



**Clackmannanshire  
Council**

[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

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

# **Meeting of Clackmannanshire Council**

**Thursday 24 June 2021 at 9.30 am**

**Via Video Conference (MS Teams)**



## **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 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.

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**16 June 2021**

**A MEETING of the CLACKMANNANSHIRE COUNCIL will be held via VIDEO CONFERENCE (MS TEAMS), on THURSDAY 24 JUNE 2021 at 9.30 AM.**



**NIKKI BRIDLE**  
**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 Services Officer.	--
3. Confirm Minutes of Meetings of Clackmannanshire Council (Copies herewith):	
(a) Meeting held on Thursday 22 April 2021	07
(b) Special Meeting held on Monday 31 May 2021	12
4. Committee/Forum/Board Meetings Convened Since the Previous Council Meeting on 22 April 2021 (For information only)	- -
(i) Clackmannanshire Licensing Board 27/04/21, 25/05/21 & 10/06/21	
(ii) Clackmannanshire Licensing Board Sub Committee 23/04/21 & 13/05/21	
(iii) Audit Committee 29/04/21 & 17/06/21	
(iv) Partnership & Performance Committee 13/05/21	
(v) Place Committee 20/05/21	
(vi) Planning Committee 20/05/21	
(vii) People Committee 27/05/21	
(viii) Regulatory Committee 27/05/21	
(ix) Education Appeal Committee 14/06/21	
5. Committee Membership Changes – Conservative Group – report by Senior Manager, Legal and Governance (Copy herewith)	15
6. Be the Future Update – report by Strategic Director (Transformation) (Copy herewith)	18

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9. Union Ethical Care Charter – report by Head of Strategic Planning & Health Improvement, Health and Social Care Partnership (Copy herewith)	73
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12. Notice of Motion in terms of Standing Order 16.0 – Parking Charges – motion submitted by Councillor Kenneth Earle (Copy herewith)	117
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## **EXEMPT INFORMATION**

**It is anticipated (although this is not certain) that the Council will resolve to exclude the press and public during consideration of this item.**

It is considered that the undernoted report is 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.

- |   |     |
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## Clackmannanshire Council – Councillors and Wards

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### Councillors

### Wards

Provost	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Darren Lee	1	Clackmannanshire West	CONS
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Les Sharp	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Councillor	Jane McTaggart	3	Clackmannanshire Central	SNP
Councillor	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Mike Watson	3	Clackmannanshire Central	CONS
Councillor	Chris Dixon	4	Clackmannanshire South	IND
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	SNP
Councillor	Graham Lindsay	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LAB
Councillor	Denis Coyne	5	Clackmannanshire East	CON





**MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held via MS Teams, on  
THURSDAY 22 APRIL 2021 at 9.30 am.**

**PRESENT**

Depute Provost Donald Balsillie (In the Chair)  
Councillor Martha Benny  
Councillor Dave Clark  
Councillor Denis Coyne  
Councillor Chris Dixon  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Craig Holden  
Councillor Helen Lewis  
Councillor Graham Lindsay  
Councillor Kathleen Martin  
Councillor George Matchett QPM  
Councillor Jane McTaggart  
Councillor Les Sharp  
Councillor Mike Watson

**IN ATTENDANCE**

Nikki Bridle, Chief Executive  
Pete Leonard, Strategic Director (Place)  
Stuart Crickmar, Strategic Director (Partnership & Performance)  
Lorraine Sanda, Strategic Director (People)  
Fiona Colligan, Strategic Director (Transformation)  
Chris Alliston, Senior Manager (Partnership & Performance)  
Iain McDonald, Senior Manager - Environment (Place)  
Cherie Jarvie, Senior Manager – Partnership & Transformation (Partnership & Performance)  
Alastair Hair, Team Leader – Workforce Development and Learning, (Partnership & Performance)  
Nick McGann, Communications Officer (Partnership & Performance)  
Lindsay Thomson, Senior Manager (Partnership & Performance) (Clerk to the Council)  
Gillian White, Committee Services (Partnership and Performance)

The Depute Provost intimated that an item of urgent business had been submitted by Councillor Craig Holden. The motion, submitted by Councillor Holden, sought agreement that the current review of waste services should be broadened out to include all aspects of household waste collection. In terms of Standing Order 11.6, the Depute Provost agreed to accept this item onto the agenda as the last item of business. The reason for accepting the item of urgent business was that Waste Services is a crucial, front facing service.

**CC.385            APOLOGIES**

Apologies were submitted by Councillor Darren Lee, Councillor Derek Stewart and Provost Tina Murphy. In the Provost's absence, Depute Provost, Councillor Donald Balsillie took the Chair.

**CC.386            DECLARATIONS OF INTEREST**

None.

**CC.387            MINUTE OF MEETING OF CLACKMANNANSHIRE COUNCIL  
4 MARCH 2021**

The minutes of the meeting of the Clackmannanshire Council held on 4 March 2021 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Council held on 4 March 2021 were agreed as a correct record.

**CC.388            MINUTE OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL  
24 MARCH 2021**

The minutes of the meeting of the Clackmannanshire Council held on 24 March 2021 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Council held on 24 March 2021 were agreed as a correct record.

***Councillor Graham Lindsay joined the meeting prior to the following item of business.***

**CC.389            COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL  
MEETING ON 4 MARCH 2021**

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 4 March 2021.

- (i) Partnership and Performance Committee 11 March 2021
- (ii) Place Committee 18 March 2021
- (iii) Clackmannanshire Licensing Board 23 March 2021
- (iv) People Committee 25 March 2021
- (v) Regulatory Committee 25 March 2021
- (vi) Planning Committee 1 April 2021

**CC.390            COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL**

The report, submitted by the Chief Executive, sought Council approval of recommendations which had been made by the Partnership and Performance Committee of 11 March, 2021.

**Decision**

From the Partnership and Performance Committee of 11 March, 2021 in relation to the report entitled "HR Policies", the Council agreed to:

1. Approve the revised policies which were attached at Appendix 1 of the report, namely:
  - Equality, Diversity & Inclusion
  - Casual Workers
  - Organisational Change
  - Recruitment
  - Severance
2. Note that the report relating to Partnership and Performance Committee is available on the Council's website.



## **CC.391            REMOTE COUNCIL AND COMMITTEE MEETINGS**

The report, submitted by the Monitoring Officer, updated Council on the impact of the recently published Scottish Government Timetable for Easing of Restrictions on Council and Committee meetings.

### **Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Helen Lewis. Seconded by Councillor Ellen Forson.

### **Decision**

The Council agreed to note that remote Council and Committee meetings will continue until at least August 2021 when a further update will be provided to Council at its meeting on 19 August 2021.

### **Action**

Monitoring Officer

## **CC.392            BE THE FUTURE UPDATE**

The report, submitted by the Strategic Director (Transformation), provided an update on activity on the Council's Be the Future Programme with a focus on Programme capacity and the plans that the Strategic Director (Transformation) has developed to move the programme from the 'planning' to 'doing' stages.

### **Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Les Sharp.

### **Decision**

The Council agreed to note:

1. The engagement by the Strategic Director (Transformation) with Officers and partners to understand the operational context within which Be the Future is delivered (paragraphs 3.1 - 3.3);
2. The approach that the Strategic Directors are taking through the Strategic Oversight Group for the Well-being Hub development to try-out new approaches to cross-functional working to deliver transformation (paragraph 3.4);
3. Plans for the development of the Strategic Roadmap to provide the bridge between the approaches laid out in the 'Be the Future' plan and its full implementation (section 4.0);
4. The consultation that took place with the Be the Future Programme Board 30 March 2021 to consider the Strategic Roadmap (paragraph 4.5) and the offer to brief elected members on this approach (paragraph 4.6); and
5. Progress in establishing the Programme Management Office (PMO) since the last Council update. (paragraph 3.5).

### **CC.393            WORKFORCE PROGRAMME - STAFF SURVEY 2020**

The report, submitted by the Strategic Director (Partnership and Performance), provided Council with details of the 2020 Staff Survey, highlighting the key themes and actions arising from the report supplied by the independent researchers - Craigforth.

#### **Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Helen Lewis. Seconded by Councillor Jane McTaggart.

#### **Decision**

Having commented on and challenged the report, the Council agreed to note the contents of the staff survey report, and acknowledged the proposed work to address identified areas of development.

### **CC.394            CITY REGION DEAL PROGRAMME UPDATE**

The report, submitted by the Strategic Director (Place), provided Council with an update on progress of the City Region Deal. It outlined a range of governance related activities that were required to enable the Stirling and Clackmannanshire City Region Deal partners to reach agreement with the UK and Scottish Governments on a revised Implementation Plan and Financial Profile for the Deal, in order to secure an Offer of Grant for Year 2 of the Deal (2021/22).

The report also described progress with a number of programmes and projects which are at business case stage and which will be able to draw down funds from the Year 2 Offer of Grant.

#### **Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Craig Holden.

#### **Decision**

The Council agreed:

1. To note the progress set out in the report;
2. To note the outcome of discussions with the Scottish and UK Governments to agree a revised Financial Profile (Section 3.4); and
3. To delegate authority to the Chief Executive to enter into the Tripartite agreement with Stirling Council and Stirling University on behalf of Clackmannanshire Council (Section 3.7).

#### **Action**

Strategic Director (Place)

**CC.395                    MAINSTREAMING EQUALITIES: PROGRESS REPORT 2021 & OUTCOMES**

As part of the Council's statutory requirements under the Equality Act 2010, the report, submitted by the Strategic Director (Place), presented progress made by the Council on mainstreaming equality and on the Council's equality outcomes, set out in its Mainstreaming Equality & Diversity 2017-2021 report, approved by Council in 2017. The report followed the progress report agreed by Council in April 2019. The report also set out employment data relating to Equality and Diversity; our priorities for 2021/25; and the Council's Equal Pay Statement.

**Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Helen Lewis. Seconded by Councillor Graham Lindsay.

**Decision**

Having challenged and commented on the report, the Council agreed to note the requirement for it to be published on the Council's website by the 30 April 2021 statutory deadline.

**CC.396                    ITEM OF URGENT BUSINESS – NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 - HOUSEHOLD WASTE COLLECTION**

A notice of motion in terms of Standing Order 16.0 was submitted as an item of urgent business by Councillor Craig Holden.

**Motion**

"Council acknowledges the high volume of public complaints associated with the collection of household waste.

Council agrees that the current review of waste services should be broadened out to include all aspects of household waste collection.

The review will set out clearly the range of issues associated with household waste collection and the proposed approach to be taken by the Council.

This will enable Councillors to determine an appropriate policy position which takes into account the pressures and demands upon the Service whilst responding to the needs and aspirations of the Clackmannanshire public."

Moved by Councillor Craig Holden. Seconded by Councillor Jane McTaggart.

**Decision**

The Council agreed to support the motion.

**Action**

Strategic Director (Place)

Ends: 11:05 am



**MINUTES OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held via MS Teams, on MONDAY 31 MAY 2021 at 10:00 am.**

**PRESENT**

Provost Tina Murphy (In the Chair)  
Councillor Donald Balsillie  
Councillor Martha Benny  
Councillor Dave Clark  
Councillor Denis Coyne  
Councillor Chris Dixon  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Craig Holden  
Councillor Darren Lee  
Councillor Helen Lewis  
Councillor Graham Lindsay  
Councillor Jane McTaggart  
Councillor Les Sharp  
Councillor Derek Stewart  
Councillor Mike Watson

**IN ATTENDANCE**

Nikki Bridle, Chief Executive  
Pete Leonard, Strategic Director (Place)  
Lorraine Sanda, Strategic Director (People)  
Fiona Colligan, Strategic Director (Transformation)  
Lindsay Sim, Chief Finance Officer  
Murray Sharp, Senior Manager (Place)  
Michael Hilarion, Senior Manager (Place)  
Chris Alliston, Senior Manager (Partnership & Performance)  
Cherie Jarvie, Senior Manager – Partnership & Transformation (Partnership & Performance)  
Karen Payton, Team Leader, (Partnership & Performance)  
Marjorie McFarlane, Sports Development Manager (People)  
Elizabeth Hutcheon, Management Accountancy Team Leader  
Wendy Forrest, Health and Social Care Partnership  
Lindsay Thomson, Senior Manager (Partnership & Performance) (Clerk to the Council)  
Gillian White, Committee Services (Partnership and Performance)

The Provost intimated that an item of urgent business had been submitted by Lindsay Thomson, Senior Manager (Partnership and Performance). The report sought agreement on a final sum in payment as part of a contract negotiation and was likely to be exempt by virtue of Paragraph 6 of the Local Government (Scotland) Act 1973 as the report was relating to the financial or business affairs of a particular person (other than the authority). In terms of Standing Order 11.6, the Provost agreed to accept this item onto the agenda as the last item of business. The reason for accepting the item of urgent business was that a decision was needed timeously as part of the contract negotiation.

**CC.397            APOLOGIES**

Apologies were submitted by Councillor George Matchett QPM and Councillor Kathleen Martin.

**CC.398                DECLARATIONS OF INTEREST**

None.

**CC.399                LEISURE PROVISION IN CLACKMANNANSHIRE: UPDATE**

The report, submitted by Lorraine Sanda, Strategic Director (People), Pete Leonard, Strategic Director (Place), and Fiona Colligan, Strategic Director (Transformation), provided an update on the Stakeholder engagement on future leisure provision across Clackmannanshire; progress on commissioning of feasibility work on a wellbeing complex; interim arrangements being put in place from May-September, and plans thereafter; plans for decommissioning of Alloa Leisure Bowl; and a timeline for next steps.

**Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Graham Lindsay.

**Decision**

The Council agreed:

1. To implement the interim arrangement for the period May to September 2021 as set out in paragraph 4.6;
2. To develop interim arrangements for leisure provision for the period October 2021 to financial year 2023/24 as set out in paragraph 4.10;
3. That on the hand over of the Alloa Leisure Bowl building from Wasp Leisure Limited to the Council on 30 June 2021, the management agreement between Wasp Leisure Limited will be terminated and the lease of the building to Wasp Leisure Limited will be terminated; and
4. To declare Alloa Leisure Bowl building surplus to requirements.

The Council also agreed to note that:

5. Subject to approval of recommendation 4 above, officers will put in place arrangements to begin the process of demolition as soon as possible, noting that the funding for which is available within the approved 2021/22 Capital budget (para 7.1);
6. The owned land on which the Alloa Leisure Bowl building resides is retained following demolition;
7. £138K of the £506K annual management fee budget has been committed in line with the handover arrangements, leaving £368K available to fund the development and delivery of interim and longer term arrangements (see para 7.2);
8. Project Management costs are anticipated to be capitalised against the £16.855m approved Capital Budget ( para 7.4);
9. Further update reports will be presented to Council.

**Action**

Monitoring Officer

***Councillor Mike Watson joined the meeting prior to the following item of business.***

The following item of business had been circulated as an exempt report and had been marked as “Not for publication by virtue of Paragraph 6 of Schedule 7A of the Local Government (Scotland) Act 1973”.

The Council resolved in terms of Section 50(a) of the Local Government (Scotland) Act, 1973, that the press and public would be excluded from the meeting during consideration of the following item of business.

#### **CC.400            CONTRACT NEGOTIATION**

The report, submitted by the Senior Manager, Legal and Governance, sought a decision on a final sum to be paid as part of a contract negotiation.

##### **Motion**

That Council agrees the recommendations as set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Graham Lindsay.

There followed a discussion around the four options open to the Council.

***The Provost adjourned the meeting at 12:21 pm to allow the members to discuss the options within their groups and as group leaders. When the meeting resumed at 12:45 pm, 16 members remained present.***

##### **Amendment**

That recommendation 2.1.3 is amended to read:

That Council wishes to instruct officers to pursue Option Three as set out in the report.

Moved by Councillor Chris Dixon. Seconded by Councillor Kenneth Earle.

##### **Decision**

The Council agreed the recommendations set out in the report as amended.

Ends: 11:05 am

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**Report to Clackmannanshire Council**

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**Date of Meeting: 24 June 2021**

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**Subject: Committee Membership Changes – Conservative Group**

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**Report by: Lindsay Thomson, Senior Manager Legal & Governance**

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**1.0 Purpose**

- 1.1. This report seeks Council agreement to make changes to the membership of committees in relation to the Conservative group.

**2.0 Recommendations**

- 2.1. It is recommended that Council agree:
- 2.2. That Councillor Denis Coyne should replace Councillor Martha Benny on the Place Committee and
- 2.3. That Councillor Denis Coyne should replace Councillor Martha Benny on the Partnership & Performance Committee.

**3.0 Considerations**

- 3.1. Councillor Coyne was elected to Council in November 2020. He was initially appointed to a small number of committees. This paper seeks Council approval to increase his membership of two service committees. It leaves the political balance of the committee unchanged.

**4.0 Sustainability Implications**

- 4.1. None

**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 X

## 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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	<input type="checkbox"/>
Our families; children and young people will have the best possible start in life	<input type="checkbox"/>
Women and girls will be confident and aspirational, and achieve their full potential	<input type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	<input type="checkbox"/>

(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 X

## 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".



## 11.0 Background Papers

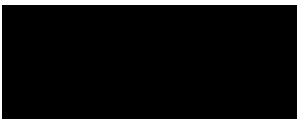
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Thomson	Senior Manager Legal & Governance	

### Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Monitoring Officer	

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**Report to: Clackmannanshire Council**

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**Date of Meeting: 24 June 2021**

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**Subject: Be the Future Update**

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**Report by: Strategic Director (Transformation)**

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## **1.0 Purpose**

- 1.1. The purpose of this report is to provide an update on activity on the Council's Be the Future Programme. This paper describes the activity that has taken place to progress the Strategic Roadmap since this was presented to Council in April 2021. The paper demonstrates how the existing building blocks have been pulled together to support pace and scale of delivery of our Be the Future Programme as we move into the next phase; the operating and governance model that will underpin that delivery; the milestones for the programme moving forward; and the resource requests that are needed to further underpin this delivery.
- 1.2. The paper also provides an update on on-going transformation activity. In this paper we are providing a focus on three areas: City Region Deal; the STRIVE pilot; and Driving Change in Mental Health and Well-being. The paper demonstrates how this positive progress is the core to the strategic workstreams moving forward. There is also an update on the developments in the Council's strategic partnerships that will underpin the transformation programme in this next phase.

## **2.0 Recommendations**

**It is recommended that Council notes:**

- 2.1. The work that has been completed on the development of the Strategic Roadmap, that brings together the existing building blocks of the Be the Future programme into a model that enables an integrated approach to further increase pace and scale of delivery. (section 3.0)
- 2.2. The action plan for the Strategic Roadmap which will continue the work on our journey towards sustainable public services as outlined in the Be the Future plan. (paragraph 4.13)
- 2.3. The positive response from the Clackmannanshire Alliance to the Council's approach to Community Wealth Building and the Well-being economy which was evidenced in the response to the proposals on anchor partnerships at the Alliance meeting June 2021. (paragraphs 7.1 and 7.2)

- 2.4. To note the proposal to formalise other strategic relationships with key partners so that arrangements that align resource and commitments against common priorities in the delivery of the Be the Future programme are captured, agreed and have collective accountability, with the initial focus on Sportscotland, University of Stirling and Scottish Futures Trust in support of the proposed 'Transformation Zones'. (paragraph 7.3)
- 2.5. The intention to develop a strategic communications plan to support engagement, consultation and messaging for the next phase of the Be the Future programme. (paragraph 5.6)
- 2.6. The proposals to develop a workstream within the Be the Future programme on Community leadership, capacity building and local democracy (section 6.0).
- 2.7. To note the work in hand on the governance structures for the Be the Future programme and that any further proposed enhancements, including potential delegations will be presented to future Council meetings. (section 5.0)
- 2.8. To note the operating model that underpins delivery of the Be the Future programme in this next phase which organises existing resource and the previously agreed investment from the Transformation Fund for maximum impact and to support pace. (paragraphs 5.1-5.6)
- 2.9. The progress in the City Region Deal programme, in particular the approval of Scotland's International Environment Centre (SIEC) Business Case by the Stirling and Clackmannanshire City Region Deal Joint Committee which will enable Phase 1 of the Centre to be deployed in Clackmannanshire (paragraphs 9.8 - 9.11) and the issuing of the Grant Offer Letter that moves the Deal into delivery. (paragraph 9.4)
- 2.10. The positive outcomes from the evaluation of the STRIVE pilot and that officers are now working on proposals for scale-up from this pilot in the context of the strategic workstreams as outlined in this paper. (paragraphs 9.12- 9.14)
- 2.11. The pace of development in the Driving change in Mental Health and Well-being project which is a critical component of the strategic workstreams within Be the Future as outlined in this paper. (paragraphs 9.15- 9.18)
- 2.12. Notes the intent to identify 'Transformation zones' across the county (paragraphs 4.7 – 4.8) and to undertake a rapid scoping assessment to develop the proposals for the Alloa Transformation Zone as part of Phase 1 (to July 2023) of the Strategic Roadmap. (paragraph 4.9).

**It is recommended that Council:**

- 2.13. Approves the investment of £120k from the £1.201m uncommitted Transformation Fund balance to fund a new post of Senior Manager (Transformation) for a fixed term contract of 18 months (paragraphs 8.2- 8.6)

- 2.14. Agrees, notwithstanding the previous Council decision on recruitment of senior managers being delegated to the Appointment Committee, that the recruitment to this fixed term post is delegated to the Strategic Director for Transformation. (paragraph 8.7)
- 2.15. Approves the investment of £54k from the uncommitted Transformation Fund balance of £1.201m to bring all contracts in the Programme Management Office into line. (paragraph 8.10)
- 2.16. Approves the creation of a £350k flexible resourcing fund from the uncommitted Transformation Fund balance of £1.201m, with expenditure decisions delegated to the Strategic Oversight Group to underpin the delivery of the transformation programme. (paragraphs 8.8 – 8.9)
- 2.17. Council agrees that the additional discretionary funding of £372,000 from Scottish Government be allocated to improvements and maintenance within West End Park, Alloa as outlined at paragraphs 6.5 to 6.9 of this report subject to the necessary financial and legal considerations, including appropriate procurement and any title conditions over the park. Council agrees to delegate responsibility for the finalisation of the design and delivery of the project to the Strategic Director (Place).

### **3.0 Be the Future Strategic Roadmap**

- 3.1. The transformation programme Be the Future sets out corporate priorities and outcomes which are aligned to the Local Outcome Improvement Plan (LOIP) and our vision and values as expressed in the Corporate Plan. This alignment maintains a consistent focus on our key themes - Sustainable Inclusive Growth; Empowering Families and Communities; and Health and Well-being - and provides a clear focus for Council investment and delivery.
- 3.2. The Budget Strategy approved in 2021/22 recognised how we spend, plan and connect our investment now will lay the foundation for economic recovery for future generations. The budget cemented the preceding work that had created the conditions for the Be the Future programme and the future trajectory of our work to deliver the Be the Future priorities.
- 3.3. In acknowledgement of the priority of this work the Council approved that the remit of the Council Leader should be expanded to include the Transformation portfolio. This has now been cemented into the arrangements moving forward as outlined in section 5.0.
- 3.4. In the April 2021 Be the Future Council paper we described how the Strategic Roadmap for the Be the Future programme would create the bridge between where we are now and this next phase of execution and implementation which will see an increase in the pace and scale of delivery of the programme.
- 3.5. The Strategic Roadmap is developed using a methodology that ensures that there is consensus on destinations, timescales and outcomes against which we can measure progress. It will be the key communication tool for the Be the Future programme and our transformation journey. Appendix 1 illustrates the components of the roadmap.

