



**MINUTES OF STATUTORY MEETING of the CLACKMANNANSHIRE COUNCIL held in  
the Council Chamber, Kilncraigs, Alloa, on WEDNESDAY 25 MAY 2022 at 9.30 am.**

**PRESENT**

Councillor Donald Balsillie  
Councillor Martha Benny  
Councillor Denis Coyne  
Councillor Kenneth Earle  
Councillor Phil Fairlie  
Councillor Ellen Forson  
Councillor Wendy Hamilton  
Councillor Scott Harrison  
Councillor Craig Holden  
Councillor William Keogh  
Councillor Fiona Law  
Councillor Darren Lee  
Councillor Graham Lindsay  
Councillor Kathleen Martin  
Councillor Jane McTaggart  
Councillor Bryan Quinn  
Councillor Janine Rennie

**IN ATTENDANCE**

Nikki Bridle, Chief Executive  
Stuart Crickmar, Strategic Director (Partnership & Performance)  
Lorraine Sanda, Strategic Director (People)  
Annmargaret Black, Chief Officer, Clackmannanshire and Stirling Integrated Joint Board.  
Pete Leonard, Strategic Director (Place)  
Fiona Colligan, Strategic Director (Transformation)  
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)  
Vikki Tibbit, Communications Officer (Partnership & Performance)  
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)  
Gillian White, Committee Services (Partnership & Performance)

**CC(22)01**

**APOLOGIES**

Apologies were received from Councillor Mark McLuckie.

**CC.(22)02**

**DECLARATIONS OF INTEREST**

None.

The Chief Executive welcomed members to the statutory meeting of the Clackmannanshire Council. The Chief Executive, in her capacity as Returning Officer, took the Chair and outlined the requirement for Council to elect a Convener from among its councillors as the first substantive business to be transacted.

### **CC(22)03 ELECTION OF CONVENER**

The Returning Officer outlined procedures for the election of Convener and invited nominations.

Councillor Ellen Forson nominated Councillor Phil Fairlie as Convener of Clackmannanshire Council, seconded by Councillor Graham Lindsay.

#### **Decision**

As there were no other nominations for Provost, the Returning Officer declared Councillor Phil Fairlie duly appointed as Convener of Clackmannanshire Council.

Councillor Fairlie, Convener of Council, took the Chair.

### **CC.(22)04 COUNCIL GOVERNANCE**

The report, submitted by the Senior Manager, Legal and Governance sought changes to the arrangements for convening Council and undertaking civic duties. The proposals had arisen following the Local Government Election and followed cross-party discussions with the Chief Executive. The proposed changes required 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. Consequential changes would also be required to the Council's Standing Orders.

The Clerk advised that there was a typographical error in Appendix 1 to the report, in the last paragraph, which should be amended to read:

- To work in conjunction with the Convener of the Council, where appropriate to allow for the depute Provost to step in to the role of **Provost** as and when required and to carry out the Key Purpose/Role.

#### **Motion**

To agree the recommendations as set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

#### **Decision**

The Council

1. Agreed to suspend, for the 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);
2. Agreed to amend the role of Provost and create the role of Convener of the Council as described in Appendix 1
3. Agreed to the establishment of Depute Provost and Depute Convener of the Council roles in line with Appendix 1; and
4. Noted that the consequential amendments required to the Council's Standing Orders will be brought to a meeting of Council no later than August 2022.

#### **Action**

Senior Manager, Legal and Governance

**CC(22)05      ELECTION OF DEPUTE CONVENER, PROVOST, DEPUTE PROVOST,  
LEADER OF THE COUNCIL AND DEPUTE LEADER OF THE COUNCIL**

**(a) Depute Convener**

The Convener invited nominations for the election of Depute Convener.

**Decision**

As sole nominee, Councillor Craig Holden was duly elected as Depute Convener of Clackmannanshire Council.

**(b) Provost of the Council**

The Convener invited nominations for the election of the Provost of the Council.

