland) Act 1973, the general purpose of a community council, in addition to any other purpose which a community council may pursue, is to ascertain, co-ordinate and express to the local authorities for its area the view of the community which it represents and to take such action in the interests of their community as appears to the community council to be expedient and practicable.
- 3.2. To ensure that Community Councils have a framework within which to exist and operate, Clackmannanshire Council has a statutory duty to draw up a Scheme for the Establishment of Community Councils (the Scheme) containing provisions such as community council boundaries, composition, and arrangements for elections, meetings and financing. The Scheme has precedence over and dictates the content of the other governing documents, such as the Community Council constitution.

- 3.3. Following the last revision to Clackmannanshire Council's Scheme in 2011, the Council committed to reviewing the contents and its effectiveness following the 2016 community council elections. These took place in October 2016.
- 3.4. The current Scheme is effective in maintaining the principles underlying highly democratic community councils however feedback from community councils over the course of the intervening period indicates that there is further scope to modernise community council governance to make it more inclusive, and better enable participation in local democracy.
- 3.5. The timing of the proposed review follows a period in which community councils have led and engaged in considerable amount of debate around the Strengthening Local Democracy agenda and on the implications of the Community Empowerment Act 2015.
- 3.6. Public consultation on revisions to this document is a statutory requirement. It is also an opportunity to highlight the role of Community Councils in their communities and raise awareness of their role in local democracy
- 3.7. Clackmannanshire has provision for nine Community Councils, all of which are currently active. They are Alloa, Alva, Clackmannan, Dollar, Menstrie, Muckhart, Sauchie & Fishcross, Tillicoultry, Coalsnaughton & Devonside and Tullibody, Cambus & Glenochil.

Revisions to the Scheme

- 3.8. Revision of the document will allow scope for amendments which will bring it up-to-date with current circumstances locally.
- 3.9. The statutory consultation is also an opportunity for present-day attitudes to local community organising and representation to be examined and used to inform decisions on community council governance.
- 3.10. The Council will work with community councils to promote to the public the opportunity to express their views using a range of methods including an online questionnaire and face-to-face dialogue.

Process

- 3.11. The steps involved in this process and proposed timescales are laid out in paragraph 5.2 below.
- 3.12.

<i>Date</i>	<i>Step</i>
<i>January 2017:</i>	Council agrees to revoke existing Scheme.
<i>February 2017:</i>	Public notice of intention to revoke existing Scheme and statutory minimum 8-week public consultation inviting the public to make suggestions as to the areas and

composition of the community councils.

- June 2017:* Council meeting considers the outcome of the consultation, recommendations arising from comments gathered during the public consultation and the contents of a draft new Scheme.
- August 2017:* Public notice of second statutory minimum 8-week public consultation inviting the public to make representations on the aspects of governance of community councils and their relationship with Clackmannanshire Council which the Scheme details.
- December 2017:* Council consider any revised draft proposals on the contents of a proposed new Scheme. If there are none, Council may consider adopting a new Scheme.
- February 2018:* If required, the public will have a 4-week period in which to make any final representations on the proposed document.
- April 2018:* Council will consider any final representations and will formally adopt a new Scheme.
- April 2018:* Public notice of the adopted Scheme and invitation for electors to apply for establishment in areas where no community council exists.

3.13. The eventual Scheme is timetabled for implementation in 2018.

4.0 Sustainability Implications

4.1. There are no direct sustainability implications arising from this report.

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

5.4. Staffing

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 | <input type="checkbox"/> |
| Our communities are more cohesive and inclusive | X |
| 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 | X |

(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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Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Head of Strategy & Customer Services	
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