



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA and via MS TEAMS, on THURSDAY 11 August 2022 at 9.30 am.

PRESENT

Councillor Phil Fairlie, Convener (Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Denis Coyne
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Wendy Hamilton
Councillor Scott Harrison
Councillor William Keogh
Councillor Fiona Law
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Kathleen Martin
Councillor Mark McLuckie
Councillor Jane McTaggart
Councillor Bryan Quinn
Councillor Janine Rennie (Via Teams)

IN ATTENDANCE

Nikki Bridle, Chief Executive
Stuart Crickmar, Strategic Director (Partnership and Performance)
Lorraine Sanda, Strategic Director (People)
Pete Leonard, Strategic Director (Place)
Lindsay Sim, Chief Finance Officer (Partnership & Performance) (via Teams)
Colin Bruce, Chief Education Officer (People) (via Teams)
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)
Tony Cain, Senior Manager, Housing (Place) (via Teams)
Vicky Tibbet, Communications Officer (Partnership & Performance)
Carla McFarlane, Communications Officer (Partnership & Performance) (via Teams)
Alison Davidson, Team Leader, Economic Development (Place)
Sharon Robertson, Chief Social Work Officer (via Teams)
Kate Fleming, Senior Housing Strategy Officer (Place) (via Teams)
Michael Boyle, Improving Outcomes Business Manager (People) (via Teams)
Robert Seale, Climate Change and Energy Officer (Place) (via Teams)
Derek Barr, Procurement Manager, (Partnership & Performance) (via Teams)
Martin Devenney, Audit Scotland (via Teams)
Mark Ferris, Audit Scotland (via Teams)
Pamela Morrison, Audit Scotland (via Teams)
Zander Muego, Thomas and Adamson, International Construction and Property Consultancy
Ann Dougan, Cactus Consulting (Consultant, Wellbeing Hub) (via Teams)
Mark Cowan, Sportscotland
Robbie Stewart, Sportscotland
Alison Mackie, Active Primary Co-ordinator (People) (via Teams)
Alison Morrison, Senior Manager, Property (Place) (via Teams)
Lawrence Hunter, Energy and Sustainability Strategy Officer (Place) (via Teams)
Grant Baxter, Principal Planner (Place) (via Teams)
Fiona Grinly, Senior Manager (Transformation)
Heather Buchanan, Solicitor, Legal and Governance (Partnership & Performance) (Via Teams)

Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)

Melanie Moore, Committee Services (Partnership & Performance)

Gillian White, Committee Services (Partnership & Performance)

CC(22)23 APOLOGIES

Apologies were received from Councillor Craig Holden.

CC(22)24 DECLARATIONS OF INTEREST

None.

CC(22)25 MINUTES OF CLACKMANNANSHIRE COUNCIL – 23 JUNE 2022

The minutes of the meeting of the Clackmannanshire Council held on 23 June 2022 were submitted for approval.

CC(22)21 - Notice of Motion – Pollinators

- Councillor Bryan Quinn's name had been incorrectly recorded as "Councillor Brian Quinn".
- Councillor McLuckie stated that the decision had been recorded as unanimously approved which he advised was incorrect. However, following the meeting, having checked the recording of the meeting, it can be confirmed that the original decision noted in the minute is correct. The amendment was carried by 9 votes to 7, with 1 abstention and the Motion (as amended) was approved unanimously.

Decision

Subject to the correction to Councillor Quinn's name, the minutes of the meeting of the Clackmannanshire Council held on 23 June 2022 were agreed as a correct record and signed by the Convener.

CC(22)26 TARGET OPERATING MODEL AND ORGANISATIONAL REDESIGN

The report, submitted by the Chief Executive, sought Council's approval to develop a Communication and Engagement Strategy and establish a Target Operating Model (TOM) that will provide a consistent foundation and framework within which future organisational change and redesign can be developed and accelerated.

The proposed TOM prioritised getting the basics right for the users of our services by placing the needs of residents, communities and businesses at the heart of Council decision-making. It also reflected a mixed economy model of service delivery, underpinned by objective analytical evaluations of the most effective ways of addressing customer needs, delivering outcomes, ensuring resilience in service delivery and securing financial sustainability.