Councillor Ellen Forson nominated Councillor Donald Balsillie as Provost of the Council, seconded by Councillor Graham Lindsay.

Councillor Janine Rennie nominated Councillor Kenneth Earle as Provost of the Council, seconded by Councillor Kathleen Martin.

Councillor Denis Coyne nominated Councillor Darren Lee as Provost of the Council, seconded by Councillor Martha Benny.

**Voting**

There being 3 nominees, the matter was put to the vote:

For Councillor Donald Balsillie	<b>9 votes</b>
For Councillor Kenneth Earle	4 votes
For Councillor Darren Lee	3 votes
Abstain from Voting	1 vote

**Decision**

On a division, with 9 votes, Councillor Donald Balsillie was duly elected as the Provost of Clackmannanshire Council.

**(c) Depute Provost of the Council**

The Convener invited nominations for the election of the Depute Provost of the Council.

Councillor Ellen Forson nominated Councillor Craig Holden as Depute Provost of the Council, seconded by Councillor Graham Lindsay..

**Decision**

As there were no other nominations for Depute Provost of the Council, Councillor Craig Holden was duly elected as the Depute Provost of Clackmannanshire Council.

#### **(d) Leader of the Council**

The Convener invited nominations for the election of the Leader of the Council.

Councillor Graham Lindsay nominated Councillor Ellen Forson as Leader of the Council, seconded by Councillor Craig Holden.

#### **Decision**

As there were no other nominations for Leader of the Council, Councillor Ellen Forson was duly elected as the Leader of Clackmannanshire Council.

#### **(e) Depute Leader of the Council**

The Convener invited nominations for the election of the Depute Leader of the Council.

Councillor Ellen Forson nominated Councillor Graham Lindsay as Depute Leader of the Council, seconded by Councillor Craig Holden.

Councillor Janine Rennie nominated Councillor Kenneth Earle as Depute Leader of the Council, seconded by Councillor William Keogh.

Councillor Darren Lee nominated Councillor Martha Benny as Depute Leader of the Council, seconded by Councillor Denis Coyne.

#### **Voting**

There being 3 nominees, the matter was put to the vote:

For Councillor Graham Lindsay	<b>9 votes</b>
For Councillor Kenneth Earle	4 votes
For Councillor Martha Benny	3 votes
Abstain from Voting	1 vote

#### **Decision**

On a division, with 9 votes, Councillor Graham Lindsay was duly elected as the Depute Leader of Clackmannanshire Council.

#### **CC.(22)06 THE COUNCIL'S DECISION-MAKING FRAMEWORK AND SPECIAL RESPONSIBILITY ALLOWANCES**

The report, submitted by the Chief Executive, sought approval to change the decision-making framework and to highlight those political roles which attract Special Responsibility Allowance under the proposed arrangements. The proposals had arisen following the Local Government election and following cross-party discussions with the Chief Executive with a view to enhancing current arrangements.

#### **Motion**

That the council agree the recommendations set out in the report, including the selection of Option 3 as the political balance on the new Audit and Scrutiny Committee.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

## Decision

The Council:

1. Noted 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 applied to the provisions of this paper;
2. Agreed the proposals in the report to change the Council's decision making framework as set out at sections 4, 5 & 6 of the report;
3. Approved the remit of the new Audit and Scrutiny Committee as set out at Appendix A to the report;

4. Appointed the Leader of the main Opposition to chair the Audit and Scrutiny Committee:

Councillor Kenneth Earle, as Leader of the main Opposition, was duly appointed as Chair of the Audit and Scrutiny Committee.

5. Appointed a councillor from outwith the political Administration as Vice Chair of the Audit and Scrutiny Committee:

Councillor Denis Coyne was nominated by Councillor Darren Lee and seconded by Councillor Craig Holden and was duly appointed as the Vice Chair of the Audit and Scrutiny Committee.

