



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the Council Chamber, Kilncraigs, Alloa, on Thursday 2 February 2023 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 Craig Holden
Councillor William Keogh
Councillor Fiona Law
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)
Lindsay Sim, Chief Finance Officer (Partnership & Performance) (Via Teams)
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)
Euan Murray, Chief Finance Officer, Clackmannanshire and Stirling Health and Social Care Partnership (Via Teams)
Colin Bruce, Chief Education Officer (People)
Sharon Robertson, Chief Social Work Officer (Via Teams)
Seonaid Scott, Health and Safety Manager
Alastair Hair, Team Leader – Workforce Development and Learning (Via Teams)
Robbie Stewart, SportsScotland
Fiona Grinly, Senior Manager (Transformation) (Via Teams)
Tony Cain, Senior Manager, Housing (Place) (Via Teams)
Alison Morrison, Senior Manager, Property (Place) (Via Teams)
Clair Fullarton, Communications Officer (Partnership & Performance) (Via Teams)
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)
Gillian White, Committee Services (Partnership & Performance)

CC(23)01 APOLOGIES

Apologies were received from Councillor Darren Lee.

CC(23)02 DECLARATIONS OF INTEREST

None.

CC(23)03 MINUTES OF CLACKMANNANSHIRE COUNCIL – 1 DECEMBER 2022

The minutes of the meeting of the Clackmannanshire Council held on 1 December 2022 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 1 December 2022 were agreed as a correct record and signed by the Convener.

CC(23)04 MINUTES OF SPECIAL MEETING CLACKMANNANSHIRE COUNCIL – 19 DECEMBER 2022

The minutes of the meeting of the Special Meeting of Clackmannanshire Council held on 19 December 2022 were submitted for approval.

Amendment

It was noted that Councillor William Keogh was in attendance at the meeting and that Councillor Craig Holden had submitted his apologies. These had been omitted from the minute, therefore the minute is to be amended,

Decision

Subject to the amendment noted above, the minutes of the meeting of the Special Meeting of Clackmannanshire Council held on 19 December 2022 were agreed as a correct record and signed by the Convener.

CC(23)05 TREASURY MANAGEMENT MID-YEAR UPDATE AT 30TH SEPTEMBER 2022

The report, submitted by the Chief Finance Officer, presented a mid-year update of Treasury Management activity for the period to 30 September 2022.

Motion

To agree the recommendations as set out in the report.

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

Decision

Having commented and challenged the report, the Council agreed to note the mid year review of the Council's Treasury Management activities.

CC(23)06 WELLBEING HUB DEVELOPMENT UPDATE

The report, submitted by the Strategic Director, People, provide Council with an update on the progress of the Wellbeing Hub development and shared the next steps and timeline for the project.

Motion

To agree the recommendations as set out in the report

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

Decision

The Council agreed to note:

1. The decision taken by Council at their August 2022 meeting to locate the Wellbeing Hub (WBH) at the Alloa West Pavilion site and adopt the Optimal facilities mix, as detailed in **paragraph 3.1**
2. The progress on the WBH development since the August 2022 Council meeting as detailed in **paragraphs 3.2.1 to 3.2.17**, in particular:
 - 2.1 The secondment of a Senior Manager and Team Leader to drive the WBH development as part of the Council's Sport, Leisure and Wellbeing provision as detailed in **paragraph 3.2.1**. The engagement of external communications advisors to develop and deliver a communications strategy that engages stakeholders with the WBH.
 - 2.2 The decision taken by Council at their October 2022 meeting to progress with a public consultation process, involving Education Scotland, to relocate a new build Lochies School (Lochies) alongside the WBH at the Alloa West Pavilion site.
 - 2.3 The development of an initial 6-month work programme to complete the briefing and preparation stages of the RIBA Plan of Works process for the WBH and Lochies.
 - 2.4 An updated governance framework created for the joint development of the WBH and Lochies.
 - 2.5 The development of communications assets and delivery of communications activity.
3. The development of a programme of curricular swimming for all Primary 5 school children across Clackmannanshire, as described in **paragraph 3.3**.
4. The WBH development priorities for the next 6 months as detailed in **paragraphs 3.4.1 to 3.4.8**, in particular:
 - 4.1 The Alloa West Pavilion site master planning which will include planned and potential future developments as well as links to travel routes and other key Clackmannanshire development sites.
 - 4.2 Agreeing the energy, sustainability and environmental performance approach which best meets the needs of the WBH building as well as the Council's wider estate strategy.
 - 4.3 Completion of the strategic documents to inform the design, construction and governance of the WBH.
 - 4.4 Ensuring the WBH design brief fully reflects the needs and aspirations of different user groups.
 - 4.5 In conjunction with project partners, identifying the most suitable operating model to realise the benefits of the WBH for Clackmannanshire.
5. The timeline and next steps to progress the WBH project from RIBA Stage 1 to completion as outlined in paragraph 3.5 and Table 1

