



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

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

Statutory Meeting of Clackmannanshire Council

Wednesday 25 May 2022 at 9.30 am

**Venue: Council Chamber, Kilncraigs,
Greenside Street, Alloa, FK10 1EB**



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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17 May 2022

The **STATUTORY MEETING** of the **CLACKMANNANSHIRE COUNCIL** will be held in the **Council Chamber, Kilncraigs, Alloa** on **WEDNESDAY 25 MAY 2022 at 9.30 AM**



NIKKI BRIDLE
Chief Executive

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Clackmannanshire Council – Councillors and Wards

Councillors

Wards

Councillor	Phil Fairlie	1	Clackmannanshire West	SNP
Councillor	Darren Lee	1	Clackmannanshire West	CONSERVATIVE
Councillor	Graham Lindsay	1	Clackmannanshire West	SNP
Councillor	Mark McLuckie	1	Clackmannanshire West	LABOUR
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONSERVATIVE
Councillor	Willian Keogh	2	Clackmannanshire North	LABOUR
Councillor	Fiona Law	2	Clackmannanshire North	SNP
Councillor	Wendy Hamilton	3	Clackmannanshire Central	SNP
Councillor	Janine Rennie	3	Clackmannanshire Central	LABOUR
Councillor	Jane McTaggart	3	Clackmannanshire Central	SNP
Councillor	Kenneth Earle	4	Clackmannanshire South	LABOUR
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	SNP
Councillor	Bryan Quinn	4	Clackmannanshire South	SCOTTISH GREEN
Councillor	Scott Harrison	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LABOUR
Councillor	Denis Coyne	5	Clackmannanshire East	CONSERVATIVE

Report to Clackmannanshire Council

Date of Meeting: 25 May 2022

Subject: Council Governance

Report by: Senior Manager, Legal & Governance

1.0 Purpose

- 1.1. The purpose of this report is to seek changes to the arrangements for convening Council and undertaking civic duties. These proposals have arisen following the Local Government Election and following cross-party discussions with the Chief Executive.
- 1.2. The proposed changes require amendment of the current remit of the role of Provost as well as the establishment of a remit in respect of the new role of Convener of the Council.
- 1.3. In order to implement these changes, if agreed, consequential changes will also be required to the Council's Standing Orders.

2.0 Recommendations

- 2.1. Council is asked to:
- 2.2. Agree to suspend, for this meeting, the provision in Standing Orders paragraph 20.7 which requires notice of changes to Standing Orders to be given at a preceding meeting (paragraph 3. 1);

and subject to the agreement of Recommendation 2.2, Council:
- 2.3. Agrees to amend the role of Provost and create the role of Convener of the Council as described in Appendix 1
- 2.4. Agrees to the establishment of Depute Provost and Depute Convener of the Council roles in line with Appendix 1
- 2.5. Notes that the consequential amendments required to the Council's Standing Orders will be brought to a meeting of Council no later than August 2022.