6. Agreed the political balance of the Audit and Scrutiny Committee as set out in table 4, option 3 of the report:

SNP	2 members
Labour	3 members
Conservative	2 members
Green	1 member

7. Appointed members to sit on the Audit and Scrutiny Committee on the basis of the Council's agreed political balance:

All moved by Councillor Darren Lee and seconded by Councillor Craig Holden

Councillor Ellen Forson  
Councillor Phil Fairlie  
Councillor William Keogh  
Councillor Janine Rennie  
Councillor Martha Benny  
Councillor Bryan Quinn

8. Appointed members to the new spokesperson positions:

### **Spokesperson for Education**

The Convener invited nominations for the election of the Spokesperson for Education.

Councillor Ellen Forson nominated Councillor Graham Lindsay as Spokesperson for Education, seconded by Councillor Donald Balsillie.

Councillor Kenneth Earle nominated Councillor Mark McLuckie as Spokesperson for Education, seconded by Councillor William Keogh.

Councillor Denis Coyne nominated Councillor Martha Benny as Spokesperson for Education, seconded by Councillor Kenneth Earle.

### **Voting**

There being 3 nominees, the matter was put to the vote:

For Councillor Graham Lindsay	<b>9 votes</b>
For Councillor Mark McLuckie	4 votes
For Councillor Martha Benny	3 votes
Abstain from Voting	1 vote

### **Decision**

On a division, with 9 votes, Councillor Graham Lindsay was duly elected as the Spokesperson for Education.

### **Spokesperson for Partnership, Third Sector and Digital Strategy**

The Convener invited nominations for the election of the Spokesperson for Partnership, Third Sector and Digital Strategy..

Councillor Ellen Forson nominated Councillor Craig Holden as Spokesperson for Partnership, Third Sector and Digital Strategy, seconded by Councillor Donald Balsillie.

Councillor Kathleen Martin nominated Councillor Janine Rennie as Spokesperson for Partnership, Third Sector and Digital Strategy, seconded by Councillor Kenneth Earle.

Councillor Darren Lee nominated Councillor Denis Coyne as Spokesperson for Partnership, Third Sector and Digital Strategy, seconded by Councillor Martha Benny.

### **Voting**

There being 3 nominees, the matter was put to the vote:

For Councillor Craig Holden	<b>9 votes</b>
For Councillor Janine Rennie	4 votes
For Councillor Denis Coyne	3 votes
Abstain from Voting	1 vote

### **Decision**

On a division, with 9 votes, Councillor Craig Holden was duly elected as the Spokesperson for Partnership, Third Sector and Digital Strategy.

### **Spokesperson for Health and Social Care**

The Convener invited nominations for the election of the Spokesperson for Health and Social Care.

Councillor Ellen Forson nominated Councillor Wendy Hamilton as Spokesperson for Health and Social Care, seconded by Councillor Donald Balsillie.

Councillor Janine Rennie nominated Councillor Kathleen Martin as Spokesperson for Health and Social Care, seconded by Councillor Kenneth Earle.

Councillor Denis Coyne nominated Councillor Martha Benny as Spokesperson for Health and Social Care, seconded by Councillor Darren Lee..

## **Voting**

There being 3 nominees, the matter was put to the vote:

For Councillor Wendy Hamilton	<b>9 votes</b>
For Councillor Kathleen Martin	4 votes
For Councillor Martha Benny	3 votes
Abstain from Voting	1 vote

## **Decision**

On a division, with 9 votes, Councillor Wendy Hamilton was duly elected as the Spokesperson for Health and Social Care.

## **Spokesperson for Sports, Leisure and Active Living**

The Convener invited nominations for the election of the Spokesperson for Sports, Leisure and Active Living.

Councillor Ellen Forson nominated Councillor Scott Harrison as Spokesperson for Sports, Leisure and Active Living, seconded by Councillor Donald Balsillie.

Councillor Kenneth Earle nominated Councillor Mark McLuckie as Spokesperson for Sports, Leisure and Active Living, seconded by Councillor William Keogh..

Councillor Martha Benny nominated Councillor Darren Lee as Spokesperson for Sports, Leisure and Active Living, seconded by Councillor Coyne..