Action

Strategic Director, People

CC(23)07 CHILDREN'S SERVICES PLAN ANNUAL REPORT 2021-2022

The report, submitted by the Chief Social Work Officer, sought approval of the draft Children's Services Plan Annual Report 2021/22 (Appendix 1). Publication of an annual report setting out progress against the Children's Services Plan is a requirement under the Children and Young People (Scotland) Act 2014.

Motion

To agree the recommendations as set out in the report

Moved by Councillor Wendy Hamilton. Seconded by Councillor Graham Lindsay.

Decision

The Council agreed to:

1. Approve the content of the draft Children's Services Plan Annual Report 2021/22 and its submission to the Scottish Government; and
2. Note that the report was submitted to the Clackmannanshire Alliance Board meeting on 2 December 2022 and that it will also be submitted to the NHS Forth Valley Board for approval.

The Council Leader raised a governance request that in future the Council and the NHS Forth Valley Board approve the Annual Report in advance of submission to the Clackmannanshire Alliance Board.

Action

Chief Social Work Officer

CC(23)08 ELECTION OF ROLES AND ELECTED MEMBER REPRESENTATION ON OUTSIDE BODIES FOLLOWING RESIGNATION OF COUNCILLOR CRAIG HOLDEN FROM THE SNP ADMINISTRATION GROUP

The report, submitted by the Chief Executive, asked Council to consider replacement appointments to the various roles and outside body positions as a result of vacancies following the resignation of Councillor Craig Holden from the SNP Group (the current Administration of the Council).

Motion

To agree the recommendations as set out in the report

Moved by Councillor Scott Harrison. Seconded by Councillor Kenneth Earle

Councillor Harrison proposed the undernoted nominations:

Depute Convener	Councillor Donald Balsillie
Depute Provost	Councillor Jane McTaggart
Spokesperson for Partnership; Third Sector; and Digital Strategy	Councillor Ellen Forson
Member of Clackmannanshire Alliance	Councillor Graham Lindsay

Councillor Earle proposed the undernoted nominations:

Depute Convener	Councillor Mark McLuckie
Depute Provost	Councillor Kenneth Earle
Spokesperson for Partnership; Third Sector; and Digital Strategy	Councillor Janine Rennie

There were no other nominations.

Voting

1. Nominations for Depute Convener

There being 2 nominees, the matter was put to the vote:

For Councillor Donald Balsillie	10 votes
For Councillor Mark McLuckie	

As Councillor Balsillie had reached a majority, no further voting took place.

Councillor Donald Balsillie was appointed as Depute Convener of Council.

2. Nominations for Depute Provost

There being 2 nominees, the matter was put to the vote:

For Councillor Jane McTaggart	10 votes
For Councillor Kenneth Earle	5 votes
Abstain from voting	2

Councillor Jane McTaggart was appointed as Depute Provost.

3. Nominations for Spokesperson for Partnership; Third Sector; and Digital Strategy

There being 2 nominees, the matter was put to the vote:

For Councillor Ellen Forson	10 votes
For Councillor Janine Rennie	5 votes
Abstain from voting	2

Councillor Ellen Forson was appointed as Spokesperson for Partnership; Third Sector; and Digital Strategy.

