



**MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held via VIDEO
CONFERENCE (MS TEAMS), on THURSDAY 1 DECEMBER 2022 at 9.30 am.**

PRESENT

Councillor Phil Fairlie, Convener (Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Kenneth Earle
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 Mark McLuckie
Councillor Jane McTaggart
Councillor Bryan Quinn
Councillor Janine Rennie

IN ATTENDANCE

Nikki Bridle, Chief Executive
Stuart Crickmar, Strategic Director (Partnership and Performance)
Lorraine Sanda, Strategic Director (People)
Pete Leonard, Strategic Director (Place)
Fiona Colligan, Strategic Director (Transformation)
Lindsay Sim, Chief Finance Officer (Partnership & Performance)
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)
Seonaid Scott, Health and Safety Manager (Partnership & Performance)
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)

INTIMATION

The Convener advised Council of the recent death of former Councillor and Provost, Walter McAdam. The Convener, on behalf of the Provost and the Council passed on his deepest sympathies to the family. The Convener thanked and acknowledged former Provost McAdam's long service to Clackmannanshire, recognising that at the time of his retirement, he was the longest serving Councillor in Scotland. The Council stood for a minutes silence in remembrance.

CC(22)54 APOLOGIES

Apologies were received from Councillor Kathleen Martin and Councillor Denis Coyne.

CC(22)55 DECLARATIONS OF INTEREST

None.

CC(22)56 MINUTES OF CLACKMANNANSHIRE COUNCIL – 6 OCTOBER 2022

The minutes of the meeting of the Clackmannanshire Council held on 6 October 2022 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 6 October 2022 were agreed as a correct record and signed by the Convener.

CC(22)57 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

The report, submitted by the Chief Executive, sought Council approval of recommendations which had been made by the Audit and Scrutiny Committee on 27 October, 2022.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Kenneth Earle.

Decision

That Council, from the Audit and Scrutiny Committee of 27 October, 2022 in relation to the report entitled "Annual Report of the Chief Social Work Officer 2021-22":

1. Approves the report and the submission of the Chief Social Work Officer Annual Report 2021/22 to the Office of the Chief Social Work Advisor, Scottish Government; and
2. Noted that the report relating to Audit and Scrutiny Committee is available on the Council's website.

Action

Chief Executive

CC(22)58 BUDGET STRATEGY UPDATE

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

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council noted:

1. The updated General Fund financial forecast for 2022/23 as at September 2022;
2. The potential financial impact on Council spend for 2022/23 due to in year pressures associated with inflationary increases, cost of living and the 2022/23 pay award;
3. The continued financial pressures due to COVID within Childcare and additional demand on Scottish Welfare fund;

4. The update on the indicative budget gap including high, medium and low scenarios and timing of Local Government Settlement;
5. The update on the budget approach and budget challenge board activity and scheduled all member and TU briefings,

The Council approved:

6. The in principle allocation of the earmarked general COVID funding to mitigate additional in year costs within Childcare and Scottish Welfare Fund;
7. The repurposing of £0.200m within the General fund Capital programme to support the progression of the approved City Region Deal projects, and
8. The changes to the approved HRA Capital programme to support the additional purchase of properties.

Action

Chief Finance Officer

CC(22)59 BE THE FUTURE UPDATE

The report, submitted by Strategic Director, Transformation, provided Council with an update on progress in the Be the Future Programme.

Motion

To agree the recommendations as set out in the report

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

Decision

The Council approved the reallocation of up to £200,000 from Digital Infrastructure to Digital Transformation programme within the approved Capital Programme to support work on the M365 implementation as laid out in paragraph 3.20-3.21 of the report.

Action

Strategic Director (Transformation)

CC(22)60 WELLBEING STRATEGY 2022-2025

The report, submitted by the Strategic Director (Partnership and Performance), invited Council to agree the Wellbeing Strategy for the period 2022 – 2025.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Donald Balsillie.

Decision

The Council noted and agreed the Wellbeing Strategy set out in Appendix 1 of the report.

Action

Strategic Director (Partnership and Performance)

CC(22)61 TRIPARTITE GROUP TERMS OF REFERENCE

The report, submitted by the Strategic Director (Partnership and Performance), sought Council approval of the revised terms of reference for the Tripartite Group.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Craig Holden.