3.0 Considerations

- 3.1. The Council's current Standing Orders require that notice of a change to Standing Orders is given at the preceding meeting (SO 20.7). Given that this Council meeting is the first meeting of a new Administrative Cycle following the Local Government Election on 5 May 2022, this has not been possible. Therefore, authority is sought to suspend this Standing Order (SO 20.7) in light of the changes proposed to the Council's governance and decision making framework included within this meeting agenda which, if approved, will require consequential changes to the Council's Standing Orders.
 - 3.2. Subject to agreement of Council to the suspension of Standing Order 20.7 of the notice requirements to amend Standing Orders, Council is asked to consider the change of role of the Provost into two distinct roles of Provost and Convener of the Council, resulting in a greater distinction between duties for administrative and civic duties.
 - 3.3. In terms of the Section 4 (4) of the Local Government (Scotland) Act 1994 the Council is legally required to elect a convener as the first business transacted by the new Council. There is no definition of the role of convener within this Act and it has been custom and practice in terms of our Standing Orders for this role to be the Provost's role. The Provost would carry out various roles which included chairing Council meetings as well as carrying out an extensive programme of civic duties on behalf of the Council.
 - 3.4. The increased workload on the Provost over the last few years has proved challenging. Separating the administrative and the civic duties of the role aims to provide an enhanced service to the citizens of Clackmannanshire, strengthening the relationships with the community and its partners, whilst sustaining robust administrative arrangements for conducting the Council's business.
 - 3.5. It is proposed that the original role and duties of Provost are changed as follows:
 - 3.5.1 The new Convener of the Council will undertake duties which, amongst others, include chairing the meeting of the Council and providing leadership for the effective governance of the Council; and
 - 3.5.2 The Provost, as the civic head of the Council, will carry out various duties including representing the Council at civic and ceremonial events and promoting the Council by hosting civic events and raising the profile of the County.
- Both roles (including deputies) are defined in terms of Appendix 1 .
- 3.6. It is additionally proposed that the Convener of the Council would be deemed a Senior Councillor in terms of the Local Government (Scotland) Act 2004 Remuneration Regulations 2007 as amended.

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

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)

None

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 – Role and remits of Convener of the Council and Provost

11.0 Background Papers

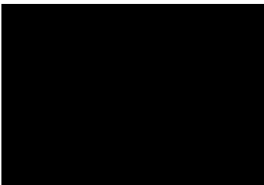
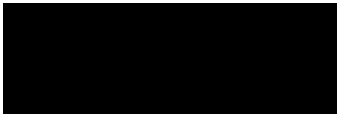
- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lee Robertson	Senior Manager Legal & Governance	2057

Approved by

NAME	DESIGNATION	SIGNATURE
Lee Robertson	Monitoring Officer	
Nikki Bridle	Chief Executive	

ROLE DESCRIPTION – CONVENER OF CLACKMANNANSHIRE COUNCIL

In addition to the roles, tasks and responsibilities expected of Councillors, the following is expected of the Convener (and Depute Convener as appropriate):-

Key Purpose/Role

- to provide leadership for the effective governance of the Council;
- unless the law or standing orders for Clackmannanshire Council say otherwise the Convener will have the casting vote in terms of Standing Order 14.4.
- to promote the best interests of the Council and the community and improve the quality of life, social, economic and environmental wellbeing of the community and its citizens;
- to chair meetings of the Clackmannanshire Council and ensure that this is undertaken in line with the Council's Standing Orders including the Video Conferencing and Web Casting Protocols;
- develop, encourage and maintain effective working relationships between Members and Officials;
- to develop and maintain partnership working with UK and Scottish Governments, other public agencies and the private and voluntary sectors subject to the duties of the Provost to represent the Council on civic and ceremonial occasions; and
- to allow for the depute Convener to step in to the role of Convener as and when required and to carry out the Key Purpose/Role and Key Tasks/Accountabilities

Key Tasks/Accountabilities

- to ensure that decisions are taken properly, openly and, where appropriate, publicly;
- to provide an external focus for media and press enquiries relating to civic issues;
- to ensure that Members of the Council are treated with respect and courteously at all times;
- to maintain and promote the highest standards of conduct in the Council's affairs; and
- to have an overview of civic risks and issues as they impact on the Council and the community

ROLE DESCRIPTION – PROVOST OF CLACKMANNANSHIRE COUNCIL

In addition to the roles, tasks and responsibilities expected of Councillors, the following is expected of the Provost (and Depute Provost as appropriate):-

Key Purpose/Role

- to represent the City on civic and ceremonial occasions as the Provost of Clackmannanshire Council
- to promote the County of Clackmannanshire by hosting civic events and raising the profile of the County;
- to promote the profile of Clackmannanshire and area to the wider community through public appearances at social, community, cultural and business events and through the media;
- to work closely with the Leader of the Council in terms of the civic role and its relationship with the functions delegated by Council to committees;
- to help develop and maintain effective relationships with partner organisations and other agencies as appropriate;
- to represent the Council at events where the presence of the Provost would be relevant to enhancing the reputation of Clackmannanshire;
- to maintain the highest standards of conduct and ensure public confidence in the functions of the Provostship; and
- to work in conjunction with the Convener of the Council, where appropriate, to allow for depute Provost to step in to the role of Convener as and when required and to carry out the Key Purpose/Role.