4. Nomination for Member of Clackmannanshire Alliance

There being no other nominations, Councillor Graham Lindsay was appointed as a member of the Clackmannanshire Alliance.

Decision

The Council agreed to:

1. Appoint Councillor Donald Balsillie as Depute Convener of the Council;
2. Appoint Councillor Jane McTaggart as Depute Provost;
3. Appoint Councillor Ellen Forson as Spokesperson for Partnership; Third Sector; and Digital Strategy;
4. Note that the position of Spokesperson for Partnership; Third Sector; and Digital Strategy is awarded a Senior Councillor Responsibility payment;
5. Note that as a consequence of the appointment of the Depute Provost, Councillor Jane McTaggart also becomes a trustee of the Comrie Trust;
6. Appoint Councillor Graham Lindsay as a member of the Clackmannanshire Alliance; and
7. Note that that Councillor Phil Fairlie is the replacement for the SNP Group on the Be the Future Transformation (Thematic) Board.

Action

Chief Executive

CC(23)09 DRUGS AND ALCOHOL POLICY

The report, submitted by the Chief Executive, sought approval of the revised Drugs and Alcohol Policy.

Motion

To agree the recommendations as set out in the report

Moved by Councillor Graham Lindsay. Seconded by Councillor Fiona Law.

Amendment

“Council recognises the extended period of time this policy has been under discussion between all relevant parties and further recognises a previous agreement in principle to the introduction of such a policy in 2017.

Although there have been significant changes to the policy through consultation, Council recognises, following consultation with representatives of Joint Trade Union Committee that there continues to be some areas of concern or uncertainty around the policy.

To address these, Council approves this policy on a pilot basis over a period of 15 months, with a review at the 12-month stage of the pilot. This timeline does not prohibit or restrict improvements being implemented earlier, on issues where there is joint agreement between the Senior Leadership Group and the Joint Trade Union Committee.”

Moved by Councillor Ellen Forson. Seconded by Councillor Wendy Hamilton.

Voting on the Amendment

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

For the Amendment (10)

Councillor Phil Fairlie
Councillor Graham Lindsay
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Fiona Law
Councillor Wendy Hamilton
Councillor Jane McTaggart
Councillor Ellen Forson
Councillor Scott Harrison
Councillor Denis Coyne

Against the Amendment (7)

Councillor Mark McLuckie
Councillor William Keogh
Councillor Janine Rennie
Councillor Kenneth Earle
Councillor Craig Holden
Councillor Bryan Quinn
Councillor Kathleen Martin

The amendment was carried by 10 votes to 7 with 0 abstentions.

Voting on the Motion (as amended)

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

For the Motion (as amended) (10)

Councillor Phil Fairlie
Councillor Graham Lindsay
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Fiona Law
Councillor Wendy Hamilton
Councillor Jane McTaggart
Councillor Ellen Forson
Councillor Scott Harrison
Councillor Denis Coyne

Against the Motion (as amended) (7)

Councillor Mark McLuckie
Councillor William Keogh
Councillor Janine Rennie
Councillor Kenneth Earle
Councillor Craig Holden
Councillor Bryan Quinn
Councillor Kathleen Martin

The motion (as amended) was carried by 10 votes to 7 with 0 abstentions.

Decision

On a division of 10 votes to 7 with 0 abstentions, having commented on and challenged the report, the Council agreed to:

1. Approve the Drugs & Alcohol Policy (which was attached at Appendix 1) on a pilot basis over a period of 15 months, with a review at the 12-month stage of the pilot. This timeline does not prohibit or restrict improvements being implemented earlier, on issues where there is joint agreement between the Senior Leadership Group and the Joint Trade Union Committee;
2. Note that training will be delivered to managers to support the implementation of the policy together with a Council wide programme aimed at raising employee awareness of alcohol, drug and other substance misuse;
3. Note that there has been extensive discussion at Policy Group, SLG and Executive Health & Safety Committee over several years regarding the policy and its implementation. These discussions have led to significant changes to the policy including the removal of random testing, ensuring testing is non intrusive, ensuring support is in place to staff who indicate they may have alcohol or drugs dependency issues as well as a commitment to joint engagement with Unions on training and roll out;
4. Note that the policy was fully and robustly discussed at a special meeting of the Tripartite meeting on 9th January 2023;
5. Recognise the extended period of time this policy has been under discussion between all relevant parties and further recognises a previous agreement in principle to the introduction of such a policy in 2017; and
6. That although there have been significant changes to the policy through consultation, to recognise, following consultation with representatives of Joint Trade Union Committee that there continues to be some areas of concern or uncertainty around the policy;

Action

Chief Executive

In line with Standing Order 10.24, the Convener agreed to a 10 minute comfort break at 12 noon am. The meeting resumed 12.15 pm with 17 members present.

CC(23)10 HR POLICIES

The report, submitted by the HR Team Leader (Policy and Operation), sought approval of the revised Grievance and Dignity at Work policies and procedures.

Motion

To agree the recommendations as set out in the report

Moved by Councillor Donald Balsillie. Seconded by Councillor Wendy Hamilton.

Decision

Having commented on and challenged the report, the Council agreed to:

1. Approve the revised policies/procedures attached to the report;
2. Note that the Policy group met on the 27 September 2022 to discuss the revised Grievance and Dignity at Work policies. Extensive discussions took place with both Trade Unions and Management at this meeting in the formation and development of the Policies; and
3. Note that Tripartite discussed these policies at the meeting on 07 December 2022 and agreed, following a slight amendment to the draft Grievance policy/procedure, that these be progressed for approval.

Action

HR Team Leader (Policy and Operation)

CC(23)11 CORONATION HOLIDAY 2023

The report, submitted by the Senior Manager, HR and Workforce Development, invited Council to designate Monday 8th May 2023 a Public Holiday for Council staff to mark the celebrations for the Coronation of His Majesty King Charles III.

Motion

To agree the recommendations as set out in the report and select Option 2 (to recognise the Coronation Holiday and agree an additional Public Holiday) as the preferred option.

Moved by Councillor Ellen Forson. Seconded by Councillor Jane McTaggart.

Decision

Having reviewed the options presented in Appendix 1 in relation to 8th May 2023, the Council agreed to:

1. Note the exemption from the statutory requirement to provide 190 days of schooling. (set out in paragraph 3.9);
2. Note the provision related to 1140 Hours (set out in paragraph 3.10);
3. Note that engagement has taken place with our Trade Union Colleagues (set out in paragraph 3.11);

4. Note the potential costs where staff may be required to work on 08th may 2023 should Council designate this as a public holiday (paragraph 3.12); and
5. Approve Option 2 (as set out Appendix 1) to recognise the Coronation Holiday and agree an additional Public Holiday.

Action
Senior Manager, HR and Workforce Development

CC(23)12 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – FREEDOM OF CLACKMANNANSHIRE

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Craig Holden.

Motion

“Former Councillor Derek Stewart was first elected as a Clackmannan District Councillor in May 1988 and was subsequently re-elected in 1992. He was then elected as a Councillor to the new unitary authority in 1995 and continued in this role until May 2022 for an uninterrupted 34 years of public service. He has also served as the Provost of Clackmannanshire Council on three occasions.

The Freedom of Clackmannanshire is the greatest tribute that the Council can confer on a person and the level of dedication and commitment to public service shown by Derek Stewart over 34 years marks him as a person of distinction who is worthy of such an honour.

Council is requested, therefore, to agree that Derek Stewart is admitted on the Clackmannanshire Roll as an honorary Freeperson of the Council area in recognition of his contribution to local democracy and public life.”

Moved by Councillor Craig Holden. Seconded by Councillor Kenneth Earle.

Decision

The Council unanimously agreed to support the motion.

Action
Chief Executive

Ends: 12:45 hours