## **Voting**

There being 3 nominees, the matter was put to the vote:

For Councillor Scott Harrison	<b>9 votes</b>
For Councillor Mark McLuckie	4 votes
For Councillor Darren Lee	3 votes
Abstain from Voting	1 vote

## **Decision**

On a division, with 9 votes, Councillor Scott Harrison was duly elected as the Spokesperson for Sports, Leisure and Active Living.

## **Spokesperson for Environment and Net Zero**

The Convener invited nominations for the election of the Spokesperson for Environment and Net Zero.

Councillor Ellen Forson nominated Councillor Fiona Law as Spokesperson for Environment and Net Zero, seconded by Councillor Donald Balsillie.

Councillor Kenneth Earle nominated Councillor William Keogh as Spokesperson for Environment and Net Zero, seconded by Councillor Kathleen Martin.

Councillor Martha Benny nominated Councillor Darren Lee as Spokesperson for Environment and Net Zero, seconded by Councillor Denis Coyne.

## Voting

There being 3 nominees, the matter was put to the vote:

For Councillor Fiona Law	<b>9 votes</b>
For Councillor William Keogh	4 votes
For Councillor Darren Lee	3 votes
Abstain from Voting	1 vote

## Decision

On a division, with 9 votes, Councillor Fiona Law was duly elected as the Spokesperson for Environment and Net Zero.

## Spokesperson for Housing and Property

The Convener invited nominations for the election of the Spokesperson for Housing and Property.

Councillor Ellen Forson nominated Councillor Jane McTaggart as Spokesperson for Housing and Property, seconded by Councillor Donald Balsillie.

Councillor Kathleen Martin nominated Councillor Kenneth Earle as Spokesperson for Housing and Property, seconded by Councillor Janine Rennie.

Councillor Darren Lee nominated Councillor Denis Coyne as Spokesperson for Housing and Property, seconded by Councillor Martha Benny.

## Voting

There being 3 nominees, the matter was put to the vote:

For Councillor Jane McTaggart	<b>9 votes</b>
For Councillor Kenneth Earle	4 votes
For Councillor Denis Coyne	3 votes
Abstain from Voting	1 vote

## Decision

On a division, with 9 votes, Councillor Jane McTaggart was duly elected as the Spokesperson for Housing and Property.

9. Approved the positions which are awarded senior councillor responsibility payments as set out in paragraph 6.1 of this report, namely:

<b>Position</b>
Convener of Council
Spokesperson for Education
Spokesperson for Partnership, Third Sector and Digital Strategy
Spokesperson for Sport, Leisure and Active Living
Spokesperson for Environment and Net Zero
Spokesperson for Housing and Property
Chair of Audit and Scrutiny Committee
Chair of Planning Committee



10. Noted 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
11. Noted 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)
12. Noted 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).

**Action**

Chief Executive

**CC.(22)07 POLITICAL BALANCE**

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”*. The report, submitted by the Chief Executive, asked Council to decide the political balance on its standing committees.

**Motion**

That the council agree the recommendations set out in the report and note that as a consequence of cross party discussions, the SNP Group would take up 4 seats on the Planning Committee which brings the total seats on the Planning Committee to 10 and the Conservative Group would take up 2 seats on the Regulatory Committee which brings the total seats on the Regulatory Committee to 8.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

**Decision**

The Council agreed:

1. To note the political balance of the Council further to the 5 May 2022 Local Government Election (Table 1);
2. To note the number of seats each political group on the Council’s current standing committees based on that political balance (Tables 2 and 3);
3. The balance of seats on the Council’s Planning and Regulatory Committees, namely:

<b>Political Groups and Seats</b>	<b>Seats Planning</b>	<b>Seats Regulatory</b>
SNP	4	4
Labour	3	2
Conservative	2	2
Green	<u>1</u>	<u>0</u>
Total seats (rounded)	<u>10</u>	<u>8</u>

4. To note that this Council agenda also included 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).

**Action**

Chief Executive

**CC.(22)08 APPOINTMENTS TO LICENSING BOARD**

Under Standing Order 1.5, the Council must appoint no fewer than five and no greater than ten members to the Licensing board. The report, submitted by the Strategic Director, Partnership and Performance, invited the Council to consider the appointment of members to the Board.