- 3.6. Work has been moving forward at pace on the Strategic Roadmap since the April Council meeting and we are pleased to report to Council on the main outcomes and proposals that we are now in a position to bring forward in draft.

#### **4.0 Strategic outcomes and narrative of the Be the Future programme**

- 4.1. Our Be the Future programme laid out the aims for 2030 as:

- Improved economic performance with more, better paid jobs and development opportunities for local people
- Sustainable health and social care and improved quality of life for residents
- Improved choices and chances as a consequence of raising attainment and skills development opportunities
- More services designed, developed and delivered in partnership, including with our communities
- Greater integration with our partners
- Greater resilience and independence within our communities to minimise the impacts of poverty and inequality
- Clear strategies and innovations which place Clackmannanshire in a leading role in meeting climate challenge.

- 4.2. The principles of these aims remain at the core of the programme moving forward but as we develop the strategic roadmap we will take the opportunity refresh these in light of the budget strategy, new opportunities and progress that we have made since these were originally framed in 2020. The destination we will have reached by July 2023 (the first stage of the Strategic Roadmap) will also reflect the original aims and new opportunities.

- 4.3. A significant opportunity we will reflect in the Strategic Roadmap is the convergence of our 20 year capital programme with other significant developments that are now taking place, including the investment in the City Region Deal moving into the delivery phase and the focus of the Scottish Government budget and programme for government on Community Wealth Building, Well-being economy and Place-based developments.

- 4.4. An example of this is the Scottish Budget establishing a new Place Based Investment Programme which will be backed by £325m capital over the next five years. This will benefit towns and cities across Scotland, supporting place, community regeneration, town centres, and 20 minute neighbourhoods. All Scottish Local Authorities will receive a proportion of this fund.

- 4.5. This fund heralds the increased policy drive for place-based development to be based upon a single strategic narrative for each authority that describes the unique place-based factors within that authority and what a collective approach to transformation could look like. The key thrust is that funding will not be based on a single initiative or project but the articulation of the collective impacts of investment and opportunity within place-based contexts.

- 4.6. We have considered this policy focus as we have developed the Strategic Roadmap and factored in the important work and approaches from the Family Well-being Partnership (formerly Social Innovation Partnership) and the work that is being undertaken on the Capital Plan. As a result, Officers' took proposals to the June Be the Future Board which draws together the investment opportunity into a single compelling narrative.
- 4.7. The main thrust of this narrative is for the development of Clackmannanshire Transformation Zones. The first of these transformation zones would be in Alloa and would encompass the place-based and innovation opportunities presented by the Well-being Campus developments; the investment in the Learning Estate; the City Region Deal investments; the on-going asset management including use of Vacant and derelict land and capitalising on our strategic partnerships.
- 4.8. The Transformation zone model would then move out from Alloa to other zones across the county aligned to the investment in the Capital plan and wider budget strategy and to the opportunity that this provides to access additional investment from the Place-based Investment Programme, the UK Government's Levelling-Up Fund and other major investment programmes.
- 4.9. To ensure we are ready to take advantage of the singular alignment we have right now and to prepare ourselves to take advantage of the significant investment programmes which we can access, we are working with Scottish Futures Trust to develop proposals for an exercise similar to that undertaken by North Ayrshire when they were presented with a comparable investment and development opportunity as we have now. North Ayrshire commissioned a 'Rapid scoping assessment' which resulted in the [Ardrossan North Shore](#) proposals. The process is consultative and co-created with communities throughout as can be seen from the [North Shore Consultation Framework](#).
- 4.10. This process furnishes us with the information on what the potential narrative and outcomes could be if we take a collective and strategic approach to the investment and opportunity and consider how it is phased as a collective rather than as single, independent deliverables.
- 4.11. The outcomes from this scoping exercise will demonstrate the potential economic and social impact that approach could have and will provide an opportunity to model exactly what the Community Wealth Building opportunities could be. This will also progress our delivery of an economic plan for the region that is under-pinned by the new economics of the well-being economy.
- 4.12. The aim is that this scoping exercise would be delivered quickly to enable the Council to make consideration of this in this financial year.
- 4.13. The other work on the Strategic Roadmap has now been planned and Appendix 2 provides more information on this development. The core deliverables between now and September 2021 include:
- Analysis of capacity and capability mapping
  - Financial modelling for delivering efficiencies and savings

- Agreed approach to service redesign methodology for transformation
  - Strategic communications plan to support transformation
  - Local democracy and community leadership plan
  - Investment plan
  - Milestone plan to July 2023
- 4.14. The 'Capacity and capability mapping exercise' listed above is an important factor in ensuring the resilience of the Be the Future programme to deliver and sustain the transformation and is interlinked with service redesign and the Workforce Development Programme. In the Workforce Development Programme there is an action to undertake a Council wide workforce analysis in order to identify training, skills gaps and behavioural competencies. Given 2021/22 is the final year of the Strategic Workforce Plan we will consider if the activity mapping capacity and capability for transformation could be rolled in with the work on the Workforce Development Programme and collective actions agreed.
- 4.15. The Strategic Roadmap will be underpinned by the core principles already established in the Be the Future plan - Customer focus, Empowerment, Locality focus and Continuous improvement. Additionally the principles from our major Be the Future projects - Community Wealth Building, The Promise, The People and Place collaborative and our aims for social, financial and environmental sustainability will be built in as principles across the whole Be the Future programme.

## **5.0 Governance and operating model**

- 5.1. Our method of organising the programme needs to be consistent with the maturity of the transformation journey. As we are now moving into the next stage of this journey, we are revisiting the governance and operation of the Be the Future programme to ensure continued resilience. Appendix 4 provides an overview of the proposed governance and operating model and the core components are outlined below.
- 5.2. The operating model is based on two structures - Strategic Workstreams which are populated by projects and Working Groups that provide thematic deliverables. The PMO supports these delivery structures and navigates the outcomes of delivery into the process of governance and scrutiny.
- 5.3. There are 4 proposed Strategic Workstreams which take the existing and planned Be the Future projects and initiatives and draws them together into a collective delivery mechanism that is aligned to our core Be the Future themes of Sustainable inclusive growth, Empowering families and communities and Health and well-being. These workstreams are also consistent with the single strategic narrative approach outlined in section 4 of this paper.

- 5.4. The workstreams will have sponsors, be supported by the Transformation Programme Management Office and report on progress into the Be the Future governance structure. The workstreams will have the core principles of Community Wealth Building embedded into them which will accelerate the action plan for this priority.
- 5.5. The Strategic workstreams that are proposed as immediate priorities are:
- **Multi-agency collaboration for whole system change:** this workstream would focus on the opportunities presented by The Promise to tackle system-level change. This will also scale-up the STRIVE pilot into a sustainable service.
  - **Well-being economy – Alloa Transformation Zone:** this workstream will bring together all of the activity and investment focused in Alloa including the Well-being campus, learning estate and City Region Deal projects to develop a masterplan focused on Alloa as a Transformation Zone. This will embed the work of the Social Innovation Partnership.
  - **Community wealth building – Alloa Transformation Zone:** this workstream will focus on community wealth building opportunities presented to develop sustainable food and heating, particularly as they are coalescing around Alloa Forthbank developments.
  - **Preparing our young people for life, work and the future:** this workstream will bring together the work on The Family well-being partnership, secondary curriculum transformation, skills and inclusion programme with the City Region Deal and our strategic partnership with the University of Stirling and Forth Valley College.
- 5.6. The delivery of the workstreams will be supported by Working Groups. These Working Groups will be populated with people focused on delivery – Council staff, those from partner organisations and subject matter experts. Many of the proposed working groups are already established but their activity is not yet directly supporting transformation delivery. Where this is the case, these working groups will be re-scoped to deliver through the operating model illustrated in Appendix 4. Where there are common activities to be delivered, new groups will be convened which includes:
- **Investment:** this group will take a strategic and planned approach to leveraging additional investment into the strategic workstreams from grant and awards, from private sector, from funders and other opportunities such as City Region Deal. This approach will enable the Council and our partners to be focused in what opportunities we pursue and to use the Strategic narrative outlined in section 4 to its best advantage.
  - **Communication and engagement:** this group will focus on the development of the communication and engagement plan and the execution of the plan to support the transformation programme. This will include the engagement with our own people as well as our communities, ensuring that the developments we undertake are co-created and co-designed. This plan will also recognise the critical role our recognised trade unions will play in supporting transformation with engagement continuing as has previously been agreed.



- **Community capacity building:** this group will consider how we approach developing capacity (resource, leadership, investment) across our communities within Clackmannanshire. This group will build out from the lessons from the Family Well-being Partnership into our wider programme, including the development of Community leadership capacity as described in section 6.0 of this paper.
- 5.7. The governance arrangements for the Be the Future programme have been revisited to ensure continued resilience as we increase the pace and level of delivery in the next phase and to ensure we continue with the transparency, scrutiny and management of the Be the Future programme which we have had to date.
  - 5.8. Appendix 4 illustrates that there are two layers to the governance. The layer in green in the diagram is the Be the Future Board and Council governance. The Be the Future Board will be reconstituted to provide leadership and scrutiny to the overall Be the Future programme against the milestones laid out in the Strategic Roadmap, the investment plan in the Budget Strategy 2021/22 and the approved benefits realisation plan for the programme.
  - 5.9. The Board membership is a number of Elected Members (membership to be confirmed moving forward) supported by the Strategic Oversight Group and Chaired by the Council Leader who is the sponsor for the Be the Future programme. The Board also considers new financial requests made to the uncommitted Transformation Fund that are outside the scope of the proposed 'Flexible resourcing fund' (see paragraph 8.7).
  - 5.10. The layer in purple in the diagram in Appendix 4 is the officer led governance of the Be the Future programme. This group oversees Be the Future activity, provides direction, monitors progress; and makes key recommendations on business cases and proposals and cases for change to progress onwards to the Be the Future Governance Board.
  - 5.11. The Strategic Oversight Group is Officer led (Chief Executive, Strategic Directors, HR, Legal and Finance) and is supported by the Programme Management Office (PMO). The Oversight Group is chaired by the Chief Executive who is Executive sponsor for the Be the Future Programme.
  - 5.12. All levels of delivery and governance will have a consistent framework, for reporting, benefits measurement and financial scrutiny. The design authority in the Be the Future programme is the Programme Management Office which is overseen by the Strategic Director (Transformation) and the proposed role of Senior Manager (see paragraphs 8.3-8.4). The PMO will ensure that the framework is consistently applied, appraise business cases and oversee programme and project performance and risk. The PMO will also support development of proposals and verify they are individually and collectively aligned with the core design principles agreed in the Council's Strategic Roadmap for the Be the Future programme.

## **6.0 Community leadership, capacity building and local democracy**

- 6.1. Core to the successful delivery of the outcomes from the Be the Future programme is developing community capacity and leadership. In developing

the Strategic Roadmap we will also seek to strengthen the skills of our people and communities, in the Council, in small businesses and local grassroots movements, in order to achieve their goals as well as ours.

- 6.2. The learnings that will emerge from the Family Well-being Partnership will drive our activity in this area. This is a partnership between Clackmannanshire Council, Hunter Foundation, Columba 1400, Scottish Government and researchers and it underpins the People and Place Collaborative. The collaborative will create the principles for community led developments and capacity building approaches in the Be the Future programme.
- 6.3. Leadership from Elected Members which supports local communities to develop a vision for their area and to take the steps to achieve it will also be central to delivery of Be the Future outcomes.
- 6.4. As this is so important, the work on local democracy and leadership will be a workstream that will run alongside the four strategic workstreams in the Strategic Roadmap outlined in paragraph 5.5. We will seek to establish a framework of community leadership support to integrate with new and emerging community based models of design and service delivery. This framework will need to be fit for purpose and recognised by communities, partners and Elected Members.

### **Clackmannanshire Discretionary Fund**

- 6.5. As part of the Scottish Government's budget settlement, Clackmannanshire Council received an additional £372,000 Revenue funding as a share of the additional £40m provided to Local Authorities.
- 6.6. Greater use of Parks and Play Areas during the pandemic has emphasised the importance of these facilities for the physical and mental health of Communities. The consultation to develop the Alloa South East Action Plan includes supporting the Wimpy Park Community Group to develop Local Park and recreation area and upgrades to Community Parks in Hutton Park, Gaberston and Hawkhill areas.
- 6.7. However, the increased level of engagement with public open spaces has led to increased wear and tear on infrastructure such as car parks, roads and footpaths and play equipment.
- 6.8. The Environment Service is developing proposals for repairs and maintenance works of park infrastructure at West End Park, Alloa. These works would not normally be able to be completed within current revenue budgets. The aims of the proposed works are:
  - to improve the accessibility of the park to enable more of our community and visitors to enjoy the physical and mental health benefits of being in greenspace by enhancing the road and footpath network. Widening of the paths in places would make them suitable for Cycling as well as walking. This will encourage further usage of the park and make it feel safer for all.
  - to enhance play provision to create a Destination Play Area for younger children, installing a large adventure item for older children and installing

an Outdoor Gym for adults. A summertime consultation with young people and other park users will inform these proposals.

- to be inclusive in the design and actively promote 'making space for girls' so the Park feels safe and that we make it more attractive and fun especially for girls as historically parks in general across the world are focussed around boys.
- to create small scale 'soft' improvements - e.g. bio diversity/wild flowers, sensory areas, community use/garden.
- to explore the concept of a potential 'friends of' group with a focus on supporting and contributing to the ongoing Park Master Planning and further improvements with support from Communities, Businesses and Third sector.
- to support the aims and objectives of the Sport and Active Living Framework 2018 to 2028.

- 6.9. Council is requested to allocate the £372k Discretionary Fund to the improvements outlined above. Additionally, Council is requested to facilitate expedited delivery of the planned enhancements, by delegating authority for finalising design and delivery of these enhancements to the Strategic Director (Place), informed by the outcomes of the planned consultation activities. This delegation will allow for appropriate due diligence and procurement activity to be more closely aligned with the timescales for securing consultation outputs.

## **7.0 Strategic partnerships**

- 7.1. Clackmannanshire's Community Planning Partnership (the Alliance) is developing an approach to whole-systems thinking and evidence based policy decision that supports the growth of a wellbeing economy for Clackmannanshire. This is being taken forward through the adoption of the 6 stage Inclusive Growth Framework which will support the development of a new Wellbeing Economy Local Outcomes Improvement Plan (LOIP) for Clackmannanshire.
- 7.2. Alongside the development of the Local Outcomes Improvement Plan, partners are seeking to ensure that the whole Community Planning Partnership structure enables the right balance of leadership, policy development and implementation, and therefore a review of the structure and arrangements around governance is taking place concurrently. To be effective in driving improved outcomes for Clackmannanshire, partners have agreed that each part of the system needs to be working collectively on agreed strategic aims and clearly defined roles and responsibilities. As the development of the new LOIP progresses throughout 2021, and final themes emerge, further work will be taken forward to define the scope of each part of the Alliance and Community Planning system.
- 7.3. This welcome development within the Clackmannanshire Alliance is being extended to our work with other strategic partners. Formalising governance and working arrangements with key partners will now be a cornerstone of the Be the Future programme moving forward. Three partners that are of strategic

importance to this phase of the programme will be the initial focus for these arrangements. These are:

- **University of Stirling** – there are many areas that the University and the Council are now engaged on to achieve collective goals, including Scotland's International Environment Centre as outlined in Section 9.
- **Sportscotland** – as detailed in the Special Council paper in May 2021 on Leisure Provision, the Chief Executive from Sportscotland has committed to working in partnership with us on the development of the Well-being campus.
- **Scottish Futures Trust (SfT)** – the scale and scope of the Council's Capital Plan presents transformational opportunities as discussed in section 4 of this paper. SfT will support our ambition to deliver inclusive economic growth, social benefit and other transformational outcomes from our capital programme.

- 7.4. Preliminary discussions are now in hand with all three organisations to position our common goals and to describe our strategic partnership. Further information on these developments will come forward in forthcoming Be the Future papers.

## **8.0 Resourcing the operational delivery of the Be the Future programme**

- 8.1. In developing the Strategic Roadmap we will undertake a full capacity and capability mapping as outlined in appendix 2 and paragraph 4.13. In this first stage of analysis we have reviewed what will be required to support the operating model for the Be the Future programme as outlined in this paper. The following requests for funding from the uncommitted Transformation Fund totalling £524k are detailed below:

- Appointment of a Grade 12 Senior Manager to the Transformation function on a fixed term 18 month contract requiring funding of £120k;
- Establishment of Flexible Resourcing Fund of £350k to support pace of delivery in the Be the Future programme;
- Extension of two contracts within the PMO requiring £54k of funding to harmonise all staff in the PMO to 18 month fixed term contracts.

- 8.2. In the April 2021 Council paper we indicated that the role specification that will head up the Programme Management Office was in development and would come forward to Council for approval following evaluation.

- 8.3. This process is now complete. The role of Senior manager (Transformation) that will oversee the operational delivery of the Be the Future programme in this next phase as outlined in this paper has been evaluated and is now coming forward to Council for approval.

- 8.4. The Senior Manager will lead a multi-functional team of Business analysts, Project managers, Communications and Fundraising professionals. As the Programme Management Office is the design authority in the overall delivery

model for the Be the Future programme, this individual needs to be of a sufficiently senior level to be able to influence and work as a peer within the wider Senior Management Group.

- 8.5. This role will have substantial responsibility for overseeing the proposed operating model including the strategic workstreams, development of the benefits realisation strategy, developing the strategic planning framework and Monitoring & Evaluation. Additionally this role will lead on business case appraisal and scrutiny. The Senior manager will be critical in advocating for and supporting the successful implementation of the operational structure for our transformation.
- 8.6. We are therefore seeking approval of £120k funding from the £1.201m uncommitted Transformation Fund balance for this fixed term contract of 18 months (from date of appointment).
- 8.7. As this post is critical in supporting the pace and scale of delivery in the next phase, notwithstanding the previous Council decision on recruitment of senior managers being delegated to the Appointment Committee, that the recruitment to this fixed term post is delegated to the Strategic Director for Transformation.
- 8.8. We also seek approval to establish a 'Flexible resourcing fund' to support the developments in the Be the Future programme in 2021/22. This fund would enable the Strategic Oversight Group to support requirements in an agile and responsive way against the backdrop of the prevailing context at that time. Examples of the areas that this fund could support include bringing in short-term expertise to address specific questions that need to be explored and resolved quickly; supporting secondments and Fixed Term Contract roles needed to drive forward shorter term developments.
- 8.9. We are therefore seeking approval to commit £350k from the £1.201m Transformation Fund uncommitted balance to establish the Flexible Resourcing Fund and that this Fund is delegated to the Chair of the Strategic Oversight Group to manage. Accountability for the management of the Fund would be to the Be the Future Governance Board.
- 8.10. We also seek approval for funding from the uncommitted Transformation Fund for £54k to bring all contracts in the Programme Management Office into line:
  - Revenue Business Analyst role (Grade 8) - £23k to extend the 12 month previously approved post to 18 months;
  - Communications Officer role (Grade 8) - £31k to extend this post from January 2022-September 2022.
- 8.11. Following approval of the above requests, this would reduce the uncommitted balance on the Transformation Fund by £0.524m to £0.977m.

## **9.0 Other progress in the Be the Future Programme**

- 9.1. In conjunction with the work that has progressed on the development of the Strategic Roadmap there has been significant progress on a wide range of the

Be the Future projects and activities. This paper provides information on three of these: the City Region Deal; the STRIVE pilot; and Driving mental Health and Well-being for Children, Young People and their Families.

### **City Region Deal**

- 9.2. The impacts of the COVID response on the delivery proposals in the City Region Deal programme have been reported in previous Council papers, including the update in April 2021.
- 9.3. We are pleased to report that significant progress has been made on finalising the Financial Profile and Implementation Plan for the Deal to reflect and adjust delivery to support regional recovery post-COVID. This includes the redistribution of the Year 1 monies to Years 3, 4 and 5 of the Deal which will support the revised Implementation Plan.
- 9.4. With the agreement reached on the Financial Profile this has enabled the Grant Offer Letter to be issued for Financial Year 2021/22 to support delivery. The grant offer letter has now been received by Stirling Council in their capacity as the Lead Authority from Scottish Government. Stirling Council is putting in place mirroring agreements with the Council to reflect the conditions set out in the overall grant offer letter. The Council Grant Offer Letter will be received by 30 June 2021.
- 9.5. The arrangements for monitoring the progress of deals have become more uniform over time. Monitoring and reporting is overseen by the Scottish City Region and Growth Deal Delivery Board (SCRGDDB). This delivery board is a bipartite between senior UK and Scottish Government officials.
- 9.6. Annually each deal must submit a report to the SCRGDDB and this report is published on the regional partners' deal website. The annual report is expected to cover standard items related to governance, finance, benefits realised and project performance and can cover matters 'local' to the deal itself. The Stirling and Clackmannanshire Annual Report will be published on the Council website.
- 9.7. Annual reports are followed up in a conversation between the SCRGDDB and the senior representatives of the deal, where progress and concerns are discussed. It provides an opportunity for regional partners and the SCRGDDB to reflect on the year gone by and discuss the plans for the year ahead. As part of the annual cycle of the Deal, The Stirling & Clackmannanshire City Region Deal Annual Conversation took place 25 May 2021. The conversation was positive and some key areas were explored, including the imminent deployment of Phase 1 of Scotland's International Environment Centre (SIEC) in Clackmannanshire.
- 9.8. As previously reported to Council, Scotland's International Environment Centre (SIEC) will create an 'innovation community' in the Forth Valley that will drive the creation of a net zero regional economy and stand as a global exemplar. Through innovation and partnership, SIEC will deliver transformational change in sustainable business practice, in order that the protection and enhancement of our natural resources becomes an enabler of economic prosperity, just transition, and wellbeing.

- 9.9. Phase 1 of the Environment Centre consists of full scale development of the Forth Environmental Resilience Array including data analytics centre and visualisation hub; the first key components of the Centre of Excellence that will drive the SIEC innovation community; and fast start of the Business Accelerator to stimulate business innovation and support the Green Recovery from COVID-19.
- 9.10. The business case for the Environment Centre (which was approved by the City Region Deal Joint Committee June 2021) indicates that Phase 1 of the Environment Centre will create 122 FTE jobs impact and a net Gross Value Added of £55.4m in the Stirling and Clackmannanshire City Region in a 10 year period.
- 9.11. The deployment of SIEC is a significant component of the Be the Future Programme and the single strategic narrative that we described in this paper. Given this significance Elected Members received a briefing on the Centre on 15 June 2021 by Dr John Rogers, who is the University of Stirling lead on this development. Further information on the development of this project will come forward in forthcoming Be the Future updates to Council.

