

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on THURSDAY 13 APRIL 2017 at 10.00 am.

PRESENT

Provost Gary Womersley (In the Chair)
Councillor Donald Balsillie
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Archie Drummond
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Craig Holden
Councillor Kathleen Martin
Councillor George Matchett, QPM
Councillor Bobby McGill
Councillor Tina Murphy
Councillor Les Sharp
Councillor Jim Stalker
Councillor Derek Stewart
Councillor Graham Watt

IN ATTENDANCE

Elaine McPherson, 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
Gordon McNeil, Head of Development and Environment
Anne Pearson, Chief Education Officer
Lindsay Sim, Chief Accountant
Andrew Wyse, Acting Legal Services Manager (Clerk to the Council)
Margaret Summers, Committee Services Officer

CC(17)041 APOLOGIES

None

CC(17)042 DECLARATIONS OF INTEREST

None

CC(17)043 MINUTES OF MEETINGS: CLACKMANNANSHIRE COUNCIL

(i) Minutes of Meeting held on 9 March 2017

The minutes of the meeting of the Clackmannanshire Council held on 9 March 2017 were submitted for approval

Decision

The minutes of the meeting of the Clackmannanshire Council held on 9 March 2017 were agreed as a correct record and signed by the Provost.

(ii) Minutes of Special Meeting (1) held on 27 March 2017 at 10.00 am

An amended version of the minutes of the special meeting of the Clackmannanshire Council held on 27 March 2017 at 10.00 am were submitted for approval.

The amended version corrected an error in the draft Minute from the Special Council Meeting held on Monday 27th March 2017 at 10.00 am (General Service Revenue and Capital Budget 2017/18). The minute was amended at page 16 (CC(17)036) to indicate that there were 9 votes for the motion, no votes against and 8 abstentions.

Decision

The amended version of the minutes of the special meeting of the Clackmannanshire Council held on 27 March 2017 at 10.00 am was agreed as a correct record and signed by the Provost.

(iii) Minutes of Special Meeting (2) held on 27 March 2017 at 12.30 pm

The minutes of the special meeting of the Clackmannanshire Council held on 27 March 2017 at 12.30 pm were submitted for approval

Decision

The minutes of the special meeting of the Clackmannanshire Council held on 27 March 2017 at 12.30 pm were agreed as a correct record and signed by the Provost.

CC(17)044 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 9 MARCH 2017

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 9 March 2017:

- Audit and Finance Committee on 16 March 2017
- Clackmannanshire Licensing Board on 28 March 2017

CC(17)045 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 16 March 2017.

Motion

That Council agrees the recommendation from the Audit and Finance Committee on 16 March 2017.

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

Decision

The Council agreed:

From the Audit and Finance Committee of 16 March 2017 in relation to the report entitled "Internal Audit Plan"

- To approve the planned Internal Audit coverage for 2017/18

Action

Chief Executive

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 12.

CC(17)046 ARBITRATION AWARD

A report was submitted by the Head of Resources and Governance which sought approval for the scope of an investigation into the circumstances leading to the arbitration award reported to Council at its special meeting on 27 March 2017 and updated Council on the most recent legal advice received by officers.

Motion

That Council agrees the recommendations set out in the report subject to the undernoted amendment:

To insert additional recommendation after paragraph 2.4

2.5 The investigation will be conducted by the Council's Senior Auditor.

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

Decision

The Council agreed unanimously to support the motion as amended to:

- (i) Approve the terms of reference for an investigation of the circumstances leading to the arbitration award.
- (ii) Note that the investigation report will come back to Council in June 2017.
- (iii) Note the updated legal advice received in regards to Schedule 15 of the Housing (Scotland) Act 1987 and the use of HRA, and
- (iv) That the investigation will be conducted by the Council's Senior Auditor.

Action

Head of Resources and Governance

Ends 1050 hrs

Following the conclusion of the meeting, there was a short presentation for those members not seeking re-election at the local government elections on 4 May 2017; Councillor Janet Cadenhead, Councillor Alastair Campbell, Councillor Irene Hamilton, Councillor Jim Stalker, Provost Gary Womersley and Councillor Walter McAdam, MBE (Councillor McAdam was not present).