Report to: Clackmannanshire Council

Date of Meeting: 25 May 2022

**Subject: The Council's Decision-Making Framework and Special
Responsibility Allowances**

Report by: Chief Executive

1.0 Purpose

- 1.1. The purpose of this report is to seek approval to change the decision-making framework and to highlight those political roles which attract Special Responsibility Allowance under the proposed arrangements.
- 1.2. These proposals have arisen following the Local Government Election and following cross-party discussions with the Chief Executive with a view to enhancing current arrangements.

2.0 Recommendations

- 2.1. Council is asked to note that the suspension of Standing Orders paragraph 20.7, which requires notice of changes to Standing Orders to be given at a preceding meeting, requested in respect of the Council Governance paper on this meeting agenda, also applies to the provisions of this paper;
- 2.2. Subject to agreement of Standing Order paragraph 20.7, it is recommended that Council:
 - a) agrees to the proposals in this report to change the Council's decision making framework as set out at sections 4, 5 & 6 of this report; and
 - b) subject to agreement of these changes, Council:
 - i. approves the remit of the new Audit and Scrutiny Committee as set out at Appendix A to this report;
 - ii. appoints the Leader of the main Opposition to chair the Audit and Scrutiny Committee
 - iii. appoints a councillor from outwith the political Administration as Vice Chair of the Audit and Scrutiny Committee
 - iv. agrees the political balance of the Audit and Scrutiny Committee

- v. appoints members to sit on the Audit and Scrutiny Committee on the basis of the Council's agreed political balance
- vi. appoints members to the new spokesperson positions
- vii. approves the positions which are awarded senior councillor responsibility payments as set out in paragraph 6.1 of this report
- viii. notes that revisions to Standing Orders which detail the consequential changes arising from approval of these proposals will be brought to Council no later than August 2022
- ix. notes that the changes proposed to the decision making and scrutiny arrangements are intended to be augmented by strengthened provision of briefings and fora, and that a paper will come to the August Council setting out more detailed proposals (paragraph 6.5)
- x. notes that an implementation review will be undertaken, following one year of operation of these new arrangements, and that a report on the findings will be submitted to Council in August 2023 (paragraph 6.4).

3.0 Background

- 3.1. Following the recent Local Government Election held on 5 May 2022, the Chief Executive has prepared these proposals following cross-party discussion.
- 3.2. The aim of the proposed changes are as follows:
 - to maximise the participation of all elected members in decision making
 - to sustain maximum transparency over the Council's decision-making
 - to streamline the administration of Council business
 - to enhance the effective scrutiny of Council activity and decisions.

4.0 Considerations

- 4.1. It is proposed that Council agrees the following changes to its decision-making framework:

Committees

- a) disestablishes the Partnership and Performance Committee
- b) disestablishes the People Committee
- c) disestablishes the Place Committee
- d) disestablishes the Audit Committee
- e) creates an Audit and Scrutiny Committee (see section 5)
- f) undertakes full Council meetings on an eight weekly cycle (noting that religious representatives will attend Council or Audit and Scrutiny Committee if education matters are under consideration)

Political Responsibilities

- a) deletes the post of Convener of the Partnership and Performance Committee
- b) deletes the post of Convener of the People Committee
- c) deletes the post of Convener of Place Committee
- d) deletes the post of Chair of Audit Committee
- e) deletes the post of spokesperson for Health & Social Work
- f) deletes the post of spokesperson for Environment & Housing
- g) deletes the post of spokesperson of Partnership and Third Sector
- h) deletes the post of spokesperson for Audit and Finance
- i) establishes the post of Chair of Audit and Scrutiny
- j) establishes the post of spokesperson for Partnership, Third Sector and Digital Strategy
- k) establishes the post of spokesperson for Health and Social Care
- l) establishes the post of spokesperson for Sport, Leisure and Active Living
- m) establishes the post of spokesperson for Environment and Net Zero
- n) establishes the post of spokesperson for Housing and Property.