**Motion**

That the Council appoints eight (8) members to the Licensing Board.

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

**Decision**

The Council agreed to appoint eight (8) members to the Licensing Board

As a consequence of cross party discussions, the undernoted members were appointed to the Licensing Board:

Councillor Fiona Law  
Councillor Donald Balsillie  
Councillor Graham Lindsay  
Councillor Kenneth Earle  
Councillor Mark McLuckie  
Councillor William Keogh  
Councillor Darren Lee  
Councillor Martha Benny

**Action**

Strategic Director, Partnership and Performance

**CC.(22)09 ELECTED MEMBER REPRESENTATION ON OUTSIDE BODIES**

The report, submitted by the Chief Executive, set out requests for elected member representation on a range of outside bodies. The report sought Council's view on whether it wished to be represented on these bodies and, if so, appoint members to the relevant organisations.

**Motion**

To agree the recommendations set out in the report and nominate those members agreed as part of cross party discussions to the relevant organisations.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

## Decision

The Council:

1. Determined that the organisations it wished to be represented on as set out in Appendix 1 to the report; and
2. Agreed the cross party list of nominations for each relevant organisation, and where there were an excess of nominations, to put it to a vote. The outcome as is noted below:

Name of Outside Body	Number Of Reps	Elected Member
Association for Public Service Excellence (APSE)	1	Councillor Jane McTaggart
Central Scotland Valuation Joint Board	3	Councillor Donald Balsillie Councillor Kenneth Earle Councillor Martha Benny
Children's Hearing Scotland*	1	Councillor Wendy Hamilton
City Region Deal Joint Committee	3 plus 3 substitutes	<b>Members</b> Councillor Ellen Forson Councillor Kenneth Earle Councillor Martha Benny <b>Substitutes</b> Councillor Graham Lindsay Councillor Janine Rennie Councillor Denis coyne
Clackmannanshire Alliance	4	Councillor Ellen Forson Councillor Craig Holden Councillor Kenneth Earle Councillor Martha Benny
Clackmannanshire and Stirling Environmental Trust	2	There were three nominations for the 2 positions. Voting:  Councillor Fiona Law      9 votes Councillor William Keogh    4 votes Councillor Bryan Quinn      13 votes  Councillor Fiona Law and Councillor Bryan Quinn were duly appointed.
CoSLA Convention	3	Councillor Ellen Forson Councillor Martha Benny Councillor Kenneth Earle

CoSLA Policy Board - Health and Social Care Member	1 plus 1 substitute	Councillor Wendy Hamilton Councillor Janine Rennie (S)
CoSLA Policy Board - Community Wellbeing Member	1 plus 1 substitute	Councillor Scott Harrison Councillor Janine Rennie (S)
CoSLA Policy Board - Children and Young People Member	1 plus 1 substitute	Councillor Graham Lindsay Councillor Kathleen Martin (S)
CoSLA Policy Board - Environment and Economy Member	1 plus 1 substitute	Councillor Fiona Law Councillor William Keogh (S)
Dollar Academy Trust	1	Councillor Denis Coyne
Dollar Museum	1	Councillor Denis Coyne
Highland Reserve Forces & Cadets Association*	1 plus 1 substitute	Councillor Donald Balsillie Councillor Mark McLuckie (S)
Integrated Joint Board (Health & Social Care)	3	Councillor Wendy Hamilton Councillor Janine Rennie Councillor Martha Benny
NHS Forth Valley Board (remunerated position)	1	Councillor Wendy Hamilton
Pensions Committee*	1	Councillor Bryan Quinn
Scotland Excel Committee (Membership Subscription £46,317)	1	Councillor Ellen Forson
SEStran (South East Scotland Transport Partnership) Board	2	There were three nominations for the 2 positions. Voting:  Councillor Fiona Law 13 votes Councillor William Keogh 4 votes Councillor Denis Coyne 10 votes  Councillor Fiona Law and Councillor Denis Coyne were duly appointed
University of Stirling Conference Committee*	1	Councillor Ellen Forson
<b>TRUSTS</b>		
Alloa Day Home Trust*	5	Councillor Donald Balsillie Councillor Jane McTaggart Councillor Janine Rennie Councillor Ellen Forson Councillor Kenneth Earle