### **The STRIVE pilot**

- 9.12. The STRIVE Pilot has now concluded and a formal Evaluation has been undertaken. An Executive Summary can be found at Appendix 6. The STRIVE Pilot ran from February 2020 to February 2021 and handled almost 200 referrals.
- 9.13. The pilot involved core partners from Clackmannanshire Council Housing, Monday Advice, Children and Families Services, Alloa Police Service, and support from Education, Criminal Justice, Health and Social Care Partnership, Clackmannanshire Works, Scottish Fire and Rescue Service, Transform froth Valley and well-being Scotland. There was a holistic approach to the provision of services and demonstrated improved outcomes in most cases.
- 9.14. An initial assessment of the potential savings achieved in the 14 month period is significant. The development of STRIVE will now be progressed within the Strategic workstream Multi-agency collaboration for whole system change as outlined in section 5.5 and plans will come forward through the Be the Future governance in due course.

### **Driving Change in Mental Health and Wellbeing for Children, Young People and their Families**

- 9.15. There has been considerable progress in the Driving Change in Mental Health and Wellbeing for Children, Young People and their Families project. This project aims to develop a whole-systems approach to supporting the mental health and wellbeing of children, young people and their families within Clackmannanshire, to better promote prevention and early intervention within local communities.
- 9.16. Within the project, there are 10 specific workstreams ranging from referral pathways and a multi-agency group, new services for specific age groups of children and young people and spaces/ places to deliver support, through to staff health and wellbeing and workforce development. The workstreams have

representation from a number of key groups including children and young people, parents and carers, staff from Education, Educational Psychology, Community Learning and Development, Economic Development and various Third Sector organisations.

9.17. Key progress to date includes:

- 179 referrals (as of April 2021) to the Counselling in Schools Service (CiSS) for pupils aged 10 – 18 since its launch in September 2020, with initial data from case studies and pre and post wellbeing measures showing a statistically significant reduction in symptoms (ie. not by chance) after as little as six weeks of seeing a counsellor;
- the launch of 3 new digital services on the 1st April 2021 - Mind Moose, TogetherAll and Shout - to improve the continuum of supports available to support the mental health and wellbeing of children, young people and their families, and
- the establishment in March 2021 of a Creative Therapeutic Interventions for Children Service (CTIfCS) for those aged 5 - 9 year olds to complement the CiSS provided for 10 – 18 years olds. An initial 6 week 'test of change' was carried out using Music Therapy to establish the efficacy of using this approach to intervene early to support children's mental health and wellbeing and to inform the future development of this Service through the incorporation of a wider range of different creative therapeutic interventions.

9.18. Learning is being captured and evaluated, and will inform next steps, particularly in relation to improved quality of services; greater choice for families and communities; and greater integration with partners.

## **10.0 Sustainability Implications**

10.1. Environmental and financial sustainability are key priorities of the Be the Future programme and business cases for individual programmes/projects will require to demonstrate clear links to related outcomes.

## **11.0 Resource Implications**

### *11.1. Financial Details*

11.2. 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 X

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

### *11.4. Staffing*

## **12.0 Exempt Reports**



12.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No **X**

## **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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	<b>X</b>
Our families; children and young people will have the best possible start in life	
Women and girls will be confident and aspirational, and achieve their full potential	<b>X</b>
Our communities will be resilient and empowered so that they can thrive and flourish	<b>X</b>

### **(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 **X**

## **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 **X**

## **10.0 Appendices**

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1: Strategic roadmap

Appendix 2: Strategic roadmap action plan

Appendix 3: Be the Future workstreams

Appendix 4: Be the Future governance and operating model

Appendix 5: Organisational redesign framework- Be the Future plan

Appendix 6: STRIVE Executive summary

## 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)

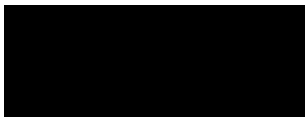
Yes ☒ (please list the documents below) No ☐

**Be the Future Update papers to Council – September 2020, December 2020, March 2021, April 2021**

### Author(s)

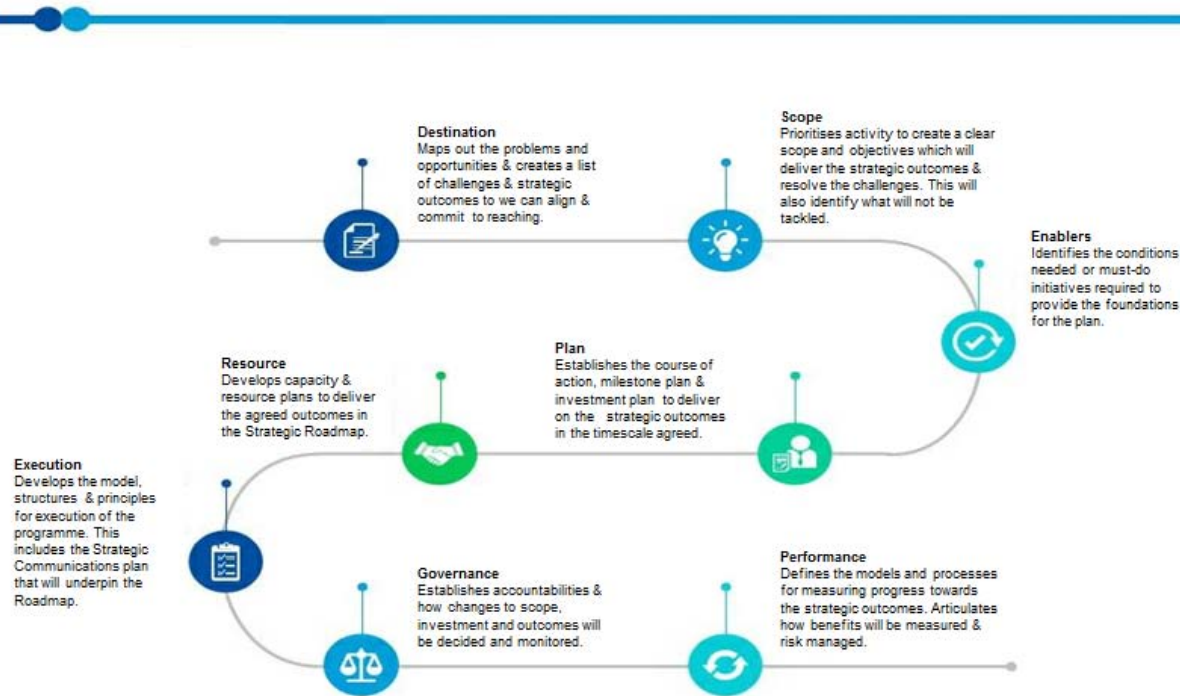
NAME	DESIGNATION	TEL NO / EXTENSION
Fiona Colligan	Strategic Director (Transformation)	

### Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

## Appendix 1: Strategic Roadmap

The strategic roadmap creates consensus on the destination and outcomes for Be the Future. It is the bridge between our strategy & implementation plans



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Comhairle Siorrachd  
Chlach Mhanann


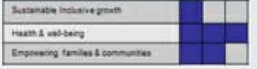


## Appendix 2: Strategic roadmap actions

Milestone	Coverage	Priority
Creating the conditions #1	Explore the factors we will address to create the conditions	High
Creating the conditions #2	Explore the factors we will address to create the conditions	Medium
Strategic narrative	Develop the strategic narrative for the destination component of the strategic roadmap	High
Connections #1	Strategic workstream #2 and #3: develop the detail	High
Connections #2	Strategic workstream #1 and #4: develop the detail	Medium
Establishing the governance	<ol style="list-style-type: none"> <li>1. Scope, remit and membership of SOG</li> <li>2. Scope, remit and membership of Transformation board</li> <li>3. Reporting and performance measurement</li> <li>4. Decision making model</li> <li>5. Risk management &amp; reporting</li> <li>6. Business case processes</li> <li>7. Networked governance model (and associated policies/procedures inc data sharing)</li> </ol>	Medium
Establishing the delivery model	<ol style="list-style-type: none"> <li>1. Working groups (phased)</li> <li>2. PMO role</li> <li>3. Forward work plans</li> </ol>	Medium
Financial modelling	Establish the model for measuring outcomes on efficiencies/demand management/cost containment and for developing financials within the business cases	Medium
Capacity & capability mapping	<ol style="list-style-type: none"> <li>1. Agree the parameters of the mapping and review proposals for who will undertake the mapping (external commission)</li> <li>2. Review the evidence base and analysis</li> <li>3. Action plan &amp; recommendations</li> </ol>	High
Local democracy and community leadership	Establish the plan & recommendations	Medium
Service redesign methodology	Establish the approach to service redesign	Medium

	from transformational perspective 1. Methodology agreed 2. Dedicated resource (decision – could be within PMO) 3. Milestone plan and prioritisation	
Communications plan	1. Develop the plan and channels 2. Members briefings (forward plan) and Leaders' messages 3. SLG messages 4. Strategic partnerships 5. Stakeholder mapping/owners	High
Benefits realisation and Monitoring and evaluation framework	1. Develop the plan and measuring framework 2. Implement 3. Business processes 4. Reporting	Medium
PMO model established	Develop the model and supporting business processes for delivery and governance	High
Enabling plan	Develop the must-do plan to underpin the transformation (follow on from creating the conditions work).	Medium
Investment plan	1. Develop the strategic priorities for investment 2. Working group	Medium
HSCP mapping and connections	Connections between HSCP transformation programme and Council programme	High
Other components	1. Innovation mapping 2. Economic plan 3. Strategic partnerships 4. Well-being LOIP 5. Strategic planning framework	High

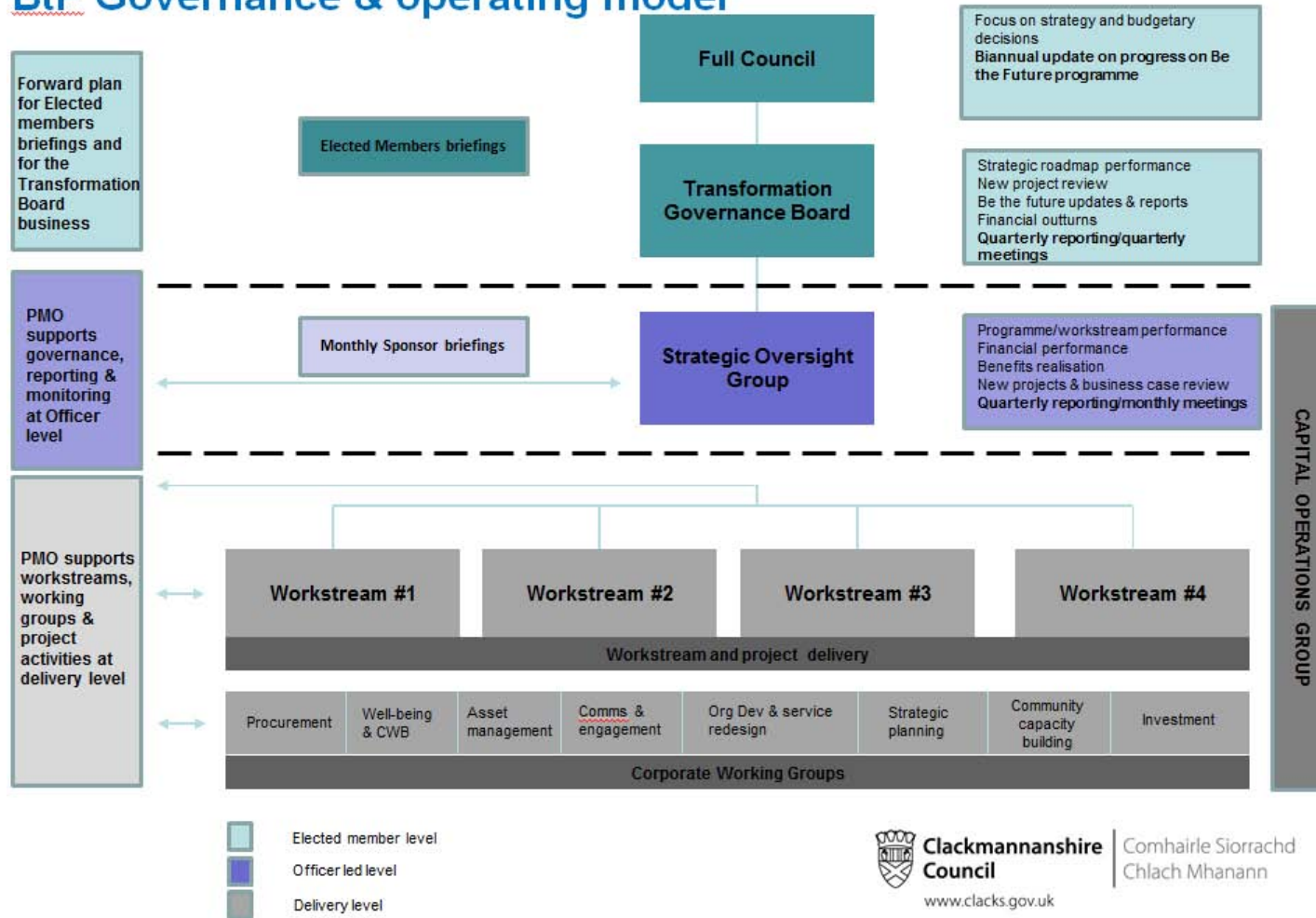
## Appendix 3: Strategic workstreams

### Strategic workstreams 2021-2023

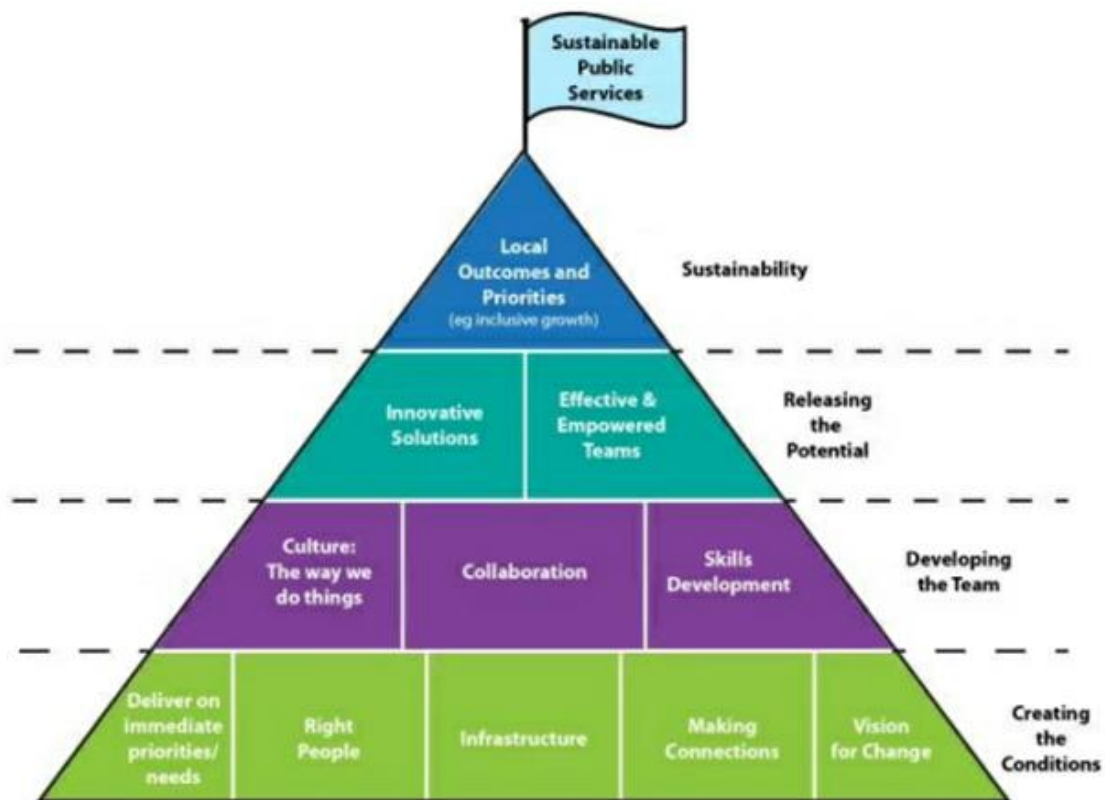
Workstream	Description	Connections	Outcomes
<b>#1 Multi-agency collaboration for whole system change</b> 	Focus on the opportunities presented by The Promise to tackle system-level change. This will also scale-up the Strive pilot into a sustainable service.	STRIVE; The Promise; Social care replacement system; The Promise; Service redesign (Children's services, Justice, Adult social care); Workforce development; Digital transformation; Multi-agency collaboration, regional models	Early identification & prevention Rapid intervention Improved handover between services Demand management leading to efficiencies, financial savings & cost containment
<b>#2 Well-being economy transformation zones</b> 	Brings together all of the activity and investment focused in a locality. For stage 1 (July 2023) in line with the budget strategy the focus is on <u>Alloa</u> including the Well-being campus, learning estate and City Region Deal projects. By creating a masterplan focused on an <u>Alloa</u> Transformation Zone this will enable to expand this out to the county to create further transformation.	Local development plan; Asset audit (CWB); Economic plan; Master-planning; Well-being campus; SIEC; 5G Hub; Family well-being partnership; Sustainable ageing; Digital Hubs; Skills & inclusion; Learning estate; <u>Alloa</u> travel hub	High value jobs Improved health outcomes Diversification of business base New social care models New housing models
<b>#3 Community wealth building transformation zones</b> 	Focus on community wealth building opportunities presented by food and heating, particularly as they are coalescing around <u>Alloa Forthbank</u> developments and RSPB Black Devon Wetlands (locality focus principle). Solar farm, geo-thermal, tidal energy, vertical farm (combining aquaculture) at commercial scale linked to skills and jobs.	CWB; Regional Energy Masterplan; James Hutton Vertical farms; SIEC; NATIH; Sustainability plan; Local development plan; Well-being campus	High value jobs Improved health outcomes Diversification of business base Skills pathways Fuel & food sustainability Environmental
<b>#4 Preparing our young people for life, work and the future</b> 	Brings together the work on The Promise, secondary curriculum transformation, skills and inclusion programme within the City Region Deal and our strategic partnership with the University of Stirling and Forth Valley College.	Skills & inclusion programme; SIEC; 5G Hub; Regional Digital Hubs; Economic Plan; Well-being campus; Learning estate; Family well-being partnership; Digital transformation; Workforce development; Regional models	Skills pathways Job opportunities Workforce transformation (2030 vision now)

## Appendix 4: Be the Future operating model and governance

### BtF Governance & operating model



## Appendix 5: Be the Future organisational redesign framework





## **Appendix 6: STRIVE evaluation report executive summary**

### **Executive Summary**

Clackmannanshire Council has been on a journey to radically reduce poverty and improve outcomes for its' citizens. The leadership team understand that the current system design means many vulnerable citizens only receive help at point of crisis.

Safeguarding through Rapid Intervention (STRIVE) is a live project that tests the concept that a multi-agency, public sector team will deliver better outcomes, faster, for the most vulnerable residents of Clackmannanshire through a whole-systems approach to integrated working.

The core STRIVE team consists of, housing, police, child services and money advice. In addition, the STRIVE team have expanded to work effectively with the Social Inclusion Project (SIP), Wellbeing Scotland and Housing Support.

This report evaluates the work of the STRIVE team from its commencement on the 3<sup>rd</sup> February 2020 to the 28<sup>th</sup> February 2021. During that time, the team received 192 referrals. The majority came from the core partners, housing, police, and child services. Of these referrals, in 36 cases (19%), the STRIVE team shared information with the current service and took no further action. In 138 cases (72%) the STRIVE team carried out an intervention.

STRIVE customers are highly varied, to allow an understanding of STRIVE customer needs and evaluate the STRIVE team intervention response a selection of typical case studies were created from referrals, case notes and discussions with the core team members. It was noted that in the case studies 85% of customers were known to multiple agencies and 92% required a multiple agency response. The case studies demonstrated four key areas of need for customers, financial assistance, mental wellbeing support, homeless prevention, and support to deal with drug and/or alcohol addictions. To understand the prevalence of these issues across the STRIVE caseload a review of customer welfare concerns for over 97 customers was undertaken. This found:

- 44% of customers had immediate financial concerns
- 43% of customers required support for mental wellbeing
- 30% of customers were at risk of homelessness
- 30% of customers had drug and/or alcohol addictions

### **How did the STRIVE team respond to these needs?**

Out of the 13 cases reviewed there were more than 45 different customer outcomes. This indicates the benefits of a holistic approach to the provision of services. Outcomes achieved for customers were wide and varied including, preventing homelessness, arranging food, heating, and basic furniture, assisting with detox, stopping harm to customers and others, keeping families together, providing a home and financial assistance to those fleeing domestic violence, getting people with mental wellbeing needs the support they needed, carrying out repairs, bereavement counselling and helping with household tasks. The most common outcomes were improved financial security, prevention of homelessness, reduction in police involvement, improvements in mental health and reduction in misuse of drugs and/or alcohol. Ultimately the outcomes provided gave STRIVE customers different choices and pathways.

### **What were the potential economic gains of STRIVE?**

Given the subject matter of this report it is difficult to put a number on the potential future savings. Fortunately, in recent years there have been robust studies that have attempted to understand the costs of poor mental health, drug and alcohol misuse, and homelessness on the impact of the Scottish economy. Three of these studies have been used to provide the baseline measures for potential savings for this evaluation<sup>i</sup>. For each case study a potential saving figure was estimated based on the details of the case and the outcomes achieved. These estimated savings were then multiplied by the number of cases in that category and the outcome summed. A deduction of £258,000 was then made for the core STRIVE team based on highest point salaries for the graded posts. This brought the overall estimated saving figure to over **£66 million**. The estimated saving figure is based on savings over the lifetime of the STRIVE customers in this evaluation and assumes that some will go on to obtain jobs and live longer more productive lives due to the early intervention of the STRIVE team.

So, are the lifetime saving figures accurate? Unfortunately, as there are so many variables to account for, the margin of error is wide. Nevertheless, they are indicative and are useful when considering the overall picture for budget spend and policy decisions.

### **What are the opportunities for further improvement?**

There is scope to increase demand considerably. A review of Vulnerable Person Disclosures (VPDs) from the 1<sup>st</sup> February 2020 to 1<sup>st</sup> February 2021 identified 1216 categorised as adult welfare concern. Only 168 of these (14%) met the three point test for statutory

intervention. This suggests there is a large number of citizens that could benefit from a STRIVE intervention.

66% of STRIVE referrals have concerns for adult welfare and in 5 (38%) of the case studies on-going support was requested from adult services. An opportunity exists to provide better and faster outcomes to customers, increase the reach of STRIVE and further streamline the service by having adult services a part of the core STRIVE team.