4.2 In accordance with Section 124 of the 1973 Act (inserted by Section 31 of the 1994 Act), the Council must also appoint three religious representatives. Religious representatives only have voting rights on matters relating to the discharge of the authority's function as education authority. It is proposed that religious representatives would continue to be invited to attend such meetings as require a decision on education matters to be taken. Subject to the agreement of the proposed decision making framework, invitations will be issued to three religious representatives as defined within legislation.

5.0 Audit and Scrutiny Committee

5.1. It is proposed that the new Committee has eight members and that the Chair of the Committee is the Leader of the main Opposition, and the Vice Chair also comes from outwith the political Administration. It is also proposed that the previously agreed protocol, that the majority of members of the Audit Committee should come from outwith the political Administration, is retained for the new Committee.

5.2. The proposed remit for the Committee is set out at Appendix A. The Agenda for meetings would be clearly structured as follows:

- Part A: Audit and Finance
- Part B: Scrutiny

5.3. In order to facilitate efficient agenda management in terms of both focus and capacity, the scrutiny agenda (Part B) items would, as far as possible, be themed at each meeting to reflect current operational portfolios and the related political portfolios as follows:

- **People Portfolio** (covering political spokesperson roles for Education, Sport, Leisure and Active Living and Health and Social Care)
- **Place Portfolio** (covering political spokesperson roles for Environment and Net Zero and Housing and Property)

- **Partnership and Performance** (covering political spokesperson roles for Partnership, Third Sector and Digital Strategy).

- 5.4. Should these proposals be agreed, illustrative options for the balance of the membership of the new Audit and Scrutiny Committee are set out in Table 4.

TABLE 4

Political Groups & Seats	Option 1	Option 2	Option 3	Option 4
SNP	3	3	2	3
Labour	4	3	3	3
Conservative	1	2	2	1
Green	0	0	1	1
Total seats (rounded)	8	8	8	8

- 5.5. Council is asked to appoint the Leader of the main Opposition as the Chair of the new Audit and Scrutiny Committee, a Vice Chair from outwith the political Administration, agree the balance of members to be appointed to the Committee and nominate members of the Committee in line with the agreed balance of the Committee.

6.0 Political Responsibility and Special Responsibility Allowances

- 6.1. In summary, the following senior political responsibilities are proposed as part of the new decision-making framework:

- Provost
- Depute Provost
- Council Leader
- Depute Council Leader
- **Convener of Council**
- Vice Convener
- **Spokesperson for Education**
- Spokesperson for Health and Social Care
- **Spokesperson for Partnership, Third Sector and Digital Strategy**
- **Spokesperson for Sport, Leisure and Active Living**

- **Spokesperson for the Environment and Net Zero**
- **Spokesperson for Housing and Property**
- **Chair of Audit and Scrutiny Committee**
- **Chair of Planning Committee**
- Chair of Regulatory

Additionally, those posts presented in **bold** are proposed to be awarded senior councillor responsibility payments.

- 6.2 The proposals are compliant with the financial framework within which members allowances are permitted and no single member receives more than one special responsibility allowance.
- 6.3 Council is asked to appoint members to the positions above (except to those positions which may already have been filled by Council earlier on this agenda).
- 6.4 It is intended that the implementation and effectiveness of these new arrangements will be kept under review to ensure that the effectiveness of arrangements is improved /sustained. On this basis, following one year of operation of the proposed arrangements, an implementation review will be conducted and the outcome will be reported to Council in August 2023.
- 6.5 The proposed arrangements are intended to be underpinned by an augmented/ more routine Programme of briefings/fora. A report will be submitted to the August Council meeting setting out more detailed proposals.