These proposals aimed to build on, consolidate and further refine the significant work taken forward by the Council since February 2020 when the Be the Future Transformation Plan was agreed as part of the Budget setting process for 2020/2021. It also reflected the valuable learning gained through the period of the pandemic. The TOM will guide the organisation through the next stage of its Transformation journey.

Motion

To agree the recommendations as set out in the report.

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

Councillor Benny was not present in the Chamber during the decision.

Decision

The Council agreed:

1. the proposals to develop a Consultation and Engagement Strategy as detailed in section 4 of the report;
2. the proposed Target Operating Model as summarised in Exhibit 1 and detailed in Section 5 of the report; and
3. the revised Organisational Redesign principles which are consistent with those embedded within the TOM (paragraphs 6.9 and 6.10 of the report).

The Council noted:

4. the background and context set out in section 3 of the report;
5. the Be the Future Plan set out at Appendix A to the report;
6. that future thematic reports will be submitted to Council as further work is completed and/or business cases developed (paragraph 5.5 of the report); and
7. that the TOM does not aim to resolve the Council's immediate funding gap but will develop iteratively over the medium to long term to deliver sustainability (paragraph 5.13 of the report).

Action

Chief Executive

Councillor Benny returned to the Chamber prior to the following item of business.

CC(22)27 COUNCIL'S DECISION-MAKING FRAMEWORK: BOARDS AND BRIEFING FRAMEWORK

The report, submitted by the Chief Executive, sought approval for a framework of Boards and Briefing arrangements to support the changes to the decision-making framework agreed by Council at its Statutory meeting on the 25 May 2022.

The proposals aimed to enhance the streamlined decision-making framework agreed by Council by ensuring that updates on priority matters are regularly available to elected members in addition to those provided through Council and Committee reports.

Briefing themes and focus will evolve in the light of the review of the Strategic Planning Framework (Local Outcomes Improvement Plan) and Corporate Plan and was subject to the approval and implementation of the Target Operating Model (TOM) which was agreed earlier in the meeting.

Motion

To agree the recommendations as set out in the report.

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

Amendment 1

“The Council agrees to amend the proposed membership of the four thematic boards as detailed in Appendix A , Recommendation 2.2 of Item 5 – Councils Decision Making Framework at Appendix A as follows:

From:-

SNP	3 Members
Labour	2 Members
Conservative	1 Member

To:-

SNP	2 Members
Labour	2 Members
Conservative	1 Member
Green	1 Member

This amendment is to provide for a fairer and equitable split of the membership of the Council in respect of the four thematic boards.”

Moved by Councillor Kenneth Earle. Seconded by Councillor Kathleen Martin.

Amendment 2 (Amending Amendment 1)

That the first paragraph of Amendment 1 is amended to read:

“The Council agrees to amend the proposed membership of the Climate Emergency thematic board as detailed in Appendix A , Recommendation 2.2 of Item 5 – Councils Decision Making Framework at Appendix A to:

SNP	2 Members
Labour	2 Members
Conservative	1 Member
Green	1 Member

With all other Boards remaining as set out in the report.”

Moved by Councillor Bryan Quinn. Seconded by Councillor Darren Lee.

Voting on Amendment 2 (To amend Amendment 1)

The Council agreed to support Amendment 2.

Decision

The Council agreed:

1. The proposals for four thematic Boards and the proposed focus, associated remits and membership, including the amended membership of the Climate Emergency Board which is to be SNP (2 members), Labour (2 members), Conservative (1 member) and Green (1 member);
2. That nominations for elected member representatives for each of the four thematic Boards are to be provided to the Chief Executive; and
3. The proposed themes and frequency for Briefings on priority matters and developments (paragraphs 4.7 and 4.8)

4. The proposals to establish a wider range of formats, including a Teams Channel for updates and briefings (paragraph 4.8)

The Council noted:

5. That existing cross party fora detailed in paragraph 4.6 will be sustained.

Action

Chief Executive

CC(22)28 WELLBEING HUB OPTIONS APPRAISAL

The report, submitted by Strategic Director (People), provided Council with both the strategic context and the professional and technical assessment of the two sites identified for the provision of a new Wellbeing Hub for Clackmannanshire. Council was invited to consider all of the information contained within the paper and to agree to progress one of the options to the next stage of development.