Decision

The Council agreed to adopt the revised terms of reference for the Tripartite Group.

Action

Strategic Director (Partnership and Performance)

CC(22)62 SHORT TERM LETS LICENSING POLICY

On 19 January 2022, The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (“the Order”) was approved by the Scottish Parliament. The Order came into force on 1 March 2022 and inserts new legislative provisions into the Civic Government (Scotland) Act 1982.

The Order introduces a new mandatory licensing system for short term lets (“STL”) which local authorities were required to establish by 1 October 2022.

The report, submitted by the Senior Manager, Legal and Governance, sought Council approval of the (i) proposed fees (set out in paragraph [54] of draft policy; and (ii) the policy contained in Appendix 1.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council agreed:

1. To note that the Order requires local authorities to open a licensing scheme for short term lets by 1 October 2022;
2. The fee structure for short term let properties; and
3. To finalise and publish the Short Term Let Licensing Policy.

Action

Senior Manager, Legal and Governance

CC(22)63 PROGRAMMES OF COUNCIL AND COMMITTEE MEETINGS: AUGUST 2022 TO JUNE 2023 AND EXTENDED PROGRAMME FROM AUGUST 2023 TO JUNE 2025

The report, submitted by the Senior Manager, Legal and Governance, sought Council approval for the continuance of the indicative Programme of Council and Committee Meetings from August 2022 to June 2023; and to seek approval for the indicative draft Programme of Council and Committee Meetings from August 2023 to June 2025.

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. That the meeting dates set out in the indicative Programme of Meetings from August 2022 to June 2023, which was approved by Council on 23 June 2022 (set out in Appendix 1 for information) will continue subject to paragraph 2.3 of the report;
2. The indicative Draft Programme of Meetings from August 2023 to June 2025, set out in Appendix 2 to this report; and
3. To note that the indicative Programmes of Meetings from August 2022 to June 2023 and from August 2023 to June 2025 will both be finalised and brought back to Council for approval at the conclusion of the review of Standing Orders and the Scheme of Delegation.

Action

Senior Manager, Legal and Governance

CC(22)64 SCOTTISH HOUSING REGULATOR ANNUAL RETURN OF THE CHARTER (ARC)

The report, submitted by the Strategic Director (Place) invited the Council to note the Council's annual submission of the Scottish Housing Regulator's Annual Return of Charter (ARC), the submission is attached in Appendix 1. The Tenants Report (Appendix 2) provided a snapshot overview of housing performance against key charter outcomes.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council agreed to note the 2021/22 submission of the Annual Return of the Charter, which was submitted to the Scottish Housing Regulator on 31st May 2022 and noted the relevant performance results and measures for scrutiny purposes

CC(22)65 SCOTTISH HOUSING REGULATOR ANNUAL ASSURANCE STATEMENT

The report, submitted by the Strategic Director (Place), referenced the 2019 changes to the regulatory framework for social housing in Scotland and sought Council approval of the submission of Clackmannanshire Council's Annual Assurance Statement to the Scottish Housing Regulator (SHR) as set out in Appendix 1 of the report.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council agreed to approve the 2021/22 submission of the Annual Assurance Statement to the Scottish Housing Regulator, noting the relevant changes to the regulatory framework for social housing in Scotland and the impact of Covid-19 on our ability to implement the improvement actions required to be undertaken.

Action

Strategic Director (Place)

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 ACQUISITION OF LAND AND GRANT OF SERVITUDE RIGHT OF ACCESS TO FACILITATE RESIDENTIAL DEVELOPMENT ON LAND ADJOINING WARDLAW STREET PLAYING FIELDS, COALSNAUGHTON

The report, submitted by the Strategic Director (Place), sought Council approval to grant a servitude right of access over Council land in order to facilitate residential development of large fields in Coalsnaughton and to approve the acquisition of a site from the developer to allow the future development of an annexe to the Coalsnaughton Primary School.

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)

The Convener gave notice of a Special Meeting of the Council, the details of which would be circulated following the conclusion of the meeting.

Ends: 11:01 am