7.0 Sustainability Implications – N/A

8.0 Resource Implications - the proposals included in this paper are within the budget available for such purposes, that budget being £176,150 for special responsibility allowances (excluding the Provost and Leader).

9.0 Exempt Reports

9.1. Is this report exempt? No

10.0 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)

11.0 Equalities Impact

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

12.0 Legality

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

13.0 Appendices

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

APPENDIX A: Audit and Scrutiny Committee Remit



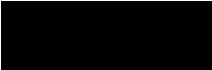
14.0 Background Papers

- 14.1 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
Nikki Bridle	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Lee Robertson	Senior Manager, Legal and Governance and Monitoring Officer	
Lindsay Sim	Chief Finance Officer	
Nikki Bridle	Chief Executive	

APPENDIX A – Audit and Scrutiny Committee remit

PART A Agenda: Audit & Finance

- a) Receive, review and consider reports on the Council's finance
- b) Receive, review and consider reports on value for money and best value
- c) Consideration and monitoring of the Council's Annual Governance Statement
- d) Consider internal audit reports and results of internal audit investigations
- e) Consider external audit and resultant action plans
- f) Monitor and review actions taken on internal and external audit recommendations
- g) Consider the effectiveness of the Council's risk management procedures and the control environment
- h) Receive and consider reports on countering fraud and corruption.

PART B Agenda: Scrutiny

- a) Monitor council services, including the Health and Social Care Partnership (HSCP) against agreed outcomes, standards and targets
- b) Monitor the achievement of organisation-wide agreed outcomes, standards and targets
- c) Monitor the achievement of agreed outcomes, standards and targets by the community planning partnership
- d) Monitor Police and Fire performance against Plans approved by the Council
- e) Scrutiny of Council decision-making, with the ability to call in decisions
- f) Initiate or undertake scrutiny reviews
- g) Deal with matters referred by the Council for scrutiny purposes.

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 25 May 2022

Subject: Political Balance

Report by: Chief Executive

1.0 Purpose

1.1 Standing Order 1.5 states that at the first Council meeting after an election, Council will *"decide the political balance on each committee and sub committee. We will set aside seats to achieve a balance between the political parties, as far as is reasonably practical."*

1.2 The purpose of this report is to ask Council to decide the political balance on its standing committees.

2.0 Recommendation

2.1 It is recommended that Council:

- a. notes the political balance of the Council further to the 5 May 2022 Local Government Election (Table 1);
- b. notes the number of seats each political group on the Council's current-standing committees based on that political balance (Tables 2 and 3);
- c. decides the balance of seats on the Council's Planning and Regulatory Committees (paragraph 3.8), guided by the considerations and statistical political balance set out in paragraph 3.7 and Tables 2 and 3;
- d. notes that this Council agenda also includes a separate paper and proposals in respect of the Council's decision-making framework and that any residual/ consequential decisions in respect of political balance are addressed therein (paragraph 3.8).

3.0 Considerations

3.1 Standing Orders state that at the first meeting of the Council after an election the political balance on committees should be determined.

- 3.2 While political balance is not an exact science, the following general principles, insofar as are practicable, apply to its determination:
- a. not all the seats on the body are allocated to the same political group;
 - b. the majority of the seats on the body is allocated to a particular political group if the number of people belonging to that group is a majority of the authority's membership;
 - c. subject to paragraphs (a) and (b) above, the number of seats on the body allocated to each political group bears the same proportion to the total of all the seats on the body as is borne by the number of members of that group to the membership of the authority.
- 3.3 Political representation on the Council further to the recent elections is set out in Table 1 below. This shows the number of seats each group has and the percentage of overall seats that number represents.

TABLE 1

Political Groups Seats	No	%
SNP	9	50
Labour	5	28
Conservative	3	17
Green	<u>1</u>	5
	<u>18</u>	<u>100</u>

- 3.4 When the respective percentages in Table 1 are applied to seats on the Council's standing committees, the unrounded allocation of seats is as set out in Table 2 below.