43% of STRIVE cases have a concern for the customers' mental wellbeing, a direct pathway to mental health services rather than having to go via 3<sup>rd</sup> sector partners would streamline the STRIVE service and provide a quicker response for customers.

## **Conclusions**

The evaluation concluded that there was a clear customer need for STRIVE. The project has delivered; significant improvement in outcomes for customers, early and fast intervention, the potential for significant economic benefits and improved job satisfaction for members of the STRIVE team.

These achievements are even more remarkable given the challenges experienced by the COVID pandemic.

The crucial success factors were:

1. The ability of the STRIVE group to meet (albeit virtually) and discuss cases daily as many customers needed immediate help.
2. A direct and fast response from the STRIVE team and where 'other' services were required, for example, the Social Inclusion Project they were asked to engage with STRIVE and the client rather than a mere referral being sent.
3. The STRIVE team made consistent and persistent effort to engage with customers and build trust. This led to numerous customers engaging with services that in the past they had refused.
4. The co-location of the STRIVE team allowed them to 'gel' as they learnt about each others' roles and began to understand different perspectives. Information was shared fast, as they were able to discuss cases with their colleagues throughout the day. It is anticipated that moving back to a co-located face to face team will ensure an even quicker response to customers.

## **Recommendation**

**It is recommended that a business case is now developed to normalise the STRIVE model and ensure its continued success and expansion.**

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<sup>i</sup> The studies used were; 1) SAMH What's it worth now? 2011. 2) Drug and alcohol services Scotland, Audit Scotland, Prepared for the Auditor General for Scotland and the Accounts Commission, March 2009 . 3) Prevention of Homeless Guidance, The Scottish Government and the Convention of Scottish Local Authorities, June 2009.

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**Report to: Clackmannanshire Council**

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**Date of Meeting: 24 June 2021**

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**Subject: Update on 2020/21 Annual Accounts**

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**Report by: Chief Finance Officer**

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## **1.0 Purpose**

- 1.1. This paper is to provide Council with an update on the preparation and timetable for the submission of the unaudited and final financial statements for 2020/21.

## **2.0 Recommendations**

Council is asked to:

- 2.1. Note that the requirement at paragraph 6.4 in the Council's Financial Regulations provides for the Council's section 95 officer to present the draft accounts to a meeting of the full Council before 30 June and the requirement of paragraph 6.5 to present the audited financial statements to Committee by 30 September.
- 2.2. Note that this timescale will not be met this year and that therefore an updated timescale for approval of the 2020/21 draft financial statements, submission of the draft financial statements to the Council's external auditors for audit, and that audited financial statements has been prepared and agreed with Audit Scotland. The timescale will require audited financial statements to be presented to Audit Committee on 25<sup>th</sup> November for final approval, as set out in paragraph 3.5, table 1 and
- 2.3. Agrees to disapply paragraph 6.4 and 6.5 of Financial Regulations for this year's process.

## **3.0 Considerations**

- 3.1. The Council is required by law to prepare a statement of accounts in accordance with 'proper practices' which set out its financial position at the end of each financial year. This is defined as meaning compliance with the terms of the Code of Practice on Local Authority Accounting in the United Kingdom prepared by the CIPFA/LASAAC Joint Committee.
- 3.2. The Local Authority Accounts (Scotland) 1985 Regulations require the Chief Finance Officer, as the Council's s95 officer, to prepare the Statement of Accounts as soon as practicable after the end of each financial year and to submit for Audit to the Council's External Auditor by 30<sup>th</sup> June.

- 3.3. Paragraph 6.4 of the Council's Financial Regulations require the draft accounts to be presented to a meeting of full council before the 30<sup>th</sup> June in line with the statutory deadline. Paragraph 6.5 of the Financial Regulations also requires the audited financial statements to be presented to committee by 30<sup>th</sup> September.
- 3.4. Due to the pandemic the Coronavirus (Scotland) Act 2020 amended the statutory deadlines for the 2019/20 financial accounts. This provision was extended and Scottish local authorities have the same powers for 2020/21 as in 2019/20 to defer production of the unaudited accounts, public inspection, approval, and publication of the audited accounts.
- 3.5. A revised timetable for completion of the draft and audited accounts for 2020/21 has been agreed with Audit Scotland. The revised timetable is set out in the table below.

**3.6. Table 1 – 2020/21 Annual Accounts Timetable**

Action	Date
<b>Draft Financial Statements submitted to Council for approval</b>	<b>19<sup>th</sup> August 2021</b>
Latest submission date of unaudited annual report and accounts with complete working papers package	31 <sup>st</sup> August 2021
<b>Audited Financial Statements to be considered by Audit Committee</b>	<b>25<sup>th</sup> November 2021</b>
Independent auditor's report signed	By 30 <sup>th</sup> November 2021

- 3.7. A number of factors have been taken into consideration in determining this revised timetable. The later finalisation of the previous years' accounts has meant the timing of the external auditors completing their interim testing is later than usual which has also had a resource impact on the Finance and Revenues teams. The revised timetable takes account of resource capacity within both the External Audit Team to fit round other audits and the Finance and Revenues Teams who are continuing to deal with additional workload due to the pandemic.

## **4.0 Conclusion**

- 4.1 This paper therefore seeks authority to change the Council's internal governance arrangements which have been set out in accordance with the usual statutory timescale as set out above. The change is made under the provisions of the Coronavirus (Scotland) Act 2020 and the revised timetable for the Councils 2020/21 Annual Accounts is set out at table 1.

## **5.0 Sustainability Implications**

- 5.1 Not applicable

## 6.0 Resource Implications

### 6.1 Financial Details

- 6.2 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 ☒
- 6.3 Finance have been consulted and has agreed the financial implications as set out in the report. Yes ☒
- 6.4 Staffing

## 7.0 Exempt Reports

- 7.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 8.0 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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☐

- (2) **Council Policies** (Please detail)

## 9.0 Equalities Impact

- 9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes ☐ No ☒

## 10.0 Legality

- 10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 11.0 Appendices

11.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

## 12.0 Background Papers

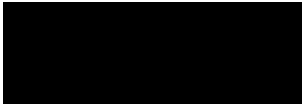
12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lindsay Sim	Chief Financial Officer	2022

### Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Sim	Chief Finance Officer	



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**Report to Clackmannanshire Council**

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**Date: 24 June 2021**

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**Subject: Scheme for the Establishment of Community Councils**

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**Report by: Strategic Director Partnership & Performance**

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**1.0 Purpose**

- 1.1. This report updates Council on the outcome of the first stage of consultation on the Scheme for the Establishment of Community Councils and requests approval to initiate the second stage of the process to consult on a new draft Scheme for the Establishment of Community Councils.

**2.0 Recommendations**

- 2.1. It is recommended that Council
- i. Note the boundary changes proposed following public and note that there are no proposals to change the composition of any of the nine community councils , and
  - ii. approve for public consultation the new draft Scheme for the Establishment of Community Councils

**3.0 Considerations**

- 3.1. The Scheme for the Establishment provides the framework within which community councils establish and operate. Clackmannanshire Council agreed at its September 2020 meeting to begin a focussed consultation process in accordance with statutory requirements to amend the Scheme to add arrangements for community councils in circumstances such as pandemics which present undue impediment to their function.
- 3.2. During the first 8-week consultation period, the public were invited to make suggestions on the boundaries and composition of community councils by means of an online questionnaire and/or via community councils themselves.
- 3.3. Comments received during the consultation, our analysis and conclusions are contained in Appendix 3.

## **4.0 Revisions to the Scheme Boundaries**

- 4.1. Muckhart Community Council have requested a changes to their shared boundary with Dollar Community Council. Dollar Community Council do not oppose the change . How the proposed change affects the boundaries of each community council is shown in Appendix 2.
- 4.2. There were comments from the public on a different part of the Muckhart-Dollar boundary and on the boundary of Alloa Community Council. There was no compelling argument for the changes and the community councils affected provided no argument to support them.
- 4.3. Comments received on the remaining community council boundaries confirmed that they accurately reflect logical community council areas.

### **Composition**

- 4.4. Comments received during the consultation confirm that people believe community council membership numbers should find the balance between the principle of democratic accountability and how committees function in practice.
- 4.5. Whilst suggestions for change to maximum or minimum membership numbers were sound in principle, they are not considered to be able to guarantee to address the need or meet the desired democratic standard.
- 4.6. Alva Community Council requested a change to their composition following a year in which it was difficult for all community councils to maintain membership. In normal circumstances, community councils are able to manage with existing composition. Provisions for exceptional circumstances which aim to address this are proposed. They are summarised in paragraph 4.9 and shown in the draft revised Scheme in Appendix 1

### **Other Provisions in the Scheme**

- 4.7. The next stage of the statutory process is the opportunity to present for consultation the contents of a draft Scheme showing revisions to further enhance the self-determination of communities and to add provisions which reduce dependency on Council decision-making in favour of more agile and responsive, democratically accountable community council decision-making.
- 4.8. Officers have discussed the aspirations of participative representation and decision-making with community councils collectively through the Joint Community Council Forum, and the broad principles of these discussions are reflected in the revisions in the proposed revised draft in Appendix 1.
- 4.9. The provisions in the existing Scheme have generally been found to be valid and as such the proposed draft Scheme preserves provisions for eligibility, meetings, resourcing and accounts. The key changes to the existing Scheme in the proposed draft Scheme (Appendix I) are summarised below
  - i. Change to the text to allow certain decisions for which only Council would currently have authority to be delegated to the Council's Returning Officer to allow community councils to continue to function in the event of exceptional circumstances.

- ii. Amendment to the boundary between Dollar and Muckhart Community Councils as shown in the map in Appendix II

## 5.0 Next Steps

- 5.1. Subject to Council approval, the draft document will be put out to public consultation for a statutory period of eight weeks. Council will consider the outcome of the consultation once the outcome of this period of consultation is known to consider recommendations arising from the public response and the approval of a final draft document.
- 5.2. Community council elections are scheduled to take place in August-September this year. None of the proposed revisions to the Scheme will affect the election process.
- 5.3. An indicative timeline is included as Appendix 4

## 6.0 Resource Implications

### 6.1. *Financial Details*

- 6.2. 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 ☒

- 6.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

### 6.4. *Staffing*

## 7.0 Exempt Reports

- 7.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 8.0 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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☒

(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".

Appendix 1 – Proposed draft Scheme for the Establishment of Community Councils

Appendix 2 - Map showing proposed boundary changes

Appendix 3 – Stage 1 Summary of comments

Appendix 4 – Consultation timeline

**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)**

NAME	DESIGNATION	TEL NO / EXTENSION
Lesley Baillie	Community Planning Adviser	2012

**Approved by**

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Monitoring Officer	

# SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS



**Clackmannanshire  
Council**

[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

## 1. Introduction

- 1.1. Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government (Scotland) Act, 1994, which produced the current system of unitary local authorities and made provision for the continuation of community councils. Under the legislation, every local community in Scotland is entitled to petition their local authority to establish a community council in their area.
- 1.2. The Scheme is designed to enable the establishment of community councils across Clackmannanshire to provide a common minimum basic framework governing their creation and operation.

## 2. Statutory Purposes

- 2.1. The statutory purposes of community councils established under this Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -
- 2.2. "In addition to any other purpose which a Community Council may pursue, the general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable".

## 3. Role of Community Councils

- 3.1. Community councils have a duty under statute to represent the views of their local community. Clackmannanshire Council recognises community councils as the voice of the community on matters which directly affect public services in their areas and as appropriate bodies to participate at all stages of Local Development Planning.
- 3.2. Community councils have a statutory right to be consulted on planning applications which affect their area.
- 3.3. Community councils are competent objectors for licensing applications.
- 3.4. It is the role of community councils to inform the community they represent of matters of public concern and enable and facilitate active community deliberation on key developments affecting their area.
- 3.5. Clackmannanshire Council also recognises the scope community councils have to promote the well-being of the communities they represent; foster community spirit, and safeguard and improve the amenities of the community council area, its buildings and its natural environment.

## 4. Boundaries and Membership

- 4.1. The boundaries for community council areas and names of the community council areas are as outlined below and shown in this map which annexes this Scheme.
- 4.2. There shall be minimum and maximum membership numbers of community councillors. Only members who were elected at a regular, or interim election count for minimum membership to operate. In addition, there shall be a minimum number of nominations required at a regular election and below which a community council may not establish. These are listed below.

Community Council	Membership maximum	Minimum membership to operate	Minimum nominations at a regular election	Population est
Alloa	16 members	8 members	9 nominations	<a href="#">13169</a>
Alva	14 members	7 members	8 nominations	<a href="#">4565</a>
Clackmannan	14 members	7 members	8 nominations	<a href="#">4833</a>
Dollar	14 members	7 members	8 nominations	<a href="#">3109</a>
Menstrie	14 members	7 members	8 nominations	<a href="#">2874</a>
Muckhart	12 members	6 members	7 nominations	<a href="#">525</a>
Sauchie & Fishcross	14 members	7 members	8 nominations	<a href="#">6631</a>
Tillicoultry	14 members	7 members	8 nominations	<a href="#">6036</a>
Coalsnaughton, & Devonside				
Tullibody, Cambus, & Glenochil	14 members	7 members	8 nominations	<a href="#">9708</a>

## 5. Eligibility

- 5.1. To qualify for nomination and election to a community council, and membership, a candidate must:
- Reside in the community council area for which membership is sought and,
    - be aged 18 or over and included on the current electoral register for the Community Council Area, or
    - be aged 16 or over and included in the roll of 16-18 year olds held by the Returning Officer
  - Not be, or within the last 5 years have been, declared bankrupt, convicted of any offence of which the sentence was anything other than a fine
  - Not be a Clackmannanshire Council elected member, an MP, an MEP or an MSP.
  - Not to have been refused permission or had permission withdrawn if an employee of Clackmannanshire Council.

## 6. Establishment

- 6.1. Clackmannanshire Council will invite electors in an area where no community council exists to apply in writing ([which could include by electronic means](#)) to the Chief Executive for the establishment of a community council in their area.
- 6.2. Clackmannanshire Council will arrange an election where at least 20 electors, who in their own right would be eligible to stand for election to a community council, notify the

Chief Executive in writing (which could include by electronic means) within 21 days that they wish to see a community council established for their area. The method of election will be that of a regular election described in Paragraph 8.

- 6.3. If nominations are received for less than the minimum nomination number, no community council will be formed. Clackmannanshire Council will give a statement of reasons why a community council may not be formed in any area.
- 6.4. In areas where no community council is established, 20 electors may petition, including by using the Council's digital petition process, the Chief Executive at any time to hold an election to establish a community council. This will be subject to there being no more than two elections in a twelve month period in any one community council area.
- 6.5. Clackmannanshire Council will make reasonable arrangements to accommodate establishment of a new community council when a petition is made in the year a regular, National or Local election is scheduled.

## 7. Election

- 7.1. The method by which people become community councillors shall be open and transparent. Clackmannanshire Council will conduct community council elections to allow a community to establish a community council. Clackmannanshire Council is committed to exploring with community councils innovative approaches including the use of digital processes to encourage greater involvement in community council elections and to enhance the democratic process.
- 7.2. Election to community councils takes place through three methods, described in Paragraph 8. They are:
- Regular elections, every four years to fill all places on all community councils
  - Interim elections, in the event that a community council's membership falls below the minimum membership to operate, or when the community council fails to receive the minimum nominations at a regular election
  - Co-option, to be used to maintain membership numbers as soon as a vacancy arises
- 7.3. Regular and interim elections will be conducted by Clackmannanshire Council. Co-options will be conducted by community councils.

7.3.7.4. In the event of exceptional circumstances which prevent the Council from conducting community council elections within a reasonable timescale, the Council's Returning Officer, in discussion with the Monitoring Officer, -will have the authority to make decisions which allow a community council to maintain its membership in order to be able to fulfil its statutory function. Those decisions will be reported to Clackmannanshire Council at the next scheduled meeting.

## 8. Election Methods

### Regular Elections and Interim Elections

- 8.1. The Returning Officer for community council elections carried out by Clackmannanshire Council will be the Chief Executive of Clackmannanshire Council. The Returning Officer

may appoint such number of deutes as may be considered necessary for the proper discharge of the relevant functions.

### Regular Elections

- 8.2. Regular elections are held every four years at a time to be determined by Clackmannanshire Council. Clackmannanshire Council will make reasonable arrangements to accommodate community council elections in a year National or Local Elections are scheduled.

8.3. Clackmannanshire Council shall set the schedule for regular elections. The first regular elections following the adoption of this Scheme are scheduled for September 2021.

8.3.8.4. [Clackmannanshire Council may use digital methods to conduct community council elections where appropriate.](#)

### Regular Election Process

8.4.8.5. Step 1 Nominations

All places on all community councils are available. All serving Community councillors will stand down and will be eligible for re-election. For all serving community councillors, the term of office will end at midnight of the day prior to the scheduled polling day at the next regular election.

Clackmannanshire Council will advertise a Notice of Election by public notices in the area covered by the community council. This notice will invite residents of the area to put forward nominations for membership of the community council.

Nominations will be in the form decided by the Returning Officer and will be subscribed by one proposer and one seconder, both of whom must be eligible for election in their own right. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.

Nominations for election to a community council must be received by the Returning Officer by the time specified.

8.5.8.6. Step 2 Election Process

Where nominations are received for between the nomination minimum and 100% of the places to be filled by election, those individuals will be declared elected unopposed and the Returning Officer will produce and display a notice to that effect in the local area.

Where at any election the number of nominations received exceeds the number of places to be filled, a ballot will be held.

8.6.8.7. Step 3 Ballot

When a ballot is held, community councils shall be elected on the Block Voting system. The ballot will be secret and will follow the process set by the Returning Officer.

8.7.8.8. Optional Step: Nomination deadline extension

Should the total number of candidates nominated be below the minimum nomination number as specified for the community council area, no community council will be



established in that area at that time. However, Clackmannanshire Council may, at its discretion, extend the deadline and within 6 months of the closing date for the registration of the first call for nominations issue a second call for nominations for a community council area failing to meet the minimum nomination requirement.

### Interim Elections

8.8.8.9. In the event that a community council's membership falls below or is at risk of falling below the minimum membership to operate, it shall notify Clackmannanshire Council. Clackmannanshire Council will make reasonable arrangements for an interim election to be held to fill places left vacant at a regular or interim election and vacancies arising since a regular or interim election. Places filled at a regular, or previous interim election are not subject to interim elections, however, places filled by co-option are. An interim election within 6 months of a regular election will be at the discretion of Clackmannanshire Council.

### Interim Elections Process

8.9.8.10. The process for an interim election is that of the nominations and ballot process in a regular election but nominations shall be invited only for the number of vacancies. There will be no second call for nominations. A community councillor elected at an interim election will hold office until the next regular elections.

### Co-option

8.10.8.11. Should a place filled through an election become vacant, community councils shall take steps through a process of co-option to fill the vacancy to maintain membership numbers until the next election. Subject to paragraph 7.4, a community council must not co-opt further members if, as a result, the number of co-opted members would exceed one third of the number of community councillors elected at a regular or interim election. Places not filled at a regular or interim election cannot be filled by co-option.

8.11.8.12. Co-opted members must meet the eligibility criteria set out in this Scheme. A co-opted member must be elected onto the community council by a two-thirds majority of the elected (regular and interim) community councillors present and voting. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (whether regular or interim). Co-opted members do not count for minimum operating numbers.

### Co-option Process

8.12.8.13. Community councils shall determine the process of co-option. Notice of any proposed co-option procedure is required to be intimated to all of that community council's members and publicly in the community council area at least 14 days prior to the meeting at which the matter will be decided.

## 9. Meetings

- 9.1. The Returning Officer will call the first meeting of the community council after its establishment and after regular elections. This meeting will take place within 4 weeks of the election or as soon thereafter as is practicable. The election of a chairperson for that meeting from amongst community councillors present must be the first item of business at this meeting. Until a chairperson for that meeting is elected, the Returning Officer or a suitable deputy appointed in his/her place will chair the meeting.
- 9.2. Community councils shall determine the format of their meetings subject to meetings being open to the public, with the place (if relevant), date, time, nature of the business to be conducted at the meeting and draft note of any decisions made at the previous meeting advertised in the community council area or by electronic means at least 7 days before the meeting. Community councils may use digital meeting methods where appropriate to their community.
- 9.3. Each community council will determine the frequency with which it meets subject to a minimum of 4 meetings held in public per year.
- 9.4. Each community council shall hold a meeting by the end of September of each regular election year and by the end of October in non-election years at which it will account for its activities in the previous year, present its annual accounts for approval and elect its office bearers.
- 9.5. Each community council will adopt and make available publicly Standing Orders which lay out the procedure and business for its meetings.

## 10. Constitution

- 10.1. Each community council is required within 2 months of establishment or as soon thereafter as is practicable to adopt a Constitution which adheres to the terms of this Scheme. The constitution must meet minimum standards of legitimacy, democracy, accountability and transparency relevant to the statutory function of community council and is required to be approved by Clackmannanshire Council prior to adoption by the community council.

## 11. Resourcing

- 11.1. Clackmannanshire Council will provide assistance to community councils to support their administrative needs. The details of this assistance and resourcing which the Council will from time to time determine will be set out in the Protocol which accompanies this Scheme.
- 11.2. Any financial assistance will be made available to community councils following receipt of bank account details and, in the case of established community councils, approval by the chief finance officer of independently examined annual accounts which the community council can demonstrate have been approved by the community council at a properly-convened meeting which is open to the public.

## 12. Dissolution and Suspension

### Dissolution

- 12.1. Clackmannanshire Council will, upon request of the community in question and following due process as set out in the community council's own constitution, assist a community with the process of the dissolution of a community council.

### Suspension

- 12.2. Clackmannanshire Council may move to consider a community council to be suspended where:
- It has demonstrated a major single breach or a series of breaches to the requirements set out in this Scheme or its adopted constitution and where said breach(es) have not been remedied after being brought to the community council's attention.
  - A majority of its members collectively or separately have been charged with an offence under the law
- 12.3. Should Clackmannanshire Council consider a community council to be suspended, it shall publish a public notice in the area giving reasons. Within 2 months of suspension of a community council (or as soon as is practicable) Clackmannanshire Council shall set in motion a process to establish if the community wish to dissolve the community council or take action to re-instate its status. The process will be set out in the public notice.
- 12.4. A community council which is considered by Clackmannanshire Council to be suspended will not receive further Council resources.

## 13. Exchange of Information

### Procedures

- 13.1. Procedures for the exchange of information on matters of mutual interest will be negotiated, and updated to suit changes in working arrangements, between community councils and Clackmannanshire Council. They are set out in the community council Protocol which accompanies this Scheme.

### Single Point of Contact

- 13.2. Each community council shall elect from among its members a Single Point of Contact for communication with Clackmannanshire Council and other public authorities, and provide the name and contact details of the Single Point of Contact to Clackmannanshire Council for wider publication to the public. The community council shall notify the Community Council Liaison Officer of any changes to the Single Point of Contact.