Clackmannan District Brass Band Trust*	4	Councillor Jane McTaggart Councillor Janine Rennie Councillor Craig Holden Councillor Kenneth Earle
Clackmannan District Charitable Trust*	4	Councillor Donald Balsillie Councillor Kenneth Earle Councillor William Keogh Councillor Kathleen Martin
Comrie Trust*	4	Councillor Donald Balsillie Councillor Craig Holden Councillor Martha Benny Councillor William Keogh
Spittal Trust*	5	Councillor Donald Balsillie Councillor Jane McTaggart Councillor Janine Rennie Councillor Kenneth Earle Councillor Ellen Forson

### **Action**

Chief Executive

### **CC.(22)10 APPOINTMENTS TO COMMITTEES**

The Council required to fill a number of positions on the Planning and Regulatory Committees. The report, submitted by the Chief Executive, invited Council to agree membership of those Committees, with the nominations made in line with the political balance agreed by Council earlier on the Agenda.

### **Motions**

#### **Chair of the Planning Committee**

The Convener invited nominations for the election of the Chair of the Planning Committee.

Councillor Darren Lee nominated Councillor Denis Coyne as Chair of the Planning Committee, seconded by Councillor Martha Benny.

### **Decision**

As there were no other nominations for Chair of the Planning Committee, Councillor Denis Coyne was duly elected as the Chair of the Planning Committee.

#### **Vice Chair of the Planning Committee**

The Convener invited nominations for the election of the Vice Chair of the Planning Committee.

Councillor Janine Rennie nominated Councillor William Keogh as Vice Chair of the Planning Committee, seconded by Councillor Kathleen Martin.

## **Decision**

As there were no other nominations for Vice Chair of the Planning Committee, Councillor William Keogh was duly elected as the Vice Chair of the Planning Committee.

## **Chair of the Regulatory Committee**

The Convener invited nominations for the election of the Chair of the Regulatory Committee.

Councillor Denis Coyne nominated Councillor Martha Benny as Chair of the Regulatory Committee, seconded by Councillor Darren Lee.

## **Decision**

As there were no other nominations for Chair of the Regulatory Committee, Councillor Martha Benny was duly elected as the Chair of the Regulatory Committee.

## **Vice Chair of the Regulatory Committee**

The Convener invited nominations for the election of the Vice Chair of the Regulatory Committee.

Councillor Janine Rennie nominated Councillor Kathleen Martin as Vice Chair of the Regulatory Committee, seconded by Councillor Kenneth Earle.

## **Decision**

As there were no other nominations for Vice Chair of the Regulatory Committee, Councillor Kathleen Martin was duly elected as the Vice Chair of the Regulatory Committee.

## **Decision**

The Council agreed to the appointments set out above and also agreed the cross party list of nominations of members to the Planning and Regulatory Committees, with the nominations made in line with the political balance agreed by Council earlier on the Agenda, namely:

## **Planning Committee**

Councillor Bryan Quinn  
Councillor Martha Benny  
Councillor Fiona Law  
Councillor Donald Balsillie  
Councillor Phil Fairlie  
Councillor Jane McTaggart  
Councillor Kenneth Earle  
Councillor Mark McLuckie

## **Regulatory Committee**

Councillor Kenneth Earle  
Councillor Phil Fairlie  
Councillor Wendy Hamilton  
Councillor Scott Harrison  
Councillor Jane McTaggart  
Councillor Darren Lee

## **Action**

Chief Executive

Ends: 10:45 am