



**MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held via MS Teams, on
THURSDAY 24 JUNE 2021 at 9.30 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 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)
Lindsay Sim, Chief Finance Officer (Partnership & Performance)
Chris Alliston, Senior Manager – HR and Workforce Development (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)
Lynda McDonald, Improving Outcomes Manager (People)
Elizabeth Hutcheon, Management Accountancy Team Leader (Partnership & Performance)
Lesley Baillie, Strategy and Performance Advisor (Partnership & Performance)
Fiona Grinly, Strategy and Performance Advisor (Partnership & Performance)
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 with sadness that former Councillor Bill Mason had recently passed away. The Provost commented that Councillor Mason was a true gentleman who carried out his business with quiet dignity and as a mark of respect, the Council stood for a minutes silence to remember Councillor Mason. The Provost advised that the Council flag had also been lowered to half mast. Councillor Benny also paid tribute to Councillor Mason.

CC.401 APOLOGIES

Apologies were submitted by Councillor Derek Stewart.

CC.402 DECLARATIONS OF INTEREST

None.

**CC.403 MINUTE OF MEETING OF CLACKMANNANSHIRE COUNCIL
22 APRIL 2021**

The minutes of the meeting of the Clackmannanshire Council held on 22 April 2021 were submitted for approval.

Councillor Dixon advised that he had been noted as having attended the meeting, but he had not attended.

Decision

Subject to Councillor Dixon being removed from the list of attendees, the minutes of the meeting of the Clackmannanshire Council held on 22 April 2021 were agreed as a correct record.

**CC.404 MINUTE OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL
31 MAY 2021**

The minutes of the special meeting of the Clackmannanshire Council held on 31 May 2021 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 31 May 2021 were agreed as a correct record.

**CC.405 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL
MEETING ON 22 APRIL 2021**

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 22 April 2021.

- (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

**CC.406 AUDIT COMMITTEE 17 JUNE 2021 – COVID 19 REVIEW AND DEBRIEF
UPDATE**

The Clerk advised that on 17 June 2021, the Audit Committee had agreed to note a report entitled "Covid 19 Review and Debrief Update", submitted by the Senior Manager, Partnership and Transformation with a revised timetable for the debrief activity previously instructed by Council. As a result of the increase in case number of the virus and the return to lockdown measures there had been a delay in the Covid 19 Review and Debrief, and therefore the Clerk asked the Council to note that interim results will be available in September 2021 and an update report brought to next Audit Committee.

The Council agreed to note the information provided by the Clerk.

CC.407 COMMITTEE MEMBERSHIP CHANGES – CONSERVATIVE GROUP

The report, submitted by the Senior Manager, Legal and Governance, sought Council agreement to make changes to the membership of committees in relation to the Conservative group.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Darren Lee. Seconded by Councillor Mike Watson.

Decision

The Council agreed that:

1. Councillor Denis Coyne should replace Councillor Martha Benny on the Place Committee; and
2. Councillor Denis Coyne should replace Councillor Martha Benny on the Partnership & Performance Committee.

Action

Senior Manager, Legal and Governance

CC.408 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. The report also provided an update on on-going transformation activity and the developments in the Council's strategic partnerships that will underpin the transformation programme in this next phase.

Motion

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

Moved by Councillor Ellen Forson. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed to note:

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. 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);
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);
4. 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);
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)
6. The proposals to develop a workstream within the Be the Future programme on Community leadership, capacity building and local democracy (section 6.0).

7. 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);
8. 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);
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);
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);
11. The pace of development in the Driving change in Mental Health and Wellbeing project which is a critical component of the strategic workstreams within Be the Future as outlined in this paper (paragraphs 9.15- 9.18); and
12. 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).

The Council agreed to approve:

13. 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);
14. That, 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);
15. 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);
16. 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); and
17. 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. That responsibility for the finalisation of the design and delivery of the project is delegated to the Strategic Director (Place).

Action

Strategic Director (Transformation)

CC.409 UPDATE ON 2020/21 ANNUAL ACCOUNTS

The report, submitted by the Chief Finance Officer, provided Council with an update on the preparation and timetable for the submission of the unaudited and final financial statements for 2020/21

Motion

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

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

Decision

The Council:

1. Noted 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. Noted 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 25th November for final approval, as set out in paragraph 3.5, table 1; and
3. Agreed to disapply paragraph 6.4 and 6.5 of Financial Regulations for this year's process.