TABLE 2

Political Group	% to apply	Seats Planning	Seats Regulatory	Seats Audit	Seats P & P	Seats Place	Seats People
SNP	50	5	4	4	4	4	4
Labour	28	2.8	2.24	2.24	2.24	2.24	2.24
Conservative	17	1.7	1.36	1.36	1.36	1.36	1.36
Green	5	0.5	0.4	0.4	0.4	0.4	0.4
No. of Seats		<u>10</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>

- 3.5 Clearly, it is not practicable to have the seats allocated in any other way than in round figures. Applying rounding conventions to the figures set out in Table 2 would result in the seat apportionment as set in Table 3 overleaf.

TABLE 3

Political Groups & Seats	No.	Seats Planning	Seats Regulatory	Seats Audit	Seats P & P	Seats Place	Seats People
SNP	9	5	4	see para 3.8	4	4	4
Labour	5	3	2		2	2	2
Conservative	3	2	1		1	1	1
Green	<u>1</u>	<u>1</u>	<u>0</u>		<u>0</u>	<u>0</u>	<u>0</u>
Total seats (rounded)	<u>18</u>	<u>11</u>	<u>7</u>	<u>8</u>	<u>7</u>	<u>7</u>	<u>7</u>
Total seats required	<u>18</u>	<u>10</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>
Variance		<u>1</u>	<u>(1)</u>		<u>(1)</u>	<u>(1)</u>	<u>(1)</u>

3.6 The scenario in Table 3, where generally accepted rounding principles are applied, results in a position whereby the required number of seats is not reached for individual Standing Committees with Planning having one seat too many and the majority of other committees, one seat too few.

3.7 Any further options should seek as far as possible to remain aligned with the principles stated in paragraph 3.2. Other potential considerations include:

- the roles of individual Standing Committees, for instance quasi-judicial, scrutiny, policy development, and the relative roles of Administration and Opposition Councillors in these fora
- the capacity of individual Political Groups
- the capacity and availability of individual Councillors
- the potential for additional representation such as religious representatives or young people.

3.8 Separately on this Council agenda, revised proposals for the Council’s decision-making framework are set out. These proposals potentially impact the number and nature of the Council’s existing Standing Committees, most notably, service committees in respect of Partnership and Performance, Place and People Committees. On this basis, it is suggested that Council agrees political balance in respect of Planning and Regulatory Committees at this stage, noting that any consequential or residual decisions required in respect of political balance are addressed within the separate decision-making framework paper on this agenda.

3.9 Given the interdependencies of papers and the associated decisions on this Council agenda, Council has available information within this report to support any decision required on political balance, including that based on the status quo.

4.0 Other Committees & Fora

- 4.1 Licensing Board - appointments to this body are covered by a separate item on the agenda.
- 4.2 Local Review Body - the LRB is also subject to separate legislation and there are no requirements to make any appointments to this body at the Council's statutory meeting.
- 4.3 Statutory Committees - are all subject to specific requirements set out in either legislation or guidance.
- 4.4 Ad hoc Committees - political balance will be applied to these as appropriate (e.g. to Appointments Committees) and based on the balance agreed by the Council.
- 4.5 Nominations to these other committees and fora will come forward to Council at the relevant time and as required.

5.0 Sustainability Implications

- 5.1. None

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)

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
Nikki Bridle	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Lee Robertson	Senior Manager, Legal and Governance and Monitoring Officer	
Nikki Bridle	Chief Executive	

Report to: Clackmannanshire Council

Date of Meeting: 25 May 2022

Subject: Appointments to Licensing Board

Report by: Strategic Director, Partnership and Performance

1.0 Purpose

- 1.1. Under Standing Order 1.5, the Council must appoint no fewer than five and no greater than ten members to the Licensing Board. This report invites the Council to consider the appointment of members to the Board.

2.0 Recommendations

It is recommended that the Council:

- 2.1. Appoints eight (8) members to the Licensing Board.