Motion

To agree the recommendations as set out in the report and agree that the Pavillions Site and the optimal facilities mix options should be progressed to RIBA Stage 2-4 (Concept and Technical Design) taking into consideration the Options Appraisal inputs and outputs presented in paragraph 4.1 to 4.19 of the report alongside Appendices i to xix, and Tables 1 and 2.

Moved by Councillor Graham Lindsay. Seconded by Councillor Scott Harrison.

The Chair advised that there would be a separate vote for the Site and for the Facilities Mix.

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:

Voting on the Site – Pavillions or Former Leisure Bowl Site

For the Pavillions Site (13)

Councillor Phil Fairlie
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Fiona Law
Councillor Wendy Hamilton
Councillor Janine Rennie
Councillor Jane McTaggart
Councillor Ellen Forson
Councillor Bryan Quinn
Councillor Scott Harrison
Councillor Denis Coyne

For the Former Leisure Bowl Site (4)

Councillor Mark McLuckie
Councillor William Keogh
Councillor Kenneth Earle
Councillor Kathleen Martin

On a division of 13 votes to 4 with 0 abstentions, the Pavillions site was agreed.

Voting on the Facilities Mix

For the Optimal Mix (17)

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

The Council unanimously agreed to support the optimal facilities mix.

Decision

The Council agreed:

1. That the Pavillions Site and the optimal facilities mix options should be progressed to RIBA Stage 2-4 (Concept and Technical Design) taking into consideration the Options Appraisal inputs and outputs presented in paragraph 4.1 to 4.19 of the report alongside Appendices i to xix, and Tables 1 and 2.

The Council noted:

2. The Case for Change in the background section at para 3.1;
3. Detailed capital costs for construction of the option agreed by Council will come back for budget approval and will be progressed in line with procurement and planning regulations;
4. Detailed revenue operating costs for the option agreed by Council will come back for budget approval;
5. Investment opportunities will continue to be pursued as the project progresses through the next RIBA stages;
6. The financial uncertainty mentioned at para 4.14-4.15;
7. The risks identified in para 4.14, Table 1 and Appendix xiii; and
8. That there will be ongoing communication and engagement with partners, stakeholders and the public as the project develops through the RIBA stages.

Action

Strategic Director (People)

CC(22)29 BUDGET STRATEGY UPDATE

The report, submitted by the Chief Finance Officer, provided an update on the Council's Budget Strategy and Financial Outlook for 2022/23. The report also set out proposed changes to the approved Housing Revenue Account (HRA) Capital programme for 2022/23.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council agreed:

1. To approve the revised profiling of the 2022/23 HRA Capital Budget in light of updated estimated project delivery due to the current economic climate.

The Council noted:

2. the financial impact of the Covid19 pandemic on council spend and the assumption that spend is absorbed into business as usual;
3. the potential significant financial impact of the current cost of living crisis and inflationary increases on council spend;
4. the potential financial impact of a pay rise above assumed 2% within the 2022/23 budget;
5. the distribution COVID Support funds;
6. the key messages from the Scottish Government Resource Spending Review; and
7. the approach to setting the 2023/24 budget to ensure a balanced position and the 2023/24 indicative budget gap.

Action

Chief Finance Officer

CC(22)30 PROCESS FOR REVIEW OF STANDING ORDERS; AND PROGRAMME OF COUNCIL AND COMMITTEE MEETINGS 2022-23

The report, submitted by the Senior Manager, Legal and Governance, invited Council to consider the process for reviewing the Council's Standing Orders and the impact on finalising the draft Programme of Council and Committee Meetings from August 2022 to June 2023..

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 the process for the review of Standing Orders contained in paragraphs 3.3 and 3.4;
2. Agreed that Standing Orders, including revisions proposed by the working group, will be submitted to Council for approval on 6 October 2022;
3. Noted that as part of the review, the timings and notice requirements for Council and Committee meetings will be considered. This may impact on timelines for Committees and Council and it is anticipated that a final Programme of Council and Committee Meetings for period August 2022 to June 2023 will also be brought back to Council for approval on 6 October 2022.