- 13.2.13.3. Each community council is required to have an electronic means of communication available for contact from the Council and for contact from the residents of its area.

## Community Council Liaison Officer

~~13.3.~~13.4. Clackmannanshire Council will appoint a Liaison Officer who will have prime responsibility for ensuring that information exchange mechanisms between community councils and the Council are operational.

## Guidance

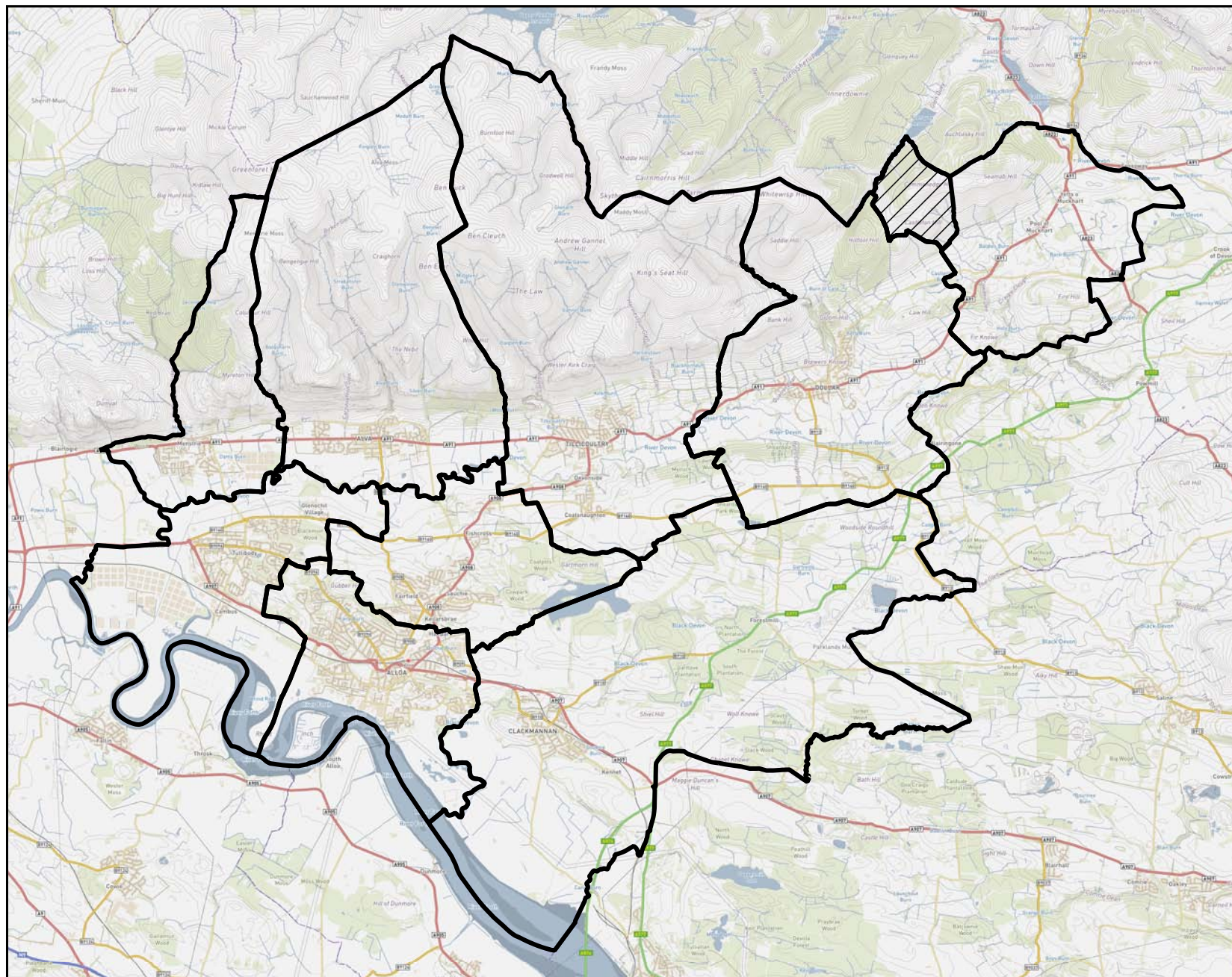
~~13.4.~~13.5. Clackmannanshire Council will provide guidance where relevant to assist community councils to adhere to the terms of this Scheme.

Adopted: [ Month ] 2022



Review date : 2026



# Community Councils



## Legend

-  Community Council
-  Area of change

Scale: 1:100,000

Paper size: A4

Date: 11 May 2021



**Clackmannanshire Council**  
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## Scheme for the Establishment of Community Councils – consultation 2020 – stage 1

## Part 1 – Comments from the public

Ref.	Boundary comments	Composition comments: maximum:	Composition comments: minimum	Council comments
Alloa CC	No changes proposed	No changes proposed	No changes proposed	<i>The current area was proposed by the former Alloa Centre Community Council and agreed following public consultation. Since then, the current Alloa CC has kept its boundaries, their effect on participation and the geographic areas from which members are drawn under review. They confirm they are not recommending a change at this time.</i>
Alloa 1		10	6	<i>Current minimum numbers are calculated to ensure that the quorum as much as the minimum operating number will be a number which residents consider appropriate to the area.</i>
Alloa 2	Alloa seems to large, Split Alloa South & east? Alloa Community Council is not effective and does not reflect the needs of the community. Meetings are not effective or well attended. Community groups do a better job of consultation.	This should depend on the size of the area, no less than 5 and should also be an odd number	Min 5 max depending on size of area	
Alloa 3	No, I think area 9 would benefit by dividing the area into two. Either side	Representatives should be proportionate to the number of	with the exception of Alloa, I think the current figures are the	<i>Public responses are clear that too low a number making decisions at meetings is not</i>

	of the main road through Alloa, the current boundary for area 9 is to large and is not one coherent community. As mentioned, Alloa is not one coherent community. There are a number of communities with differing needs and expectations that are lost in the current arrangement.	residents. For example Alloa is the most populated area and yet has only 2 more members than the rest (Muckhart being the exception)	minimum. It may be worth discussion to have minimum and maximum numbers?	<i>acceptable and except for exceptional circumstances there is not generally a case for lowering minimum membership numbers.</i>
Alva CC	No changes proposed	No changes proposed	Change proposed to reduce minimum number to 6	<i>Alva CC has not normally struggled to maintain membership number but circumstances this year have been exceptional. As we can put in place provision to cover exceptional circumstances we do not feel there is a need to lower minimum membership numbers at this time.</i>
Alva 1	Looks good as it is No change	I think Alva's current limit of 14 councillors is about right.	8 is the minimum I think it needs to have to be able to function properly. Less than that means that they would not properly reflect the views of all the community.	<i>We note the comments on how numbers affect meeting efficiency, whether too many or too few.</i>
Alva 2		12. 14 is too many for the size of Alva. It would stop cronies from being brought on board too	10. Sometimes a smaller group can think better than a larger on	<i>We feel that the existing provisions for minimum and maximum membership numbers found the balance between the benefits of high numbers of decision makers and the efficiency of low.</i>
Alva 3		7	5	
Clackmannan	No changes proposed	No changes proposed	No changes proposed	



CC				
Clackmannan 1		<p>I think the number of members should ideally reflect the population in said areas. E.g. Tullbody CC has a population of around 10,000 people but Clackmannan CC has a population of around 3,500 but both need to have 14 members</p> <p>It would also maybe make sense to make the number of members an uneven number so should there ever need for CC's a vote on a matter that there is not a deadlock</p>	<p>I think the members required should reflect the population of the area. e.g. 0 - 5,000 = 11 Members 6,000 - 10,000 = 13 members and 10,000 upwards = 15 members</p>	<p><i>As community council areas can vary in population, we feel that numbers based purely on such a formula might not be practical.</i></p> <p><i>The choice of membership maximum and minimum numbers must be workable even when there are unforeseeable absences and vacancies.</i></p>
Clackmannan 2	<p>I feel our area is logical I do not think a change desirable</p>	Good number	<p>12 - studies have shown this is an optimal committee size for decision making. Assuming all members may not be able to attend then 14 is about correct</p>	
Dollar CC	<p>No opposition to the change to Commonedge Hill as proposed by Muckhart CC which affects their shared boundary.</p>	No changes proposed	No changes proposed	<p><i>We respect the agreement made by both community councils on behalf of their respective communities</i></p>
Menstrie CC	No changes proposed	No changes proposed	No changes proposed	



Menstrie 1		10 To gain a fair mix of individuals and groups represented young and old	5 So one family can't easily run an area's council.  Also to stop hung voting during resolutions	
Menstrie 2		The current number of members in Menstrie Community Council (14) is fine.	I think our community council should have no less than 10 members. I chose 10 as that number should be representative of the residents in Menstrie	<i>There is a wide range of views on maximum and minimum numbers for Menstrie, which has historically operated successfully with current minimum membership numbers.</i>
Menstrie 3		15 seems reasonable under the current local government arrangements - but I don't believe these arrangements to be the best. Also, this entirely depends on how engaged/active/skilled members are and whether they are adequately diverse	12 - with the same reservations [as per max]	<i>As above, there is not generally a case for lowering minimum membership numbers.</i>
Menstrie 4			10 to allow for sufficient governance	
Muckhart CC	Changes proposed (see below)	No changes proposed	No changes proposed	<i>As Dollar above. We have no objections to the proposed, mutually agreed boundary change.</i>
Muckhart 1		Around 10 to 12. This sort of number allows for members to	8. Any less than this an	<i>(As above - previous comments)</i>

		be away on work or holiday and still have adequate numbers attending meetings. Also it helps spread the workload across the members who are volunteers.	meetings may have few members turn up, and the workload per member would increase.	<i>relating to practical application of max/min numbers.)</i>
Muckhart 2	It is odd that the Japanese Garden seems to be split between Dollar and Muckhart CCs. It should be solely in Muckhart CC as should the Castleton and Lawhill areas. They look to Muckhart for social events and people living in that area tend to say that they live in Muckhart rather than Dollar. I also think that it is very important that Muckhart continues to have its own Community Council. As Muckhart lies at the far end of Clackmannanshire, it is often forgotten and our rural needs are quite different to those of Dollar.	Happy with present number	Minimum of 10 people	<p><i>We have taken advice from Muckhart CC and there do not appear to be grounds at this time for this change to the boundary.</i></p> <p><i>We note the resident support for a community council for the Muckhart area specifically. There are no proposals to merge Muckhart CC area with any other.</i></p>
Muckhart 3	Muckhart Community Council would like to request a minor adjustment to the local CC boundary, to transfer an area of historic, common land - called Commonedge - from the Dollar CC area back into the Muckhart CC area (I will forward the relevant maps directly to Lesley Baillie). Muckhart CC has been in contact with Dollar CC which has agreed to this request. Historically, this area of land, which is located on the ridge of the Ochil Hills,	12 members. Muckhart CC supports the current number of elected members allocated to our area which we feel allows both Muckhart and its surrounding area to be fairly represented, in addition to allowing us to spread CC tasks and responsibilities equally and fairly amongst members. MCC currently has members elected	6 members. In support of the current SoE, Muckhart CC believes that this would be the minimum number of members that would allow the CC to continue to function whilst continuing to fairly represent our community	<p><i>Views on minimum numbers range from 6 to 10.</i></p> <p><i>We are not aware of any difficulties this area has in maintaining membership numbers or in its numbers raising questions of representation.</i></p>

	above Muckhart, is where the tenants of the Muckhart Parish traditionally grazed their animals in the summer and where villagers cut their peat.	from the Upper Yetts, Mossspark, Blairhill and New Broadmeadows (Golf Course Road) areas, in addition to members who are resident in the Pool, thereby, fairly representing residents across all areas of Muckhart.		
S & F CC	No changes proposed	No changes proposed	No changes proposed	
Sauchie & Fishcross 1		Happy with current number of 14	10 or 5 for Quorum - prefer to have as many people as possible on final decisions.	<i>We note that views are in line with current max/ min numbers.</i>
TC & D CC	No changes proposed	No changes proposed	No changes proposed	
Tillicoultry Coalsnaughton & Devonside 1		8	8	<i>The views of the public recognise the need for representation and practicalities. We have no reason to believe this cc has experienced difficulties with either and note the general support for the existing arrangements.</i>
Tillicoultry Coalsnaughton & Devonside 2		Tillicoultry have the same number as Dollar and as Menstrie who have a lot smaller populations	More than smaller communities to represent population	
Tillicoultry Coalsnaughton & Devonside 3		9 is probably enough people. I would say it has to be an odd number to enable a quorum when voting of issues otherwise I would imagine the Chair has the casting vote.	7 should be enough as a minimum so long as they represent a cross section of members of the community	
Tillicoultry Coalsnaughton & Devonside	Tillicoultry Coalsnaughton and Devonside is shown as No.7 but not in the KEY	Despite it being more difficult to keep Councillors active 12 to 14 members is okay. This since	A minimum of 14 i.e. as is!	

4	NO CHANGE REQUIRED!	they are needed to make sure the whole community is represented properly and fully.		
Tillicoultry Coalsnaughton & Devonside 5	tillicoultry	16	as it covering 3 villages	
Tillicoultry Coalsnaughton & Devonside 6		I think the numbers currently are suitable	Minimum of 5. The split in the county means the areas covered aren't huge. I think its still feasible to have a minimum of 5	
TC&G CC	No changes proposed	No changes proposed	No changes proposed	<i>This area had very strong membership in the past but as members recently moved out of the area the cc has struggled to maintain numbers. It represents a relatively large population and we are not proposing lowering membership numbers.</i>

## Part 2 – Dialogue with community councils

Joint Community Council Forum – dialogue on the key contents of the Scheme March 2021

Key points from March	Council comment	Proposal
<b>General</b> <ul style="list-style-type: none"> <li>Review of Scheme</li> </ul>	<p>Every review of the Scheme is an opportunity to think differently about all aspects of governance.</p> <p>The main reason for the review of the Scheme was to incorporate provision for flexibility in the event of an emergency (such as a pandemic), to avoid having to go to Council to put measures in place to allow ccs to continue to operate, and to remove where possible any provisions which require recourse to Council where there could be cc control.</p>	<p>Draft revised Scheme includes new provisions.</p>
<b>Commitment to the cllr role</b> <ul style="list-style-type: none"> <li>Getting people to convert 'interest' 'effort' and 'willingness' into commitment to the cc seems to be the problem we hope the Scheme will solve.</li> <li>Effect of trend towards community ownership of buildings</li> </ul>	<p>We have yet to find a perfect way within the governance framework to attract people to their cc. The scope to recruit volunteers and make co-options is the best we can do without radical change.</p> <p>The distinctive cc function and governance are the best we can come up with to prove that whatever else a ccs does, it exists to fulfil a very clear function which other community groups generally do not.</p> <p>We accept that as policy trends come and go, people will decide if they want a cc and it is up to people to make their choice to which group/s to dedicate their effort.</p>	<p>We have no proposals at this stage. Stage 2 invites comment and suggestions from the public.</p>
<b>Co-options</b> <ul style="list-style-type: none"> <li>Co-opted members should count for minimum numbers</li> <li>Co-option ratio should be more generous</li> </ul>	<p>The co-option provisions are as loose as the Council can make them without recruitment becoming a prerogative of existing cllrs.</p> <p>The public do not seem concerned about co-options and the public do sympathise with ccs about limitations on recruitment.</p> <p>Co-options provisions have not normally been found to be a barrier until circumstances are exceptional.</p>	<p>A greater degree of flexibility in exceptional circumstances / inability of Council to arrange regular or interim elections might address these suggestions</p> <p>The motive for these suggestions is linked with minimum numbers. See below.</p>

<ul style="list-style-type: none"> <li>Co-options as a recruitment tool</li> </ul>	<p>Co-options are a flexible but legitimate way of replacing members who leave within a term of office. The provision for co-options is vital for maintaining membership numbers and breadth of representation.</p>	<p>Retain co-options in principle.</p> <p>We do not feel that loosening co-option provisions is a solution for community councils.</p>
<p><b>Minimum numbers</b></p> <ul style="list-style-type: none"> <li>Lower minimum numbers would make recruitment at elections easier</li> </ul>	<p>The public seem to sympathise with ccs when they lose members and cannot replace them quickly. However, there were several comments indicating the public do not like the idea that too few people represent the community, so lowering minimum numbers might not be a popular move.</p>	<p>Lowering minimum operating membership numbers has a knock-on effect on the quorum and co-option ratios. We do not recommend lowering the quorum.</p>
<ul style="list-style-type: none"> <li>Should be lowerable. Do they have to be set in the scheme? Could they be based on the membership at any given time?</li> </ul>	<p>Provisions which allow minimum numbers to adapt to changes in levels of interest of people who want to be community councillors will help community councils to manage their membership numbers but in practice could either compromise democratic standards or not be a quick process.</p>	<p>Except perhaps for exceptional circumstances, we think communities and community councils alike would prefer for clarity and transparency to have set membership numbers.</p> <p>The flexibility in case of emergency will go some way to addressing the problem this suggestion addresses.</p>
<p><b>Elections</b></p> <ul style="list-style-type: none"> <li>Formal elections should be retained</li> <li>Current election method should be retained</li> <li>4 yearly cycle versus yearly elections</li> </ul>	<p>Formal elections instil credibility and confirm to residents that community councils can't choose their own members. They imply commitment and continuity, and the four-yearly cycle allows ccs to focus on business rather than filling membership every year.</p> <p>The Council is not in a position to run yearly elections at the moment or in the foreseeable future.</p>	<p>Retain current election frequency and method.</p>
<ul style="list-style-type: none"> <li>'Election by Half'</li> </ul>	<p>Election by half every two years helps retain experience and continuity. It asks residents to fill a smaller number of spaces but it gives the impression of a shorter term of office and people choose to leave after 2 years instead of 4.</p>	<p>Retain 4 yearly regular elections and interim elections as required.</p>

	<p>The Council could not currently consider running cc elections every two years. The current economic climate and elections landscape appear prohibitive.</p> <p>The Council is open to suggestions on other election formats but if they are to be run by the Council's elections team the Council will only run elections in the format set out in the existing Scheme and will continue not to make exceptions to standards and deadlines.</p> <p>Cc may still choose at the next stage of consultation to ask for regular elections with 'elections by half' if they wish to arrange elections themselves or through a third party.</p>	
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Appendix IV  
Indicative Review Timetable

- 1.1. The steps involved in this process and proposed timescales are laid out in the Table below.

<b><i>Date</i></b>	<b><i>Step</i></b>
<i>September 2020:</i>	Council agrees to revoke existing Scheme.
<i>October 2020:</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.
<i>June 2021:</i>	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.
<i>August 2021:</i>	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.
<i>December 2021:</i>	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.
<i>January 2022:</i>	If required, the public will have a 4-week period in which to make any final representations on the proposed document.
<i>April 2022:</i>	Council will consider any final representations and will formally adopt a new Scheme.
<i>April 2022:</i>	Public notice of the adopted Scheme and invitation for electors to apply for establishment in areas where no community council exists.

- 1.2. The eventual Scheme is timetabled for implementation in 2022.



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**Report to Clackmannanshire Council**

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**Date of Meeting: 24<sup>th</sup> June 2021**

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**Subject: UNISON Ethical Care Charter**

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**Report by: Wendy Forrest, Head of Strategic Planning & Health Improvement**

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**1.0 Purpose**

- 1.1. This report seeks Council agreement to endorsing the UNISON Ethical Care Charter and agreeing that the Council Leader signs the Charter on the Council's behalf.

**2.0 Recommendations**

It is recommended that Council:

- 2.1. Agree to endorsing the principles of UNISON's Ethical Care Charter;
- 2.2. Agree that the Council Leader signs the Charter on behalf of Clackmannanshire Council;
- 2.3. Note that the Integration Joint Board, at a meeting on 21<sup>st</sup> September 2016, noted both the principles of the Charter as well as endorsing the progress being made towards implementation of the principles;
- 2.4. Agree that the Chief Officer of the Integration Joint Board provide regular update on progress through the Clackmannanshire Council committee structure as well as to the Integration Joint Board;
- 2.5. Recognise that the Council cannot legally enforce the requirements of the Ethical Care Charter contractually during the contract life cycle of existing contractual arrangements.

**3.0 Considerations and Background**

- 3.1. The Ethical Care Charter ("the Charter") was developed by UNISON in 2012 and relates primarily to care at home services. The Charter is based on evidence gathered from a survey of homecare workers and considers how

employment terms and conditions of workers can contribute to the standards of care received by those individuals receiving care at home.

- 3.2. UNISON invited all Public Sector Commissioning Authorities for Care at Home to sign up to the Charter.
- 3.3. To date a number of Councils have formally signed up to the Charter, including Aberdeen, Fife, Inverclyde, North Ayrshire, North Lanarkshire, Renfrewshire and Stirling.
- 3.4. The Clackmannanshire & Stirling Integration Joint Board, on 21<sup>st</sup> September 2016, noted both the principles of the Charter as well as endorsing the progress being made towards implementation of the principles.
- 3.5. The overriding objective behind the Charter is to establish a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions which do not “routinely short change clients” and which ensure the recruitment and retention of a more stable workforce through more sustainable pay, conditions and training levels. The commitments in the Ethical Care Charter for the commissioning of homecare services are set out in Appendix 1 to this report.
- 3.6. The Charter principles do not impact Council staff as the terms and conditions of the Council meet the requirements of the Charter, however signing up to the principles demonstrates a commitment to value the role of carers in 3<sup>rd</sup> and independent sector organisations and they work they do.
- 3.7. Whilst the Council may sign up to the principles of the Charter there is no legal basis on which this can be applied to existing contracts during the life of those contracts unless provision already exists within the contract specification or terms & conditions.
- 3.8. Appendix 2 provides a summary of progress by Clackmannanshire Council towards achieving and sustaining each of the three stages in the Charter. Clackmannanshire Council promotes this good practice approach and encourages other suppliers and employers across the sector to do so through robust commissioning and procurement processes, supply chain management and contract management.

#### **4.0 Sustainability Implications**

- 4.1. None

#### **5.0 Resource Implications**

##### **5.1. Financial Details**

- 5.1.1. 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 x

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

## 5.2. Staffing

5.2.1 No issues.

## 6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No x

## 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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐  
Our families; children and young people will have the best possible start in life ☐  
Women and girls will be confident and aspirational, and achieve their full potential ☐  
Our communities will be resilient and empowered so that they can thrive and flourish ☐

(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 X

## 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 x

## 10.0 Appendices

10.1 Appendix 1: Extract of the UNISON Ethical Care Charter for the commissioning of homecare services.

10.2 Appendix 2: Update on Clackmannanshire Council's position on the commitments in UNISON's Ethical Care Charter

**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)

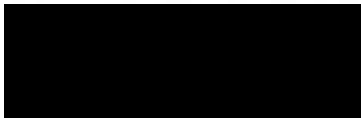
Yes ☒ (please list the documents below) No ☐

- Ethical Care Charter;
- Report to Clackmannanshire & Stirling Integration Joint Board dated 21<sup>st</sup> September 2016 – Ethical Care Charter.