3.0 Considerations

- 3.1. At its first statutory meeting, under Standing Order 1.5, the Council must appoint no fewer than five and no greater than ten members to the Licensing Board. This is obligatory under Schedule 1 of the Licensing (Scotland) Act 2005. Additionally it should be noted that all members appointed must then undergo compulsory training before they can participate in making Board decisions.
- 3.2. There is no statutory obligation on the Council to maintain a political balance on the Licensing Board and the Licensing Board was not included within the considerations relating to Political Balance submitted by the Chief Executive.
- 3.3. By virtue of Schedule 1 paragraph 12(1) of the 2005 Act, the quorum for the Board is half the membership or not less than three.
- 3.4. Members are therefore invited to appoint eight (8) members to the Licensing Board.

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

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

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(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

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None

11.0 Background Papers

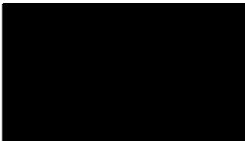
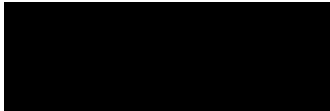
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart Crickmar	Strategic Director Partnership and Performance	452127

Approved by

NAME	DESIGNATION	SIGNATURE
Lee Robertson	Senior Manager, Legal and Governance and Monitoring Officer	
Nikki Bridle	Chief Executive	

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 25 May 2022

Subject: Elected Member Representation on Outside Bodies

Report by: Chief Executive

1.0 Purpose

- 1.1 This report sets out requests for elected member representation on a range of outside bodies (see Appendix to this report). It seeks Council's view on whether it wishes to be represented on these bodies and, if so, asks Council to appoint members to relevant organisations.

2.0 Recommendations

- 2.1 It is recommended that Council:
- a) determines which organisations it wishes to be represented on; and
 - b) nominates elected members to those organisations as appropriate.

3.0 Background

- 3.1. The Council receives requests for elected member representation on a range of committees, boards and groups.
- 3.2. The Appendix to this report sets out those organisations on which Council has been invited to be represented.
- 3.3. The remarks in the third column of the table at the Appendix set out where there is prescribed representation (e.g. various Trusts and geographically specific groups) or where previous Council representation may have been based on an elected member position (e.g. Provost, Leader) rather than on an individual elected member (albeit not prescribed).

4.0 Considerations - Requirements

- 4.1. Elected Members nominated to fill some positions may be required to undertake training on their duties. Such training will normally be provided in-house and appointed members should be prepared to attend.

4.2. In accordance with Section 4 of the Councillors' Code of Conduct, every elected member has a personal responsibility to register interests, financial or otherwise. The Code advises that Councillors must register all directorships and positions of office in public bodies, clubs, organisations and societies. Guidance notes on the registration of interests have been issued to every Clackmannanshire Councillor.

5.0 Sustainability Implications - n/a

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)

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(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".

Appendix 1 – List of Outside Bodies for consideration

12.0 Background Papers

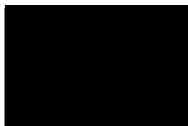
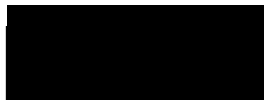
12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Nikki Bridle	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Lee Robertson	Senior Manager, Legal and Governance and Monitoring Officer	
Nikki Bridle	Chief Executive	