Action

Senior Manager, Legal and Governance

CC(22)31 CLIMATE CHANGE STRATEGY AND NET ZERO TARGETS

On Thursday 19th August 2021, Clackmannanshire Council unanimously passed a motion declaring a climate emergency, recognised that climate change is one of the most serious challenges facing communities in Clackmannanshire and agreed to develop a comprehensive Climate Change Strategy that will deliver a framework to ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to net zero greenhouse gas emissions by 2045.

The report, submitted by the Strategic Director (Place) set out key recommendations for climate change mitigation and adaptation and a comprehensive review of Clackmannanshire Council's Climate Change Strategy.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Ellen Forson.

Decision

The Council agreed to:

1. Set a target for the Council's own operations to reach net zero greenhouse gas emissions by 2040 at the latest and set interim targets leading up to 2040;
2. Set a target for the Clackmannanshire area to reach net zero greenhouse gas emissions by 2045 at the latest;
3. Establish an internal Climate Emergency Board and approve the terms of reference that is set out in Appendix B;
4. Establish community-focused Climate Change Forums, in line with the Council's Decision making framework, and approve the terms of reference that is set out in Appendix C while noting that the terms of reference will be approved and potentially amended by the Forums;
5. Agree the approach and timescales to further develop the Interim Climate Change Strategy in Section 3.20 to Section 3.22 including the creation of the Climate Emergency Action Plan; and

6. Note the Interim Climate Change Strategy set out in Appendix E

Action

Strategic Director (Place)

**CC(22)32 PROCUREMENT OF RESIDUAL WASTE AND BULKY WASTE
TREATMENT SERVICES (AHEAD OF THE BIODEGRADABLE
MUNICIPAL WASTE TO LANDFILL BAN)**

On Thursday 19th August 2021, Clackmannanshire Council unanimously passed a motion declaring a climate emergency, recognised that climate change is one of the most serious challenges facing communities in Clackmannanshire and agreed to develop a comprehensive Climate Change Strategy that will deliver a framework to ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to net zero greenhouse gas emissions by 2045.

The report, submitted by the Strategic Director (Place) set out key recommendations for climate change mitigation and adaptation and a comprehensive review of Clackmannanshire Council's Climate Change Strategy.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Jane McTaggart.

Voting

For the motion 16 votes
Against the motion 1 vote

On a division of 16 votes to 1 with 0 abstentions, the motion was carried.

Decision

On a division of 16 votes to 1, the Council agreed to:

1. Take forward a joint procurement process with Stirling Council for a contract for the disposal of Clackmannanshire Council's biodegradable municipal waste that is compliant with the landfill ban which comes into effect on 31 December 2025; and
2. The Council entering into a legal agreement on terms and conditions to be agreed between the parties for joint procurement for the disposal of biodegradable waste as detailed in paragraph 2.1 of the report.

Action

Strategic Director (Place)

In line with Standing Order 10.24, the Convener agreed to a 10 minute comfort break at 11.40 am. The meeting resumed 11:50 am

CC(22)33 ELIGIBILITY CRITERIA FOR FOOTWEAR AND CLOTHING GRANTS

The report, submitted by the Strategic Director (People) sought approval to change the Council's policy in relation to the income threshold for awarding footwear and clothing grants.. This would bring it in line with neighbouring Councils and ensure more parents can benefit from this funding.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council:

1. Approved the revised criteria and agreed that the criteria should be updated annually based on the changes in thresholds that the Government set for eligibility for free school meal; and
2. Agreed that the revised criteria are introduced for the 2022-23 academic session and that claims currently received are reviewed.

Action

Strategic Director (People)

EXEMPT ITEM

The Council resolved in terms of Section 50(a) of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 9

The Convener paused the meeting for to provide an opportunity for external parties attending virtually to leave the meeting.

CC(22)34 CLACKMANNAN REGENERATION: MAIN STREET GAP SITE PROJECT UPDATE

The report, submitted by the Strategic Director (Place) provided a progress update on the Clackmannan Main Street Regeneration project.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Jane McTaggart.

Decision

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

Action

Strategic Director (Place)

Ends: 12.16 pm