**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Wendy Forrest	Head of Strategic Planning & Health Improvement	07385 031941

**Approved by**

NAME	DESIGNATION	SIGNATURE
Annemargaret Black	Chief Officer, IJB	

## **Ethical care charter for the commissioning of homecare services**

### **Stage 1**

The starting point for commissioning of visits will be client need and not minutes or tasks. Workers will have the freedom to provide appropriate care and will be given time to talk to their clients.

The time allocated to visits will match the needs of the clients. In general, 15-minute visits will not be used as they undermine the dignity of the clients.

Homecare workers will be paid for their travel time, their travel costs and other necessary expenses such as mobile phones.

Visits will be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.

Those homecare workers who are eligible must be paid statutory sick pay

### **Stage 2**

Clients will be allocated the same homecare worker(s) wherever possible.

Zero hour contracts will not be used in place of permanent contracts. Providers will have a clear and accountable procedure for following up staff concerns about their clients' wellbeing.

All homecare workers will be regularly trained to the necessary standard to provide a good service (at no cost to themselves and in work time).

Homecare workers will be given the opportunity to regularly meet co-workers to share best practice and limit their isolation.

### **Stage 3**

All homecare workers will be paid at least the Living Wage (as of November 2013 it is currently £7.65 an hour for the whole of the UK apart from London. For London it is £8.80 an hour. The Living Wage will be calculated again in November 2014 and in each subsequent November).

If Council employed homecare workers paid above this rate are outsourced it should be on the basis that the provider is required, and is funded, to maintain these pay levels throughout the contract.

All homecare workers will be covered by an occupational sick pay scheme to ensure that staff do not feel pressurised to work when they are ill in order to protect the welfare of their vulnerable clients.

## Appendix 2

### Update on Clackmannanshire Council's position on the commitments in UNISON's Ethical Care Charter

At present Clackmannanshire Council continues to work towards full compliance with the UNISON Ethical Care Charter. Progress against individual requirements is as follows:-

<b>Recommendations - Stage 1</b>	<b>Progress</b>	<b>Status</b>
The starting point for commissioning visits will be based on client need and not minutes or tasks.	The starting point for all commissioning of care packages is assessing need and matching care to meet assessed need. Care is also reviewed as needs change. The implementation of self-directed support has resulted in an increased focus on delivery of outcomes for individuals. Work is ongoing to ensure that the principles of outcome focused commissioning are embedded within the assessment process.	Complete
Time allocated to visits will match need and 15 minute visits will not be used.	Clackmannanshire Council continues to pay providers in 15-minute increments per current contractual arrangements. All visits are now based on assessed individual need rather than minutes or tasks, therefore reducing the need for short duration visits. It is anticipated that the increasing use of telecare and the uptake of self-directed support will reduce the number of check calls or prompt visits and this work is being progressed. However, there remains a significant challenge to both the Council and Providers to fully meet this recommendation.	Work in progress.
Care at home staff will be paid for travel time and travel costs.	Providers are required to minimise travel time as much as possible when scheduling rotas in order to achieve maximum efficiency. The hourly rate currently paid to contracted providers includes provision for travel time/costs. Therefore, although only contact time is currently paid for, an allowance for travel time and costs is built into the hourly rate paid to providers to cover travel time/costs. It is	Complete.

	anticipated that this will continue to be fully addressed by future contractual arrangements.	
Visits will be scheduled so that care at home workers are not forced to rush their time with clients.	Visits are provided on the basis of the individuals assessed needs and visit times are scheduled accordingly. Where the individual's care needs change the appropriate adjustments are made.	Complete
Care at home workers who are eligible must be paid statutory sick pay.	There is a mandatory requirement in terms of Employment Legislation for providers to ensure that eligible staff are paid statutory sick pay.	Complete

<b>Recommendations - Stage 2</b>		
Service users will be allocated the same homecare worker(s) wherever possible.	The Commissioning Team, which is delegated into the HSCP, has focused on building care at home capacity across Clackmannanshire and the wider HSCP area. Recruitment and retention is proving problematic for contracted providers which, in turn, can lead to high staff turnover and inconsistency of individual workers.	Work in progress
Zero hour contracts will not be used in place of permanent contracts.	Whilst all providers must comply with the Working Time Regulations (1998) and The Working Time (Amendment) Regulations 2009, some home care staff state a preference for zero hour contracts and advise that the flexibility suits personal and	Work in progress

	family circumstances and allows them to choose where and when they work.	
Providers will have clear procedures for following up carers concerns.	Care providers have a clear and accountable organisational complaints policies for following up carers' concerns. These policies are verified by the Care Inspectorate as part of the registration and inspection process. In addition to this, the SPSO provide the opportunity for concerns to be addressed independently.	Complete
Care at Home workers will be regularly trained to provide a good service at no cost to themselves and in work time.	The providers and Clackmannanshire Council provide mandatory training for care workers both in relation to mandatory requirements and quality improvement at no cost and in work time. The Care Inspectorate encourages, through assessment, good practice in relation to training.	Complete
Care at Home workers will have regular opportunities to meet co-workers to share best practice and reduce isolation.	Providers have regular team meetings to discuss relevant work topics and to review and update their supporting quality standards i.e. ISO 9000/1 certification and to engender a team ethic across staff groups to minimise isolation. The Care Inspectorate encourages, through assessment, good practice in relation to isolation and information sharing.	Complete



<b>Recommendations - Stage 3</b>		
All care at home workers will be paid at least the Living Wage.	All care at home staff employed by Clackmannanshire Council and Providers contracted to provide care on behalf of Clackmannanshire Council pay their care staff the national minimum wage. In addition, since 1 <sup>st</sup> October 2016 all care at home providers pay staff the Scottish Living Wage, as mandated by the Scottish Government.	Complete
All care at home workers will be covered by an occupational health scheme to ensure staff do not feel pressurised to work when they are ill.	All Care at Home providers currently contracted to provide care on behalf of Clackmannanshire Council must provide the appropriate level of statutory sick pay and any other mandatory benefits as laid out within HMRC regulatory framework.	Work Progress in

**CLACKMANNANSHIRE COUNCIL**

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**Report to Clackmannanshire Council**

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**Date of Meeting: 24 June 2021**

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**Subject: ABC Closure**

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**Report by: Lynda McDonald, Improving Outcomes Manager**

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**1.0 Purpose**

- 1.1. This report provides information on the outcome of the formal consultation on the permanent closure of ABC Nursery
- 1.2. It seeks Council approval and authority for officers to progress the permanent closure of ABC Nursery from 1<sup>st</sup> September 2021.

**2.0 Recommendations**

- 2.1. It is recommended that Council

Decides to permanently discontinue ABC Nursery School from 1<sup>st</sup> September 2021, and thereafter Agrees to declare the ABC nursery building at Grant Street in Alloa surplus to operational requirements

**3.0 Considerations**

- 3.1. Background

- 3.1.1. At the Council meeting on 26 November 2020, the Council approved consultation on the permanent closure (described as permanent discontinuation in the Act) of ABC Nursery

The consultation required to be a formal consultation under the Schools Consultation (Scotland) Act 2010 (the Act) and focused on the educational benefits of the proposal.

- 3.1.2 Following the Council decision on 26 November, the Council undertook a formal consultation on the permanent closure of ABC Nursery.
  - 3.1.3 Copies of the consultation document (Appendix 1) were distributed to all parents and staff at ABC Nursery. Copies were also made available on the Council website.

- 3.1.4 The document was also sent to Alloa Community Councils and the constituency MSP and MP.
- 3.1.5 A formal consultation meeting was held with staff from the nursery.
- 3.1.6 As required by the Act, a formal consultation event was held to which Education Scotland were invited. This took place online on 23 March 2021 and 11 people were in attendance.

### **3.2 Outcome of the consultation**

- 3.2.1 The consultation responses were gathered via Clackmannanshire Council's online consultation database Citizen Space (Appendix 2).
- 3.2.2 There were 32 responses received online. 6 responses were in favour of the proposal to close ABC Nursery and 26 disagreed.
- 3.2.3 The consultation also gave people an opportunity to provide any further comments; these responses are set out in Appendix 3

### **3.3 Education Scotland report**

- 3.3.1 As part of the statutory consultation, officers from Education Scotland attended the public meeting and met with staff and parents from ABC Nursery and Park ELC.

Following this meeting they prepared a report on the consultation which is contained in Appendix 4.

- 3.3.2 The summary of the report by Education Scotland concludes that the council's proposal is of clear educational benefit for children aged 2-5 years. The report also recommends that the Council should set out how it will address the concerns raised during the consultation. In particular, how it will inform parents of the availability of provision for children aged two years and under including those children who may have complex additional support needs.

The Council then complied with the post consultation legislative requirements in relation to publication of the outcome of the report.

### **Next steps**

Should the Council agree to permanently close ABC nursery school, it will be required to inform Scottish Ministers and to publish a notice on its website confirming the decision to close. There is then an opportunity for representations to be made to Scottish Ministers which would could instigate a process of "call in" of the decision. The timescale for this process is 8 weeks in total. After 8 weeks if there have been no representation or call in the decision will take effect.

Council is also invited to agree to declare the building surplus to operational requirements. This would allow the building to be marketed for sale from 1 September 2021.

#### **4.0 Sustainability Implications**

#### **5.0 Resource Implications**

5.2 Consultations will take place with Trade Unions over any staffing implications

5.3 All staff will be redeployed into vacant positions.

#### **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 ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	<input type="checkbox"/>
Our families; children and young people will have the best possible start in life	<input type="checkbox"/>
Women and girls will be confident and aspirational, and achieve their full potential	<input type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	<input type="checkbox"/>

(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 ☒ No ☐

## 10.0 Appendices

Appendix 1 – ABC Consultation paper

Appendix 2 – Citizen Space Consultation Report

Appendix 3 – Comments Summarised

Appendix 4 – Education Scotland Report

## 11.0 Background Papers

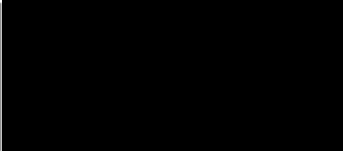
- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lynda McDonald	Improving Outcomes Manager	

### Approved by

NAME	DESIGNATION	SIGNATURE
Lorraine Sanda	Strategic Director (People)	



## **Clackmannanshire Council – People – Education**

### **Schools (Consultation) (Scotland) Act 2010**

#### **Consultation on the proposal to close ABC Nursery, Grant Street, Alloa.**

#### **Proposal**

##### **1.0 Introduction**

- 1.1 The existing building housing ABC Nursery was used until March 1992 by St. John's Primary School. Scottish Enterprise moved ABC into the building in 1996 and in 1998 Clackmannanshire Council assumed responsibility for ABC Nursery.
- 1.2 Until the emergency closure in May 2020, ABC nursery operated 8 a.m. - 6 p.m. with 23 members of staff and Care Inspectorate registration for up to 88 children, aged 0-5 years. The service was predominately used by working families.  
  
The building is designed around a small main hall. The play areas for 0-2 years and 2-5 years have been created through refurbishment of what were originally classroom areas. In addition there is an administrator's office, a small office for the manager, a parent/carer room and a staff area which is utilised as a meeting room when required.
- 1.3 In May 2020, the ABC Nursery building was subject to emergency closure because the planned structural assessments were unable to take place due to the COVID 19 lockdown. There was a plan to reopen the building in August 2020.
- 1.4 Following a period of extreme weather, an emergency decision was taken in August 2020 not to reopen the building on the basis of Health and Safety.
- 1.5 All children were relocated to local authority Early Learning and Childcare (ELC) establishments or partner providers. Staff were temporarily relocated to the local authority ELC closest to their homes. In January 2021 some staff were temporarily relocated to accommodate the January intake of 3 year olds.
- 1.6 This Proposal Document has been issued as a result of a decision taken by Clackmannanshire Council. On Thursday 26<sup>th</sup> November 2020, the Council agreed to undertake a statutory consultation regarding the closure of ABC Nursery. The outcomes of the consultation will be reported back to Council

##### **2.0 Reasons for the proposal to close ABC**

- 2.1 The building fabric is generally in very poor condition. Following nine separate call outs of reports of water ingress in 2019, an independent roof survey was commissioned and carried out. Further structural assessment survey was also completed
- 2.2 The findings from both surveys concluded that the roofing fabric required immediate attention to stabilise the structure. A programme of roof upgrade and replacement was also required within the short term. Within the areas assessed and observed, there were significant structural defects.

- 2.3 A programme of immediate works was agreed to stabilise the roof structure within the short term to sustain services from this facility. These were completed in November 2019.
- 2.4 This came with a recommendation of further quarterly inspections with the caveat that this work and immediate repairs were a short term solution to sustain provision and restore an element of roof integrity until August 2021.
- 2.5 Every effort has been made by the Property Maintenance Team to sustain this facility resulting in significant reactive maintenance revenue repair costs. By August 2020, the Health and Safety of staff and children could not be guaranteed.
- 2.6 The scope of immediate works required to sustain this building as an Educational Facility in the short to medium term is as follows:

<b>Works Required</b>	<b>Estimated Costs</b>
Upgrade to the Roof Structure and Frame	£300,000
Replacement Roofing Fabric( Slate) , Replacement underfelt Lead Flashings Valleys Rain Water Goods Roof Windows Soffit Boards and Facias	£350,000
Full Replacement Heating Systems	£150,000
Full Electrical Enhancement & Alarms , CCTV	£100,000
Building Re-Commissioning	£30,000
Re-Pointing and Upgrade of Boundary Walls	£50,000
Replacement of Ceilings , Internal Re-Decoration and Floor Coverings	£100,000
Consulting Engineering Fees and Management Fees , Procurement Costs ( 15% )	£162,000
<b>Totals</b>	<b>£1,242,000</b>

- 2.7 This work would require a full procurement process to be undertaken and any work would require vacant possession of the site.
- 2.8 As part of the 1140 hours expansion of early learning and childcare, children are entitled to a meal. ABC Nursery does not currently have a commercial kitchen to provide meals and this would require capital works.

### 3.0 Contextual Information

- 3.1 The ABC Nursery roll has shown a decline in roll over the past 4 years:
- session 16/17 - 93 children
  - session 17/18 - 92 children
  - session 18/19 - 64 children
  - session 19/20 - 61 children
- 3.2 Of the 61 registered children in 2019/20:
- 67% of children reside within Alloa
  - 15% of children reside within Tullibody, Sauchie, Clackmannan and Fishcross
  - 12% of children reside within Alva and Menstrie
  - 6% of children reside out with Clackmannanshire
- 3.3 Some of these families used ABC Nursery to purchase additional hours over their entitlement of 600 hours at other establishments. Prior to the 1140 hours expansion of ELC this was the only local authority establishment which offered this flexibility.
- 3.4 ELC settings do not have catchment areas. The National Standard for Early Learning and Childcare which comes in to effect by August 2021 includes the 'Funding Follows the Child' approach, which gives choice to parents/carers to access their child's funded entitlement from any setting. This includes public, private, third sector settings or childminders who meet the National Standard, have a place available and are willing to enter into a contract with their local authority.
- 3.5 The National Standard, which underpins the approach, will provide parents/carers with the certainty that those settings delivering funded hours are offering high quality early learning and childcare provision.
- 3.6 The delivery of the Clackmannanshire ELC expansion offers families the choice of extended year/day or term time options in line with the school day:

	Alloa Cluster	Lornhill Cluster	Hillfoots Cluster
Local authority extended year/day	Park ELC (extension ongoing)	Sauchie ELC Tulach ELC	Menstrie ELC
Local authority term time/school day	Redwell ELC Sunnyside ELC	Banchory ELC Clackmannan ELC Craigbank ELC St Serf's ELC	Alva ELC Strathdevon ELC Tillicoultry ELC Coalsnaughton ELC
Partner Providers	Little Stars Alloa Kidzworld Nursery	Glenview Cottage Nursery Flying Start Nursery	Dollar Nursery
Childminders	5	12	1



- 3.6 For those families requiring more than 30 hours of funded ELC per week there are several local authority options available at Menstrie, Park, Sauchie and Tulach.

Families can also choose from 5 partner nurseries in Clackmannanshire and 18 partner childminders who offer a flexible pattern of attendance.

#### **4.0 Financial information**

- 4.1 There are no anticipated revenue savings as a result of the closure of ABC Nursery as the current revenue spend will be transferred to Park ELC to support the new expanded provision. There may be a capital receipt for ABC Nursery if this property is deemed surplus to the Council's needs and is sold.

#### **5.0 Likely Impact on the Alloa Community**

- 5.1 The ABC Nursery building is not used for community purposes.

#### **6.0 Travel Plan for Families**

- 6.1 No travel plan is required as all current ABC families have accessed alternative ELC establishments.

#### **7.0 Future use of ABC Nursery**

- 7.1 The property will become surplus to the Council's operational requirements and an options appraisal for the property will be carried out. All options will be considered for the future use of the property to support the area in terms of both housing and non-housing options.

#### **8.0 The Proposal**

- 8.1 Early Learning and Childcare Provision should be discontinued at ABC Nursery.
- 8.2 All children can be accommodated within local authority or partner provider establishments and all staff can be redeployed to other local authority ELC establishments.

#### **9.0 Educational Benefits Statement**

- 9.1 Clackmannanshire Council believes the closure of ABC Nursery and relocation of children to alternative local authority and partner provider establishments will provide a range of educational benefits and enhance the Council's efforts to meet the statutory duties enshrined in:

- The Education (Scotland) Act 1980.
- The Standards in Scotland's Schools etc. Act 2000.
- The Local Government in Scotland Act 2003.
- The Education Additional Support for Learning (Scotland) Act 2004 (Updated 2009).
- The Equality Act 2010.
- The Children and Young People (Scotland) Act 2014.

- 9.2 **Improved choice for families to access flexible year round provision**  
The expansion of ELC in Clackmannanshire has increased the choice and flexibility of provision available to meet the needs of families. This may be based around work patterns, training opportunities and vulnerability.
- 9.3 **Improved learning environments**  
The ELC expansion capital investment programme has delivered two new purpose built ELCs at Tulach and Menstrie as well as a refurbishment of Sauchie. The extension to Park ELC is projected to open in August 2021. Some ELC classes have received extensive refurbishments and others have been enhanced. These ELC settings provide a 21st century learning environment which meet the requirements of 'Space to Grow', the benchmark by which any existing property should be assessed to establish suitability of provision.
- 9.4 **Improved transition for those attending ELC closest to catchment school**  
When children attend the ELC setting closest to their catchment school, this significantly enhances transition opportunities for children and families. High levels of family involvement are recognised as important to the learning success of children and this can become established at an earlier stage if the ELC is geographically closer to the school.
- 9.5 **Continuity of learning experiences for those in ELC classes**  
This proposal supports continuity in children's learning at the early level of Curriculum for Excellence. The ELC staff and school staff can work closely together to provide the children with a high quality experience over the 3 years of Early Level Curriculum for Excellence.

## **10.0 Staffing implications**

10.1 Council officers will commence discussions with staff and trade unions in relation to any potential staffing implications following approval of this closure by Clackmannanshire Council. Any impact on staffing would be in line with current staffing policies and be agreed with appropriate Trade Unions.

## **11.0 Consultation Timeline**

11.1 The proposal to seek to consult on the closure of ABC Nursery was taken at the People Committee on Thursday 26<sup>th</sup> November 2020.

11.2 Education Scotland is involved in every proposal which a local authority consults on under the 2010 Act.

11.3 Education Scotland must review the local authority's proposal paper along with other relevant documents. The review will have a particular focus on the educational aspects of the proposal. Education Scotland sometimes attends, and observes the public meeting.

11.4 Education Scotland must prepare a professional and independent report on the educational aspects of the proposal being consulted on. In preparing their report, Education Scotland will consider the local authority's proposal paper. They will also take account of written responses received by the local authority, a summary of oral representations made at the public meeting, and any other relevant documents.

11.5 Education Scotland may visit ELC establishments affected by the proposal when they are preparing their report. In this case, it is possible they will meet parents/ carers children and staff to hear their views.

11.6 A report on the consultation will be taken back to Elected members for a decision as to whether ABC Nursery is to close.

## **Consultation arrangements: Distribution of the proposal document, stakeholders, and the consultation process**

### **Distribution of the proposal document**

A copy of this document is available on Clacksweb

#### **A copy of this document will be provide for**

- The families of children who had been enrolled at ABC Nursery for session 2020/2021
- The staff at ABC Nursery
- Trade Union representatives of the staff at ABC Nursery
- Alloa Community Council
- Elected members of Clackmannanshire Council
- Constituency MP and MSP
- Education Scotland

This document is available in alternative formats or translated for readers whose first language is not English. Please apply to Clackmannanshire Council Education Service, Kilncraigs, Alloa, FK10 1EB or by email: [education@clacks.gov.uk](mailto:education@clacks.gov.uk)

### **Consultees**

We will be consulting:

- Parents and carers of all children previous enrolled at ABC Nursery
- Nursery staff and trade unions
- Alloa Community Council

### **The Consultation Period**

The consultation will take place between Monday 22<sup>nd</sup> February 2021 and Monday 26<sup>th</sup> April 2021.

### **Public meeting**

A virtual meeting will take place on Tuesday 23<sup>rd</sup> March at 7 p.m.

Please contact [education@clacks.gov.uk](mailto:education@clacks.gov.uk) by Tuesday 16<sup>th</sup> March for joining instructions.

We would urge anyone who would like to participate, but feel they would be limited by this approach, to contact us directly to discuss (contact details below).

### **Responding to the Consultation**

Please respond online using the Consultation Hub on the Clackmannanshire Council website at:

<https://clackmannanshire.citizenspace.com/>

If you would prefer to write to us directly then you can do so using the email or postal address shown in the contact details below.

All responses should be provided by Monday 26<sup>th</sup> April 2021.

Due to Covid restrictions all submissions should be in writing or via email.

### **Following the Consultation**

Education Scotland will receive details of both the consultation responses and public meeting and they will then provide Clackmannanshire Education Services with a report.

Education Services will then prepare a consultation report which will be published on the council website. All respondents to this consultation will be notified when it is available.

The consultation report will be discussed by Elected members where they will decide on the matter.

### **Contact details**

Informal telephone enquiries concerning these proposals can be made on 01259 450000.

Please respond to the online consultation response form if you can <https://clackmannanshire.citizenspace.com/> but if you would like to write to us directly in response, please email us at [education@clacks.gov.uk](mailto:education@clacks.gov.uk) or use the following postal address:

ABC Nursery Closure Consultation  
Clackmannanshire Council  
Education Service  
Kilncraigs  
Alloa  
FK10 1EB

## **APPENDIX B**

### **ABC Nursery Closure**

<https://clackmannanshire.citizenspace.com/education/abc-nursery-closure>

This report was created on Tuesday 27 April 2021 at 08:07

The consultation ran from 22/02/2021 to 26/04/2021

Responses to this survey: **32**

#### **1: Your name**

##### **Your name**

There were 26 responses to this part of the question.

