

**MINUTES OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held within
the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on THURSDAY
23 FEBRUARY 2017 at 10.00 am.**

PRESENT

Provost Derek Stewart (In the Chair - 10.00 - 11.05 am)
Councillor Donald Balsillie
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Archie Drummond
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Craig Holden
Councillor Kathleen Martin
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Jim Stalker
Councillor Graham Watt
Councillor Gary Womersley (In the Chair – 11.05 – 11.20 am)

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Gordon McNeil, Head of Development and Environment
Stuart Crickmar, Head of Strategy and Customer Services
Stephen Coulter, Head of Resources and Governance
Anne Pearson, Chief Education Officer
Lindsay Sim, Chief Accountant
Andrew Wyse, Acting Legal Services Manager (Clerk to the Council)
Gillian White, Committee Services Officer

CC(17)019 APOLOGIES

Apologies for absence were received from Councillor Irene Hamilton

CC(17)020 DECLARATIONS OF INTEREST

None.

The Provost advised that the item of urgent business, "Appointment of Council Leader", which had been previously circulated, would be taken as the first item of business, his reason for accepting the item as urgent being that the council should not be without political leadership

CC(17)021 APPOINTMENT OF COUNCIL LEADER

A report was submitted by the Chief Executive which advised the Council of the resignation of Councillor Robert McGill as Council Leader; and invited Council to appoint a new Leader.

Councillor Bobby McGill, seconded by Councillor George Matchett QPM, moved the recommendations set out in the report and nominated Councillor Graham Watt as Leader of Clackmannanshire Council.

Councillor Donald Balsillie, seconded by Councillor Gary Womersley, nominated Councillor Les Sharp as Leader of Clackmannanshire Council.

There were no other nominations.

Decision

On a division of 9 votes to 8, the Council agreed to elect Councillor Graham Watt as Leader of Clackmannanshire Council.

CC(17)022 GENERAL SERVICES REVENUE BUDGET 2017/18

The report, submitted by the Depute Chief Executive, presented the Council's General Services Revenue Budget for 2017/18. The report aimed to set out a Budget which supported the Council's aim of improving medium-term financial planning and financial sustainability. The report also built on the regular Budget Strategy Update reports and briefings presented to Council, and the Resources and Audit and Audit and Finance Committees throughout the year. The Council's financial sustainability had also been the focus of several member and trade union briefings held during the year as well as the specific papers on financial sustainability which were presented to Council on the 9th February 2017.

Motion

That Council agrees the recommendations set out in the report.

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

Councillor Watt indicated he intended to put forward an amendment, which had been circulated previously to elected members.

Councillor Sharp asked for a 30 minute adjournment to consider the contents of Councillor Watt's amendment. The Provost agreed to adjourn the meeting for 30 minutes at this point in the proceedings (10:05 am). When the meeting resumed at 10:33 am, seventeen (17) members were present.

Councillor Watt indicated he wished to move his amendment. At this stage, Councillor Womersley raised a point of order, in that in order to allow Councillor Watt to move his amendment; the Council would have to agree to suspend standing orders. The Clerk upheld the point of order and confirmed that the Council would have to take a vote on whether or not to suspend standing orders. The motion to suspend Standing Orders requires a two thirds majority of those members present and eligible to vote in favour of the motion.

Voting on Suspension of Standing Orders

For suspension of Standing Orders	8 votes
Against suspension of Standing Orders	8 votes
Abstain from voting	1 abstention

The Clerk, on confirming that Standing Orders had not been suspended, gave advice to the Provost that the amendment was now incompetent as it was dependent on amending two decisions that were taken at the meeting of Clackmannanshire Council held on the 9th February 2017.

Councillor Watt asked that, in light of the decision not to suspend Standing Orders, that the meeting is adjourned for 15 minutes. The Provost agreed to adjourn the meeting for 15 minutes at this point in the proceedings (10:36 am). When the meeting resumed at 10:46 am, seventeen (17) members were present.

On returning to the Chamber, the Leader of the Council, Councillor Watt made the statement: "In light of the decision on the amendment, the amendment falls. It then puts the paper back to the situation where to get a balanced budget it includes savings based on compulsory redundancy. In light of that fact, we can't support the paper and therefore, we think the only measure open to us is to resign as an administration."

Following the resignation of the administration, the Provost stepped down from the Chair.

Councillor Womersley asked the Clerk for clarification on the legal process around the requirement to set the Council Tax for 2017/18.

The Clerk advised that by law the Council Tax must be set by 11 March 2017 and the Regulations state that the demand notices must be issued as soon as practicable after the setting of the Council Tax. If the Council Tax could not be set at today's meeting, then the Council would face administrative difficulties with the issuing of bills prior to 1 April 2017.

The Chief Executive advised that as the meeting remains quorate, the first step, as set out in Standing Order 9.2, was for the Councillors present to decide who would Chair the meeting.

Councillor Holden asked for a 15 minute adjournment. The Clerk adjourned the meeting at this point in the proceedings (10:50 am). When the meeting resumed at 11:05 am, fifteen (15) members were present.

Motion to Appoint a Chair

Councillor Les Sharp moved that Councillor Gary Womersley is appointed as Chair of the Meeting. Seconded by Councillor Donald Balsillie.

There was no vote and Councillor Womersley was duly appointed as Chair.

Councillor Matchett QPM withdrew from the Chamber at this point in the proceedings and returned shortly after with Councillor Earle and Councillor Watt. Seventeen (17) members were then present.

Councillor Womersley duly took the Chair and proceeded to seek nominations for the position of Provost.

Councillor McGill raised a point of order, asking if the Chair had the power to appoint a Provost.

The Clerk advised that the Chair has the same powers as the Provost would have had and in exercising these, in line with Standing Order 11.6, the Chair can rule that an item can be taken as an item of urgent business. The Clerk suggested that as the Council was in the middle of discussing the General Services Revenue Budget 2017/18, then the situation was of sufficient urgency that it would necessitate the appointment of a Provost.

The Chair sought nominations for the role of Provost.

Motion to Appoint a Provost

Councillor Les Sharp moved that Councillor Gary Womersley is appointed as Provost of Clackmannanshire Council. Seconded by Councillor Donald Balsillie.

There was no vote and Councillor Womersley was duly appointed as Provost.

The Provost brought the meeting back to debate on the General Services Revenue Budget 2017/18.

Motion

That the Council agree recommendation 2.1.1 as set out in the report, with the remainder of the business on the Agenda deferred to a future meeting of the Council.

Moved by Councillor Les Sharp. Seconded by Councillor Donald Balsillie.

Decision

The Council unanimously agreed a 3% increase in the level of Council Tax for 2017/18, resulting in Band D Council Tax of £1,182. The Council further agreed to defer the remainder of the business on the Agenda to a future meeting of the Council.

Action

Depute Chief Executive

Ends 11:20 am