



**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, 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

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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.

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**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