#### **2: Your contact details**

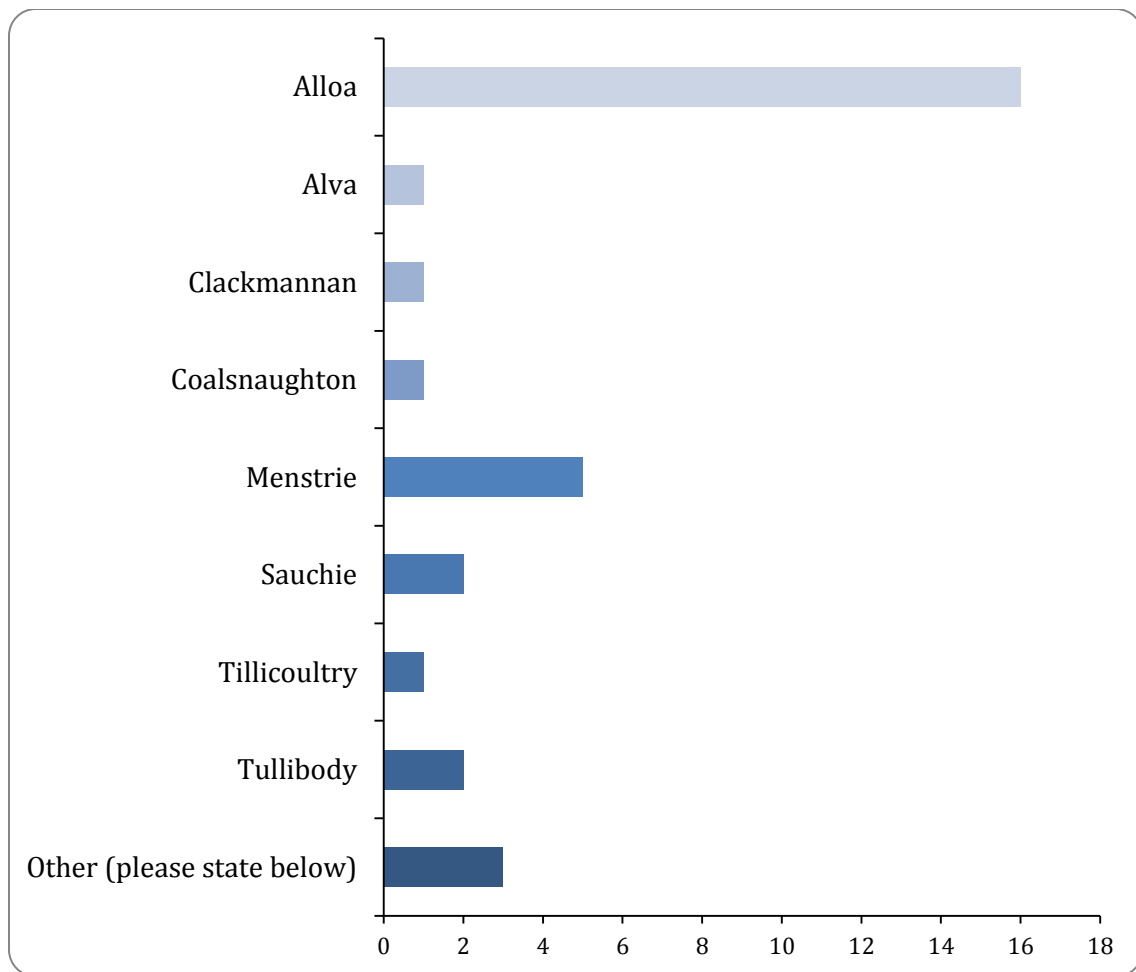
##### **Your contact details**

There were 22 responses to this part of the question.

#### **3: Where do you live?**

##### **Where do you live**

There were 32 responses to this part of the question.



Option	Total	Percent
Alloa	16	50.00%
Alva	1	3.12%
Cambus	0	0.00%
Clackmannan	1	3.12%
Coalsnaughton	1	3.12%
Devon Village	0	0.00%
Dollar	0	0.00%
Fishcross	0	0.00%
Forestmill	0	0.00%
Glenochil Village	0	0.00%
Helensfield	0	0.00%
Kennet	0	0.00%
Marchglen	0	0.00%
Menstrie	5	15.62%
Muckhart	0	0.00%
Sauchie	2	6.25%

<b>Tillicoultry</b>	1	3.12%
<b>Tullibody</b>	2	6.25%
<b>Other (please state below)</b>	3	9.38%
<b>Not Answered</b>	0	0.00%

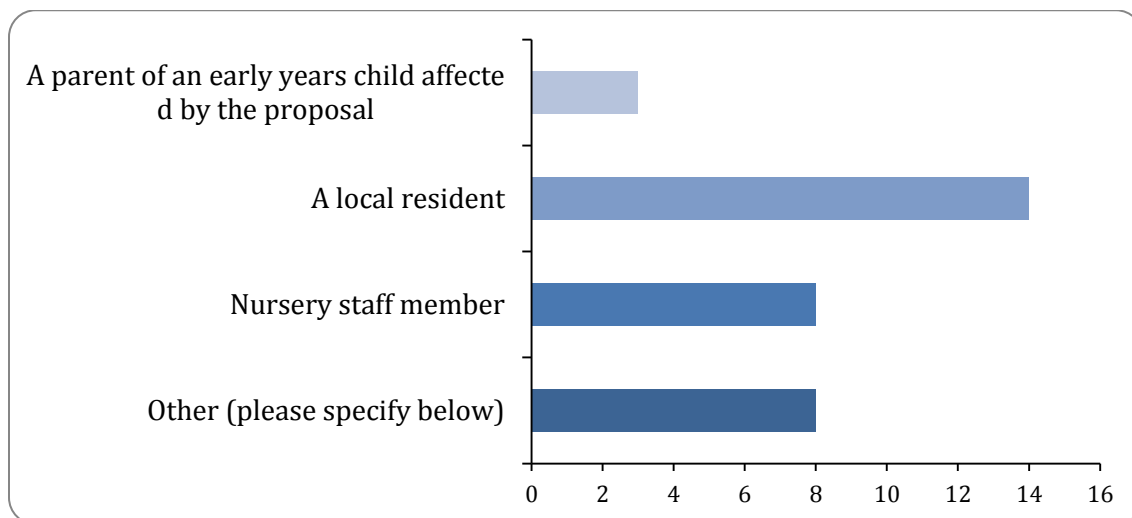
### Other place name

There were 5 responses to this part of the question.

### 1: What group do you belong to?

#### What group do you belong to

There were 32 responses to this part of the question.



<b>Option</b>	<b>Total</b>	<b>Percent</b>
<b>A parent of an early years child affected by the proposal</b>	3	9.38%
<b>A local resident</b>	14	43.75%
<b>Nursery staff member</b>	8	25.00%
<b>Other (please specify below)</b>	8	25.00%
<b>Not Answered</b>	0	0.00%

### Other group

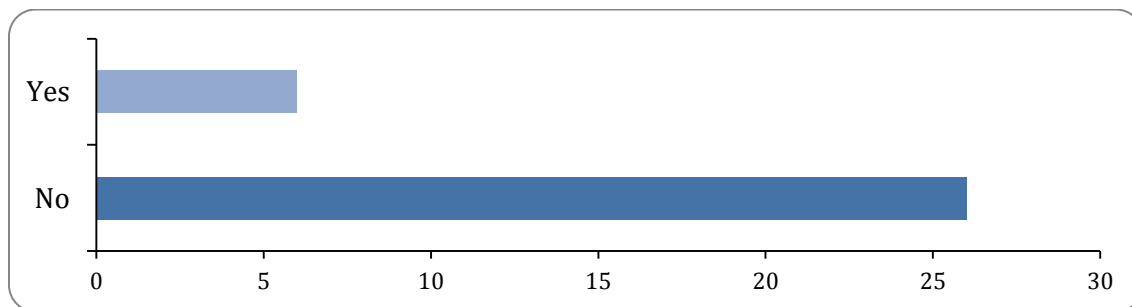


There were 8 responses to this part of the question.

## 2: Do you agree with the proposal to permanently close ABC Nursery?

### Do you agree with proposal?

There were 32 responses to this part of the question.



Option	Total	Percent
Yes	6	18.75%
No	26	81.25%
Not Answered	0	0.00%

## 3: Please provide any further comments

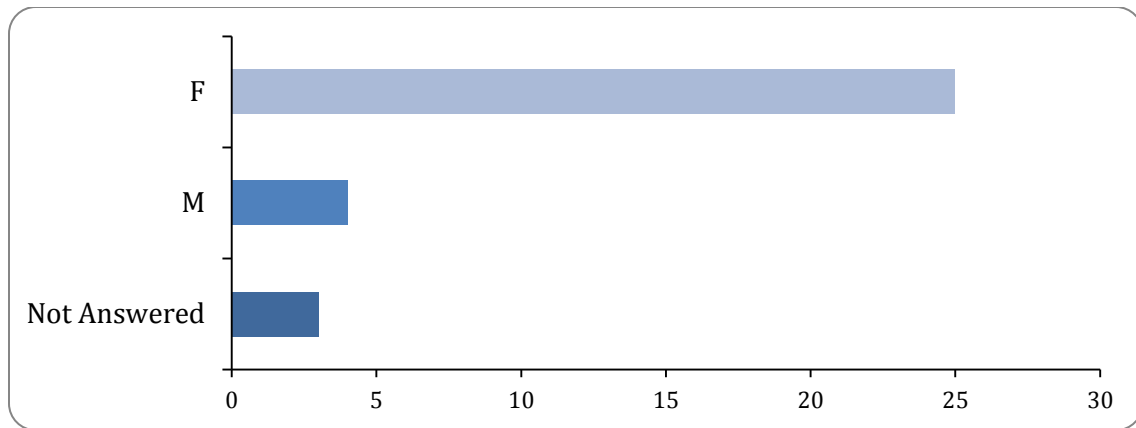
### Any further comments

There were 28 responses to this part of the question.

## 1: Gender

### Gender

There were 29 responses to this part of the question.

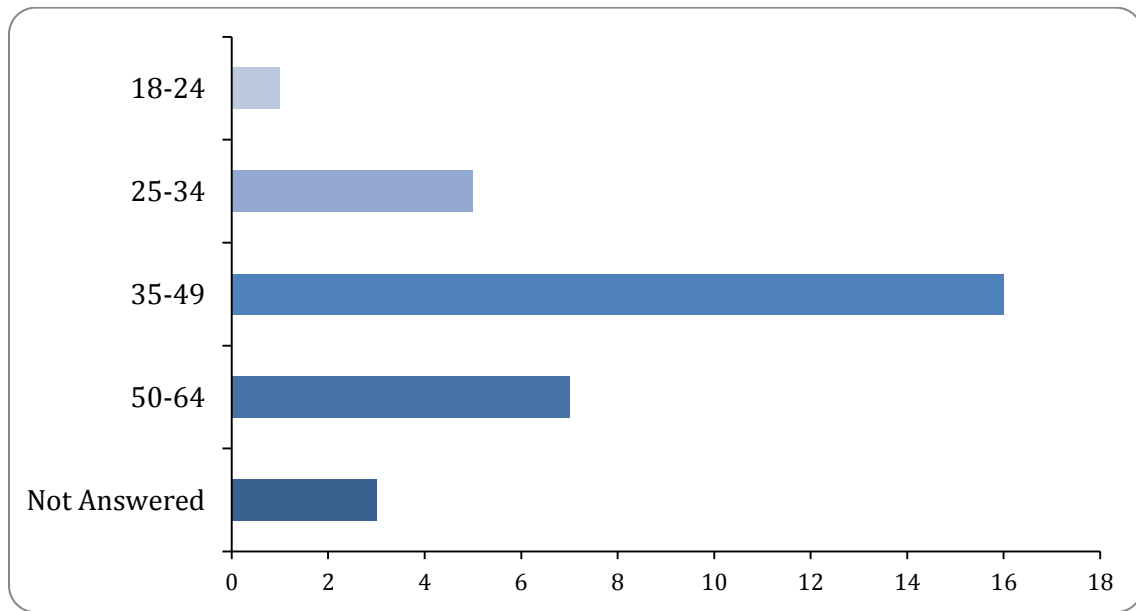


Option	Total	Percent
F	25	78.12%
M	4	12.50%
Other	0	0.00%
Prefer not to say	0	0.00%
Not Answered	3	9.38%

## 2: Age group

### Age group

There were 29 responses to this part of the question.

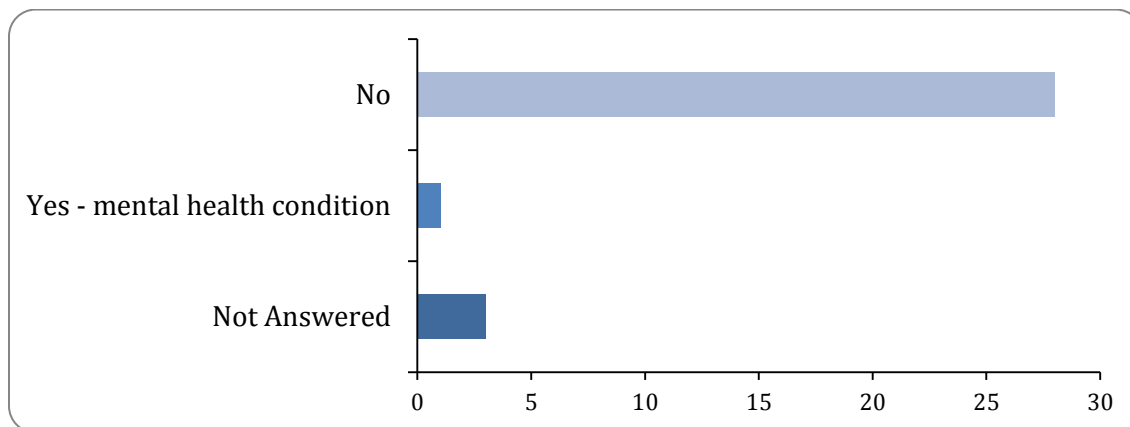


Option	Total	Percent
Under 18	0	0.00%
18-24	1	3.12%
25-34	5	15.62%
35-49	16	50.00%
50-64	7	21.88%
65-74	0	0.00%
75+	0	0.00%
Not Answered	3	9.38%

### 3: Do you consider yourself to have a disability according to the terms of the DDA?

#### Disability

There were 29 responses to this part of the question.

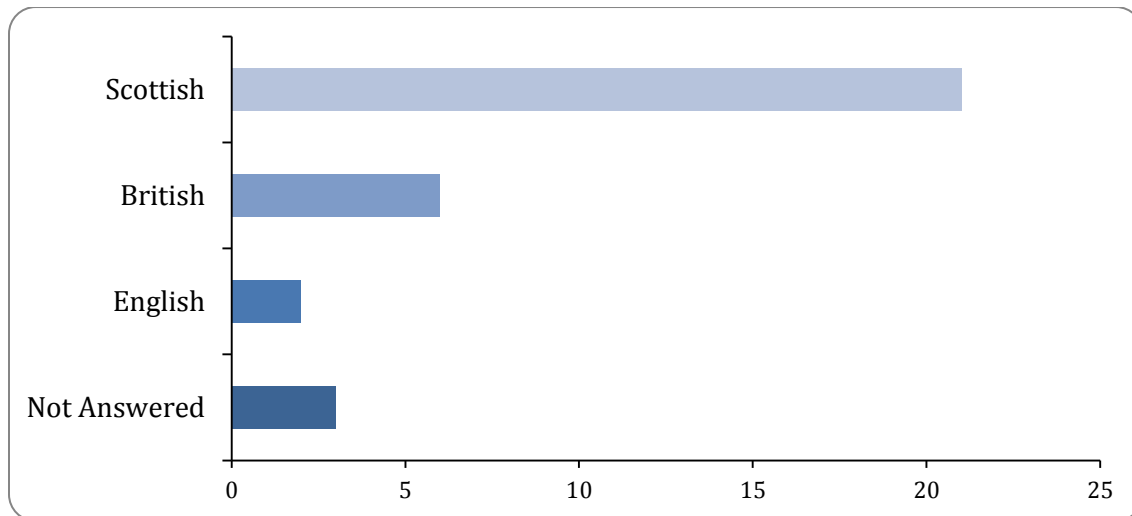


Option	Total	Percent
No	28	87.50%
Yes - learning disability	0	0.00%
Yes - longstanding illness or health condition	0	0.00%
Yes - mental health condition	1	3.12%
Yes - other, such as disfigurement	0	0.00%
Yes - physical impairment	0	0.00%
Yes - sensory impairment	0	0.00%
Yes - prefer not to say	0	0.00%
Not Answered	3	9.38%

#### 4: What do you consider your national identity to be?

##### National identity

There were 29 responses to this part of the question.



Option	Total	Percent
Scottish	21	65.62%
British	6	18.75%
English	2	6.25%
Irish	0	0.00%
Welsh	0	0.00%
Other (please specify below)	0	0.00%
Prefer not to say	0	0.00%
Not Answered	3	9.38%

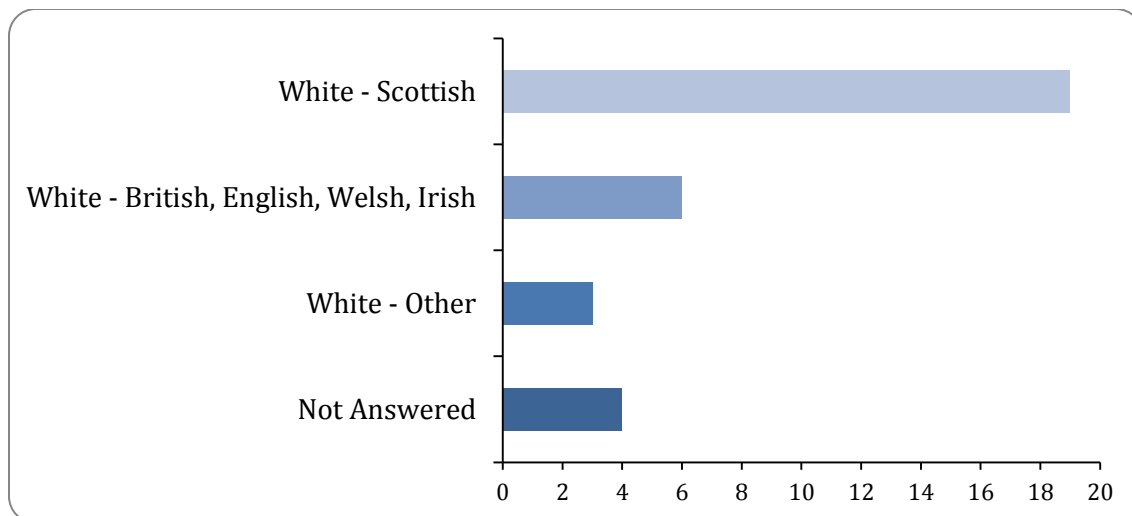
##### Other national identity

There were 0 responses to this part of the question.

#### 5: What is your ethnic group/background?

##### Ethnic group

There were 28 responses to this part of the question.



Option	Total	Percent
<b>African, Caribbean or Black</b>	0	0.00%
<b>Asian, Asian Scottish or Asian British</b>	0	0.00%
<b>Mixed or multiple ethnic groups</b>	0	0.00%
<b>White - Scottish</b>	19	59.38%
<b>White - British, English, Welsh, Irish</b>	6	18.75%
<b>White - Other</b>	3	9.38%
<b>Other ethnic group (please specify below)</b>	0	0.00%
<b>Prefer not to say</b>	0	0.00%
<b>Not Answered</b>	4	12.50%

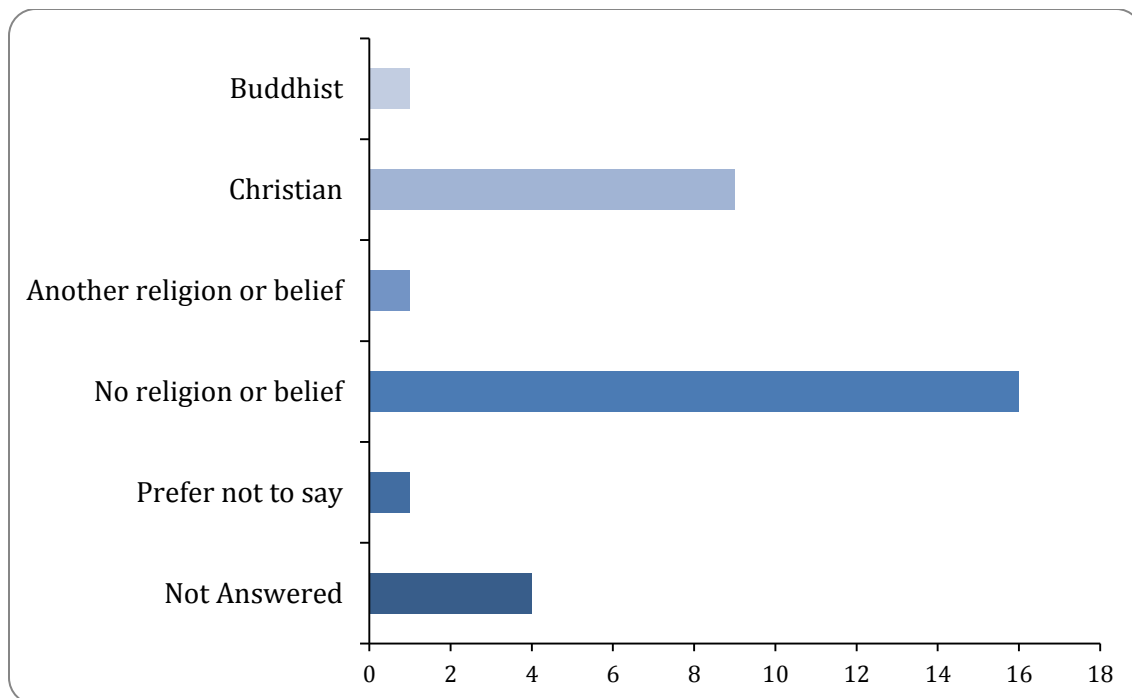
#### Other ethnic group/background

There were 0 responses to this part of the question.

### 6: What religion, religious denomination or body do you belong to?

#### Religious denomination

There were 28 responses to this part of the question.