Action

Chief Finance Officer

CC.410 SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

The report, submitted by the Strategic Director (Partnership and Performance), updated Council on the outcome of the first stage of consultation on the Scheme for the Establishment of Community Councils and requested approval to initiate the second stage of the process to consult on a new draft Scheme for the Establishment of Community Councils.

Motion

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

Moved by Councillor Helen Lewis. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed to:

1. 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
2. Approve for public consultation the new draft Scheme for the Establishment of Community Councils.

Action

Strategic Director (Partnership and Performance)

CC.411 UNISON ETHICAL CARE CHARTER

The report, submitted by the Head of Strategic Planning & Health Improvement, sought Council agreement to endorsing the UNISON Ethical Care Charter and that the Council Leader signs the Charter on the Council's behalf.

Motion

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

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

Decision

The Council:

1. Agreed to endorse the principles of UNISON's Ethical Care Charter;
2. Agreed that the Council Leader signs the Charter on behalf of Clackmannanshire Council;
3. Noted that the Integration Joint Board, at a meeting on 21st September 2016, noted both the principles of the Charter as well as endorsing the progress being made towards implementation of the principles;
4. Agreed that the Chief Officer of the Integration Joint Board provides regular updates on progress through the Clackmannanshire Council committee structure as well as to the Integration Joint Board; and
5. Recognised that the Council cannot legally enforce the requirements of the Ethical Care Charter contractually during the contract life cycle of existing contractual arrangements.

Action

Head of Strategic Planning & Health Improvement, IJB

CC.412 ABC CLOSURE

The report, submitted by the Improving Outcomes Manager, provided information on the outcome of the formal consultation on the permanent closure of ABC Nursery and sought Council approval and authority for officers to progress the permanent closure of ABC Nursery from 1st September 2021.

Motion

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

Moved by Councillor Graham Lindsay. Seconded by Councillor Les Sharp.

Decision

The Council agreed to permanently discontinue ABC Nursery School from 1st September 2021, and thereafter Agrees to declare the ABC nursery building at Grant Street in Alloa surplus to operational requirements.

Action

Strategic Director (People)

The Provost adjourned the meeting at 11.11 am. The meeting resumed at 11.25 am with 17 members present.

The Provost advised that she would re-order the agenda to take Items 12 and 13 as the next items of business followed by Items 11 and 14.

CC.413 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – PARKING CHARGES

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Kenneth Earle.

Motion

“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.”

The Clerk advised that under Standing Order 17.1 no motion that tries to alter or withdraw a council or committee decision (or has that effect) will be considered or passed for at least six months from the date of the original decision. As the motion would affect a decision to allocate capital funding taken at the budget meeting held on 24 March 2021 to fund parking management, the six month rule was engaged and the Clerk declared that the motion would not be competent.

Councillor Earle expressed his disappointment that he had not been contacted prior to the meeting to advise that his motion was not competent. He asked that the circumstances around why this had happened are given proper scrutiny.

The Convenor of the Place Committee made it clear that before any parking enforcement is brought in, that Council will be invited to consider its position.

CC.414 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – SPACES FOR PEOPLE

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Kenneth Earle.

Motion

“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.”

Moved by Councillor Kenneth Earle. Seconded by Councillor Dave Clark.

Voting

In terms of Standing Order 14.7, Councillor Earle asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 17 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For the Motion (5)

Councillor Dave Clark
Councillor George Matchett QPM
Councillor Kenneth Earle
Councillor Kathleen Martin

Councillor Chris Dixon

Against the Motion (11)

Provost Tina Murphy
Councillor Les Sharp
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Helen Lewis
Councillor Jane McTaggart
Councillor Mike Watson
Councillor Ellen Forson
Councillor Craig Holden
Councillor Graham Lindsay
Councillor Darren Lee

Abstain from Voting (1)

Councillor Denis Coyne

On a division of 5 votes to 11 with 1 abstention, the motion was defeated.

CC.415 GREENFIELD HOUSE UPDATE

The report, submitted by the Strategic Director (Place), provided an update on activity which had 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.

Motion

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

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

Decision

The Council agreed to note the information set out in this report, and that options to bring the site back into Council ownership will be presented in a further report to this Council meeting.

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The remainder of the Minute of Meeting of Clackmannanshire Council held on Thursday 24 June 2021 is exempt and is a separate document.