APPENDIX 1

Name of Outside Body	Number Of Reps	Comments / Criteria
Association for Public Service Excellence (APSE) (Main Membership - £2,548 + VAT) (Regional Subscription - £200 + VAT)	1	1 formal representative but no limit of elected members that can attend advisory group meetings/ seminars etc
Central Scotland Valuation Joint Board	3	VJB comprises 15 elected members drawn from the three constituent authorities, with Clackmannanshire having three representatives. There is no requirement for political balance on the VJB
Children's Hearing Scotland*	1	
City Region Deal Joint Committee	3 plus 3 substitutes	Joint Committee comprises 9 members – 3 each from Clackmannanshire Council, Stirling Council and Stirling University. From April 2022, Clackmannanshire Council holds the Chair.
Clackmannanshire Alliance	4	Previously has been the Council Leader and Depute Leader and the Opposition Leader and Depute Leader.
Clackmannanshire and Stirling Environmental Trust	2	Organisation requested 2 members
CoSLA Convention	3	Three delegates on the CoSLA Convention and the constitution of CoSLA requires that council delegations reflect the political balance of the individual councils.
CoSLA Policy Board - Health and Social Care Member	1 plus 1 substitute	
CoSLA Policy Board - Community Wellbeing Member	1 plus 1 substitute	
CoSLA Policy Board - Children and Young People Member	1 plus 1 substitute	
CoSLA Policy Board - Environment and Economy Member	1 plus 1 substitute	
Dollar Academy Trust	1	Elected Member from Ward 5, Clackmannanshire East Ward to become School Governor.
Dollar Museum	1	Elected Member from Ward 5, Clackmannanshire East Ward to become a Trustee.
Highland Reserve Forces & Cadets Association*	1 plus 1 substitute	Previously has been Provost.

Integrated Joint Board (Health & Social Care)	3	Previously 1 from each political group based on Council decisions on political balance
NHS Forth Valley Board (remunerated position)	1	Scottish Government Appointment based on Council nomination Preferred appointment either Leader or spokesperson for Health
Pensions Committee*	1	
Scotland Excel Committee (Membership Subscription £46,317)	1	One appointment of a Joint Committee representative
SEStran (South East Scotland Transport Partnership) Board	2	Two representatives on the SEStran Board and is a requirement under the Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005 that:- "... each constituent council of a Partnership shall at the first meeting of that council taking place after each ordinary election appoint ... councillor members of the Partnership."
University of Stirling Conference Committee*	1	
TRUSTS		
Alloa Day Home Trust*	5	Provost, Members of Clackmannanshire Central and South, Recommendation: 2 members from each of the these wards
Clackmannan District Brass Band Trust*	4	Members of Clackmannanshire Central and South. 2 members for each of these wards
Clackmannan District Charitable Trust*	4	Provost, 1 Member from combined wards of Clackmannanshire Central and South, 1 Member from North and 1 from East
Comrie Trust*	4	Provost, Depute Provost and 2 Members of Clackmannanshire North.
Spittal Trust*	5	Provost, and two members from each of Clackmannanshire Central and South.

*The following Outside Bodies criteria is yet to be confirmed. Information provided in this appendix has been used from previous Outside Bodies criteria.

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 25 May 2022

Subject: Appointments to Committees

Report by: Chief Executive

1.0 Purpose

- 1.1 The Council requires to fill a number of positions on the Planning and Regulatory Committees. This report invites Council to agree membership of these committees.
- 1.2 The nominations should be made in line with the political balance agreed by the Council earlier on this agenda.

2.0 Recommendations

- 2.1 The Council is invited to appoint Chairs and Vice Chairs of the Planning and Regulatory Committees respectively.
- 2.2 The Council is invited to appoint members to the Planning and Regulatory Committees in line with the political balance agreed by Council.

3.0 Considerations

- 3.1 Appointments to senior political roles, including the Convener and Vice Convener of Council, Council Leader and Provost, have been agreed earlier on this agenda. Therefore, nominations to Chair and Vice Chair of Planning and Regulatory Committees respectively are also required.
- 3.2 The political balance context and considerations are set out in a separate paper on this Council agenda. The position agreed by Council in respect of political balance for the Planning and Regulatory Committees should be applied when nominating councillors to the relevant committees, additionally taking account of the impact of the appointments of Chairs and Vice Chairs to these committees and the consequential impact on political balance.

:

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

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)
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(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

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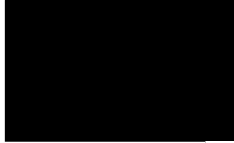
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NAME	DESIGNATION	TEL NO / EXTENSION
Nikki Bridle	Chief Executive	452002

Approved by

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Lee Robertson	Senior Manager, Legal and Governance and Monitoring Officer	
Nikki Bridle	Chief Executive	