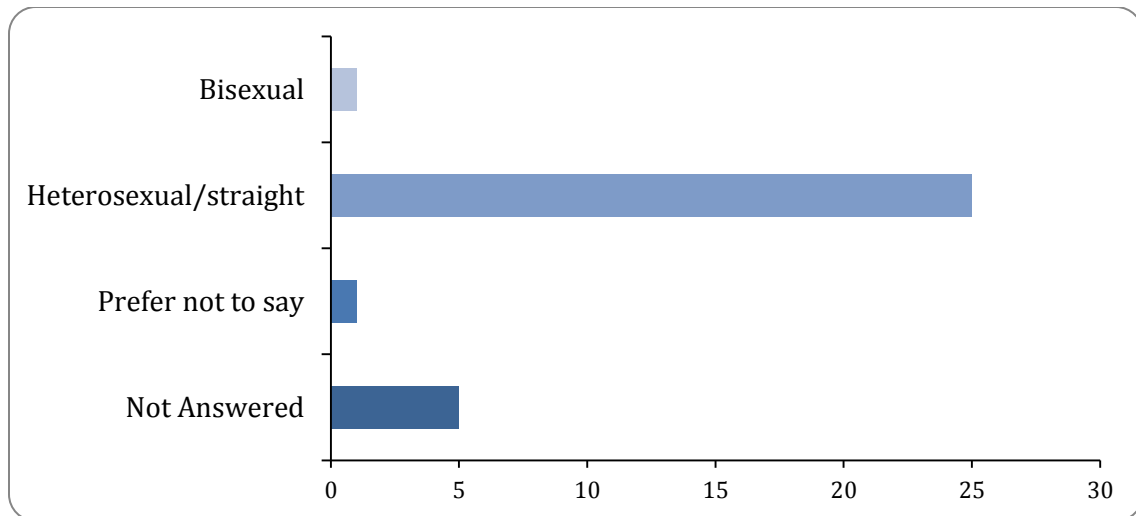


Option	Total	Percent
Buddhist	1	3.12%
Christian	9	28.12%
Hindu	0	0.00%
Jewish	0	0.00%
Muslim	0	0.00%
Sikh	0	0.00%
Another religion or belief	1	3.12%
No religion or belief	16	50.00%
Prefer not to say	1	3.12%
Not Answered	4	12.50%

## 7: Which of the following best describes your sexual orientation?

### Sexual orientation

There were 27 responses to this part of the question.



Option	Total	Percent
Bisexual	1	3.12%
Gay	0	0.00%
Heterosexual/straight	25	78.12%
Lesbian	0	0.00%
Other	0	0.00%
Prefer not to say	1	3.12%
Not Answered	5	15.62%

### Appendix 3 Comments from question - Please provide any further comments

Main theme	comments
<b>Cost and availability of alternative childcare</b>	<ul style="list-style-type: none"> <li>• There aren't enough nursery and childcare facilities in Clackmannanshire as it is without another one closing down.</li> <li>• There are no other council facilities for childcare for children aged 0-3 and other providers are more expensive.</li> <li>• The closure of ABC has made other nurseries in the area very busy and this will affect the quality of care the children receive</li> <li>• Extended care is not always available at other nurseries.</li> <li>• A nursery facility that takes babies from birth is needed for fulltime working families.</li> <li>• The nursery provides essential childcare for parents who work at an affordable rate. Private childcare costs are ridiculously high and parents will struggle with a closure.</li> <li>• There is now no under 2 council provision in Alloa which is very much needed with a lot of families working in the area.</li> <li>• It was cost effective, flexible and provided care for pre nursery age right through to ready to school. This continuity was excellent</li> <li>• The baby room was always busy offering excellent care for babies and very young children which no other council nursery offers this service also brought income in for the council now young children have to use private nurseries or child minders</li> <li>• Although the cost of care was higher than childminder costs, as a family it was worth it because we trusted the staff absolutely</li> </ul>
<b>Building condition</b>	<ul style="list-style-type: none"> <li>• The building is unsuitable for purpose and better provision is available elsewhere</li> <li>• Poor maintenance of this property has resulted in this building becoming unusable</li> <li>• Does the council have a programme for checking these buildings</li> <li>• The roof has been a cause for concern for a number of years but instead of fixing it, it was just patched up</li> <li>• The ABC building is in poor condition and not located where the greatest need is.</li> <li>• Had it been adequately maintained it could have served this purpose for many years to come.</li> <li>• The building is an old building but the council have not spent the money keeping on top of it which would have allowed it to stay open now like a lot of buildings belonging to the council it's going to cost too much to bring up to standard and is being left to rot</li> <li>• It is a shame that over time ABC has got like this rather than being maintained over the years.</li> <li>• We knew the building was badly needing repairs but why let it get that bad and why could we not be relocated ,my belief</li> </ul>



	<p>is there are not enough places for pre school children, some nurseries are getting extensions and outdoor classrooms built, why could Abc not get money spent on it.</p> <ul style="list-style-type: none"> <li>• The nursery was left to rot in my opinion, such an amazing building that was not taken care of.</li> <li>• ABC staff reported the building issues on numerous occasions</li> <li>• There are other buildings we could have been moved into, and nurseries who have since had extensions and new buildings provided</li> <li>• The other facilities within Clackmannanshire are newer more modern and safer buildings.</li> </ul>
<b>ABC current provision and location</b>	<ul style="list-style-type: none"> <li>• Fantastic setting that has provided an effective service for years.</li> <li>• Nursery provide best care for son and fully expected his sister to go there</li> <li>• This was a great nursery right up until it was forced to close.</li> <li>• Not everyone wants to use private nurseries and there was a feeling of inclusion for everyone at ABC</li> <li>• ABC nursery building is a great space because of the many different rooms to accommodate children of different stages of development and needs, including babies.</li> <li>• Location of ABC Nursery was convenient as it is not part of a school so I could easily and quickly drop my children off and pick them up again without searching for a place to park</li> <li>• I liked the security of the building, as you could not see in from the street , all the rooms were to the side and back of the building so I felt reassured that my children were safe in the building.</li> <li>• We were acknowledged as a 'centre of excellence' with visitors from other establishments, local authorities and even countries come to visit us, allowing us to share our way of practice. Also gaining 6's in our most recent care inspection.</li> <li>• Numbers at ABC were always smaller</li> <li>• The faculties are fantastic and the nursery has been part of Grant Street for as long as I can remember.</li> <li>• the space was used to its full potential</li> <li>• It provided extended hours provision in an area where this was needed.</li> <li>• I found the environment to be inviting and nurturing for my children</li> <li>• The children and staff have already been relocated. It's a little too late to consult on the building</li> <li>• There is no other nursery in the area that has the positive reputation of both staff and establishment as this Nursery.</li> <li>• This is a fantastic facility locally with amazing staff</li> <li>• My daughter excelled and they fully prepared her for Primary.</li> <li>• Community resource that offered excellent care</li> <li>• This is by far the best nursery in the area which has a fantastic reputation for the care and learning that all staff</li> </ul>

	<p>provide to the children</p> <ul style="list-style-type: none"> <li>• it has been the heart of the community in Alloa for a very long time</li> <li>• I liked the building and the generous outdoor space - I always felt welcome when I entered the building, it was like being part of a community.</li> <li>• The 2 to 5 room offered excellent care to the children and their families</li> <li>• ABC provided a high standard of care to the children and families that specifically chose us for this reason.</li> <li>• Families came back time after time for the care their children received at ABC</li> <li>• The nursery itself was beautiful with fabulous resources.</li> <li>• We had a baby room where children were given the best start in life by first class staff who were dedicated and professional</li> </ul>
<b>Staffing</b>	<ul style="list-style-type: none"> <li>• The staff go above and beyond and make everyone feel welcome</li> <li>• ABC nursery was more than a work place we were a family who cared for every child</li> <li>• I understand that many staff have left over the years as they could not live under the constant threat of closure.</li> <li>• We had a fantastic support network of other agencies around us supporting our children and working together to provide our children with the best possible care</li> <li>• The staff were fantastic and caring</li> <li>• We were a fantastic staff team that worked together for a lot of years</li> <li>• We were known in the local area for our standard of nurture and care, that we provided to all children who became part of the ABC family.</li> <li>• The council staff always demonstrated a high level of professionalism and a genuine care for the children and we had no complaints over the years our daughter attended.</li> </ul>
<b>1140 hours expansion</b>	<ul style="list-style-type: none"> <li>• The new large campuses at Menstrie , Redwell etc are not always the answer sometimes small is better, some of these nurseries do not have the experienced staff that abc had.</li> <li>• The other facilities within Clackmannanshire are newer more modern and safer buildings.</li> <li>• Investment is required in Alloa South - infrastructure to improve the learning environment in and around the Park Campus must be a priority.</li> </ul>
<b>Other comments</b>	<ul style="list-style-type: none"> <li>• I totally disagree with the closure of this long standing nursery, the community and staff deserve for this decision to close to be overturned.</li> <li>• Closure of another local facility</li> <li>• The Park nursery building, including the extension is not fit for purpose as is, and will not adequately meet the needs of babies according to the plans.</li> <li>• I don't think the 1.2 Million cost to refurbish and fix isn't justified especially given that other buildings haven't been repaired</li> <li>• The communication over ABC temporary closure wasn't the</li> </ul>

	<p>greatest I found out more via the local paper - it was closing then it was opening then it was closing again a lot of mixed messages.</p> <ul style="list-style-type: none"> <li>• What beggars belief is this nursery got 6s at there latest care commission inspection but still got closed down</li> <li>• To say I was upset with the closure is an understatement; it has effected me enormously effecting my mental health with how quickly this happened.</li> <li>• The closure of the ABC building during a global pandemic is ludicrous</li> <li>• Clacks council has not thought about the impact this move has had on staff from both establishments, children and families at Park Nursery.</li> <li>• 1140 should never have been allowed to happen within Park nursery when they are already having to accommodate another nursery and having children in extended year which was never the case just months prior.</li> <li>• ABC Nursery received 6's after a recent inspection, and to be honest I have never heard of an achieving nursery being closed completely.</li> <li>• Only if suitable arrangements for childcare can be made available</li> <li>• Clackmannanshire as a whole is getting larger, the population is growing and education provision isn't growing to accommodate the growth in the county.</li> <li>• Very poor decision</li> </ul>
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## **Appendix 4**

### **Report by Education Scotland addressing educational aspects of the proposal by Clackmannanshire Council to close permanently ABC Nursery, Alloa.**

#### **1. Introduction**

1.1 This report from Education Scotland has been prepared by Her Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Clackmannanshire Council's proposal to close permanently ABC Nursery, Alloa. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all statutory obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children of the setting; any other users and other children in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the virtual public meeting held on 23 March 2021 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- virtual visits to the site of Park Primary School and Nursery Class, Menstrie Nursery and Alva Nursery Class. This included discussions with five former staff members of ABC Nursery. Two parents attended the parents' meeting. Both were parents of children who formerly attended ABC Nursery.

## **2. Consultation process**

2.1 Clackmannanshire Council undertook the consultation on its proposal(s) with reference to the Schools (Consultation) (Scotland) Act 2010.

2.2 The consultation ran from 22 February to 26 April 2021. The council's proposal paper was made available online and provided to statutory consultees. Taking account of relevant current public health advice and Covid-19 restrictions at the time, a virtual public meeting was held on 23 March 2021 where six stakeholders attended. In addition, a staff only consultation meeting took place on 16 March 2021. In total, 32 people responded to the online consultation. Of the 32 respondents, six were in favour of the proposal and 26 were not. The main reasons for opposing the proposal included a lack of council provision for children under the age of two and greater distance to travel for alternative provision. Respondents also shared their disappointment at the possibility of the permanent closure of ABC Nursery. Stakeholders supporting the proposal highlighted that other early learning and childcare (ELC) settings within Clackmannanshire are available to provide improved learning environments, particularly outdoors.

## **3. Educational aspects of proposal**

3.1 ABC Nursery provides full year, extended day provision for babies and children until they start primary school. In May 2020, the nursery was subject to an emergency closure due to planned structural assessments unable to take place at an earlier stage due to Covid-19 restrictions. Following a period of severe weather in summer 2020, significant damage was caused to the roof of the building. A decision was taken not to re-open ABC Nursery in August 2020, due to concerns for the health and safety of children, staff and parents. In May 2020, the nursery manager and staff supported parents to find alternative placements for their children. All children were relocated to other ELC settings. All staff were temporarily redeployed and will be redeployed permanently should the proposal go ahead.

3.2 Clackmannanshire Council has set out a clear case in support of its proposal to close permanently ABC Nursery. The council has identified a range of educational benefits to be gained if the proposal is taken forward. HM Inspectors agree the expansion of ELC in Clackmannanshire Council will increase choice and flexibility of provision to meet the needs of families of children aged 2-5 years. As a result of the ELC expansion capital investment programme, there are now two purpose built settings at Tulach and Menstrie as well as a refurbishment at Sauchie. Park ELC is also undergoing significant extension and refurbishment. Some ELC classes have also received extensive refurbishments and others have been enhanced. As a result, children will be able to access improved learning environments. The council also believe there will be improved transition for children attending ELC settings closest to their catchment school. The proposal also supports greater continuity in children's learning across the early level of Curriculum for Excellence, with increased opportunities for ELC and primary staff to work together.

3.3 Parents and staff who met with HM Inspectors agreed with the proposal to close permanently ABC Nursery due to the structural issues with the building and understood why the emergency closure had to take place. However, most respondents to the online consultation were not in favour of the permanent closure of the nursery. All parents and staff who met with HM Inspectors and those who responded online shared that children previously attending ABC Nursery had always benefited from high quality ELC. Parents and staff were keen that children could continue to access high quality ELC. Overall, they believe new and refurbished settings will continue to provide children with high quality learning environments, particularly outdoors where children will be able to engage readily with a wider range of nature experiences.

3.4 Consultees, who met with HM Inspectors, recognise there will be greater choice and flexibility for families due to an increase in settings with full day provision. However, a few raised concerns about a lack of affordable placements within council settings for children under the age of two. This was previously available at ABC Nursery. In addition, a concern was raised regarding the availability of appropriate placements for children under two with complex additional support needs.

3.5 All parents and staff who met with HM Inspectors could see the benefits of improved transition arrangements where an ELC setting is within a school or on a school campus. This reassured parents. Staff look forward to increased opportunities to work with colleagues across the early level of Curriculum for Excellence to support continuity and progression in children's learning.

## **4. Summary**

The council's proposal is of clear educational benefit for children aged 2-5 years. HM Inspectors agree that there will be greater choice and flexibility of ELC provision for children aged 2-5 years. Improved learning environments, particularly outdoors will provide children with a wider range of experiences. Settings within schools or campuses will be able to provide enhanced transition arrangements for children starting school. There is the potential for greater opportunities for continuity in learning across the early level of Curriculum for Excellence when nursery staff and primary school teachers work closely together. Should the council proceed with its plans to close ABC Nursery permanently, it should set out how it will address the concerns raised during the consultation. In particular, how it will inform parents of the availability of provision for children aged two years and under including those children who may have complex additional support needs. It will also be important that the council should continue to work with ELC settings and schools to support collaboration to ensure continuity of learning across the early level.

## **Next Stages**

Following the publication of this report, Clackmannanshire Council requires to allow time for further consideration. This requires three weeks to lapse before taking a final decision on whether to implement a final proposal. A decision on this consultation is due to be taken by Clackmannanshire Council on 24<sup>th</sup> June 2021.

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**Report to Council**

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**Date of Meeting: 24 June 2021**

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**Subject: Greenfield House Update**

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**Report by: Strategic Director (Place)**

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**1.0 Purpose**

- 1.1. This report provides Members with an update on activity which has been undertaken in response to a range of concerns that have been raised with regard to Greenfield House. These include immediate concerns around safety, security and the internal fabric of the B listed building; and also concerns about the medium to long term future of the building.

**2.0 Recommendations**

- 2.1. Council is recommended to :
- 2.2. note the information set out in this report, and
- 2.3. note that options to bring the site back into Council ownership will be presented in a further report to this Council meeting.

**3.0 Considerations**

- 3.1. At a Special Meeting of Council on 26 March 2015, the Council agreed to confer preferred bidder status on Kapital Residential Limited in relation to the sale of Greenfield House, Alloa. Officers were instructed to proceed to negotiate a sale to the preferred bidder on the basis of the terms submitted in their bid.
- 3.2. The sale of Greenfield House completed on 21 June 2017.
- 3.3. A planning application for Development Comprising Alterations, Including Partial Demolition, Three Storey Extension And Change Of Use Of Vacant Office Building To Form 42 No. Sheltered Housing Flats, Erection Of 6 No. Flats, With Associated Car Parking, Landscaping And Communal Private Open Space was brought before the Planning Committee on 25th August 2016 and full planning permission was granted (reference 16/00068/FULL).
- 3.4. Planning permission for Greenfield House provided until 26th August 2019 for development to commence. The Council formally wrote to Kapital Residential

(the applicant) one year, six months and 3 months prior to the lapse of planning permission. The purpose of this correspondence was to advise the applicant of the lapse date and to offer assistance/advice in discharging pre-commencement planning conditions therefore enabling development to commence. No response to this correspondence was received.

- 3.5. The applicant made contact with the Council in September 2019 seeking to demonstrate that, despite failing to discharge pre-commencement planning conditions, development had been commenced and that the planning permission remained extant. The Council formally confirmed to the applicant, following enquiries and site inspections, on 10th October 2019 that planning permission had lapsed.
- 3.6. This correspondence confirmed, notwithstanding the lapse of planning permission, the Council's commitment to supporting the redevelopment of Greenfield House. This commitment has been repeated in all correspondence with the owner prior to and subsequent to 10th October 2019.
- 3.7. Between 10th October 2019 and 1st March 2021 no further correspondence was received by the Planning Service from the applicant despite a number of requests for contact to be made and continued offers of assistance.
- 3.8. In January 2021, the Council became aware of a YouTube video which showcased unauthorised entry to the property, raising concerns about the security and safety of the site. Subsequent to this, a meeting was called with the owner of the property at the instigation of the Council and Police Scotland. This meeting took place on Monday 1 March 2021, with attendance by the owner and senior officers of the Council, Police Scotland and the Scottish Fire and Rescue Service (SFRS). Councillor Holden, in his role as Convener of Place, also attended the meeting.
- 3.9. At the meeting, the owner agreed to carry out urgent wind and watertight and security works and it is confirmed that these works were completed shortly after. The owner also agreed to improve the perimeter security fencing in response to concerns raised by Police Scotland. To date these works have not been completed.
- 3.10. The owner also agreed to facilitate an internal site visit with officers from the Council, Police Scotland and SFRS present. Council officers suggested that representatives from Historic Environment Scotland take part in this visit also. To date, the owner has not facilitated this site visit, despite several requests to facilitate the same.
- 3.11. Potential options that are open to the Council to address concerns about the future of Greenfield House, together with the safety and security issues highlighted above, include :
  - Compulsory Purchase
  - Enforcement action
  - Bringing the site back into public ownership.



### ***Compulsory Purchase***

3.12. Any compulsory purchase requires the Council to justify why an order is in the public interest and interfering with an owner's legal rights (this requires to be evidenced). Matters to be considered under any CPO are as follows:

- the purpose for which the land is to be acquired are sufficiently important to justify the deprivation of the property;
- all land in question is directly needed for the property delivery of those purposes;
- a less intrusive measure could not have been used for those purposes; and
- a fair balance has been struck between the rights of individual affected and the interests of the community.

3.13. The Council should be able to clearly evidence and justify the following:

- Powers it intends to use and why
- Public Benefit – set out the public benefit vs what would happen if the project did not go ahead
- Priorities – Acquiring Authorities should set out clearly how the CPO will enable it to deliver its own and other organisations priorities
- Land Requirement
- Financial Plans supporting the proposal
- Barriers
- Planning and other permissions
- Alternative Resolution or engagement

3.14. Another consideration the Council will need to take into account is the costs involved in any CPO which will include compensation, legal costs and such other costs in dealing the requirements of paragraphs 3.14 and 3.15. These costs will be considerable for the Council. A number of these costs would still be required to be paid even in the event of an unsuccessful application to the Scottish Government for a CPO. This is not recommended as an option at present.

### ***Enforcement***

3.15. Planning and Building Standards powers only become available after significant building defects occur. There are also potential financial implications for the Council arising from its intervention. An outline of available enforcement powers is provided below;

#### **Building Scotland Act - Building Standards**

- Serving a dangerous building notice (which the building is not as yet) would only require fencing off the site and erection of notices (which are both in place) to alert the public to potential danger and to reasonably prevent public access.

- Serving a repairs notice (a more likely possibility as time goes on) would require repairs to be carried out by the owner to prevent the building becoming dangerous. However if repairs are not carried out by the building owner then the Council would have to meet the costs of these and recharge the owner accordingly. If the owner doesn't pay the Council would have to pursue through the Courts.

### **Planning, Listed Building and Conservation Act - Planning**

- serving a Listed Building repairs notice has the same financial implications in respect of non-compliance as Building Standards repairs notice as detailed above
- 3.16. The lack of contact from/interest by the owner, the Council's limited budget for building repairs and the previous sale by the Council clearly raise significant financial considerations that would have to be considered before serving notices as and when required.

### ***Bringing the Site Back into Public Ownership***

- 3.17. This will require a willing seller and an agreed sale contract.
- 3.18. Further information on this option is presented in a separate report to this Council meeting.

## **4.0 Sustainability Implications**

- 4.1. N/A

## **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 ☒)

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐
- Our families; children and young people will have the best possible start in life ☐
- Women and girls will be confident and aspirational, and achieve their full potential ☐
- Our communities will be resilient and empowered so that they can thrive and flourish ☐

(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)**

NAME	DESIGNATION	TEL NO / EXTENSION
Pete Leonard	Strategic Director (Place)	Extension : 2533

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Pete Leonard	Strategic Director (Place)	
Nikki Bridle	Chief Executive	

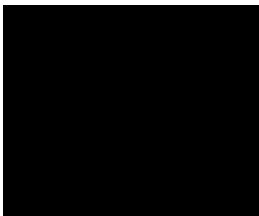


**THIS PAPER RELATES TO  
ITEM 12  
ON THE AGENDA**

**Motion Clackmannanshire Council  
24<sup>th</sup> June 2021**

Council decided on 24 October 2019 to prepare a parking management strategy that includes the option to fund enforcement of the Special Parking Area through parking charges.

Council is invited to agree to amend its strategy to remove the ability to impose parking charges for at least five years. This will assist businesses in attracting customers back as we move out of lockdown.



Councillor Kenny Earle  
Ward 4, Clackmannanshire South

Received 10/06/2021 10:52

**Councillor Kenneth Earle**

Ward 4 Clackmannanshire South (Multi Member Ward)  
Kilncraigs, Greenside Street, Alloa, FK10 1EB



**Clackmannanshire  
Council**

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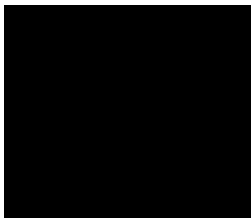
Comhairle Siorrachd  
Chlach Mhanann

**THIS PAPER RELATES TO  
ITEM 13  
ON THE AGENDA**

**Motion Clackmannanshire Council  
24<sup>th</sup> June 2021**

On 26 May 2020 Clackmannanshire Council's EDMF agreed to make a bid to the Spaces for People fund to implement an action plan which included the temporary closure of Alloa Town centre to all vehicles other than emergency or refuse collection vehicles. The action plan was brought into effect by way of an experimental road closure order which will be in force until 23 December 2021.

Council is invited to agree that this order should be revoked given its impact on local business.



Councillor Kenny Earle  
Ward 4, Clackmannanshire South

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