



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the Council Chamber, Kilncraigs, Alloa, on Thursday 10 August 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 Darren Lee
Councillor Graham Lindsay
Councillor Kathleen Martin
Councillor Jane McTaggart
Councillor Janine Rennie
Councillor Bryan Quinn
Mr George Marcinkiewicz, Roman Catholic Church Representative (Item 10)

IN ATTENDANCE

Nikki Bridle, Chief Executive
Pete Leonard, Strategic Director (Place)
Lorraine Sanda, Strategic Director (People)
Stuart Crickmar, Strategic Director (Partnership & Performance)
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)
Lindsay Sim, Chief Finance Officer (Partnership & Performance)
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)
Iain McDonald, Senior Manager – Environment (Place)
Andrew Buchanan, Senior Manager – Housing (Place)
Alison Morrison, Senior Manager – Property (Place)
Colin Bruce, Chief Education Officer (People)
Sharon Robertson, Chief Social Work Officer (People)
Catriona Scott, Senior Manager – Secondary Education (People)
Robbie Stewart, Senior Manager, Sport and Leisure (People)
Scott McDonald, Senior Manager, Justice Services (People)
Veronica Cully, Senior Manager, Partnership and Inclusion (People)
Michael Boyle, Improving Outcomes Business Manager (People)
Gillian Scott, Senior Manager, Early Intervention (People)
Lesley Taylor, Principal Educational Psychologist (People)
Adrienne Aitken, Improving Outcomes Team Leader (People)
Jim Young, Lead Officer, Child Protection (People)
Alastair Hair, Team Leader – Workforce Development & Learning (Partnership & Performance)
Paul Fair, Licensing Standards Officer (Partnership & Performance)
Gillian White, Committee Services (Partnership & Performance)
Melanie Moore, Committee Services (Partnership & Performance)

The Provost, Councillor Donald Balsillie, announced that former Councillor Irene Hamilton, had recently passed away and expressed his sympathies for her family and friends, particularly her son David. Provost Balsillie expressed his thanks for Irene's public service and hard work as a Councillor and as Depute Provost.

The Convener, Councillor Phil Fairlie intimated that, following consultation with the Council Leader and Chief Executive on the volume of reports to be considered by Council; that there will be an additional meeting of Clackmannanshire Council which will be held on Thursday 14 September 2023 at 9.30 am.

CC(23)65 APOLOGIES

Apologies were received from Councillor Mark McLuckie.

CC(23)66 DECLARATIONS OF INTEREST

None.

CC(23)67 MINUTES OF CLACKMANNANSHIRE COUNCIL – 29 JUNE 2023

The minutes of the meeting of the Clackmannanshire Council held on 29 June 2023 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 29 June 2023 were agreed as a correct record and signed by the Convener.

CC(23)68 APPOINTMENT OF CHAIR OF THE REGULATORY COMMITTEE

The report, submitted by the Chief Executive, asked Council to consider the appointment of a Chair of the Regulatory Committee following the decision of the current Chair to step down from the role

Motion

Having sought nominations from the current membership of the Regulatory Committee to undertake the role of Chair, that Councillor Darren Lee is appointed as Chair.

Moved by Councillor Denis Coyne. Seconded by Councillor Kenneth Earle.

Decision

The Council agreed that Councillor Darren Lee is appointed as Chair of the Regulatory Committee.

Action

Chief Executive.

CC(23)69 CLACKMANNANSHIRE AND STIRLING HEALTH AND SOCIAL CARE INTEGRATION SCHEME CONSULTATION

The report, submitted by the Chief Executive consolidated the feedback received from Clackmannanshire Council Councillors at the consultation event facilitated by the Chief Executive on 27 June 2023. It also sought Council approval to submit this feedback to the Health and Social Care partners' collective consultation event prior to wider consultation with all stakeholders.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council :

1. Noted the background to the Clackmannanshire and Stirling Health and Social Care Integration Scheme review as set out in section 3 of the report;
2. Agreed Clackmannanshire Council's feedback on the Integration Scheme as summarised in Table 2 in the report; and
3. Agreed to submit Council's feedback to the next phase of the consultation process.

Action

Chief Executive

CC(23)70 DRAFT ANNUAL ACCOUNTS 2022/23

The Council is required by law to prepare a statement of accounts in accordance with 'proper practices' which set out its financial position at the end of each financial year. This is defined as meaning compliance with the terms of the Code of Practice on Local Authority Accounting in the United Kingdom prepared by the CIPFA/LASAAC Joint Committee.

The Local Authority Accounts (Scotland) 1985 Regulations require the Chief Finance Officer, as the Council's s95 officer, to prepare the Statement of Accounts as soon as practicable after the end of each financial year and to submit for Audit to the Councils External Auditor. This is normally by the 30th June, however due to previous year delays as a consequence of the COVID 19 pandemic; this was extended to 31 August for the 2022/23 draft accounts in agreement with the External Auditors.

The report, submitted by the Chief Finance Officer/S95 Officer, sought approval of the Draft Annual Accounts for 2022/23.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council:

1. Noted and considered the 2022/23 draft annual accounts;
2. Approved the submission of the draft annual accounts for audit to the Councils external auditors by 31 August 2023;
3. Noted that audited annual accounts will be presented to Council following conclusion of the audit; and
4. Noted the contents of the report.

Action

Chief Finance Officer /S95 Officer

CC(23)71 ANNUAL REVIEW OF DEBTORS

The report, submitted by the Chief Finance Officer/S95 Officer, provided council with the annual update on income collection and to propose the 'write-off' of those debts which are deemed as irrecoverable.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Donald Balsillie.

Decision

The Council:

1. Noted the trends in income collection for 2022/23;
2. Approved the proposed write-off £1,307,287 as per paragraph 6.2 (Appendix C);
3. Approved the write-off of school meal debt held within Schools of £14,489.20 (paragraph 4.8) and within Sundry Debtors of £3,147 (paragraph 4.9);
4. Noted the focussed activity on sundry debt recovery (paragraph 4.7); and
5. Noted and commented on the other matters raised in the report.

Action

Chief Finance Officer /S95 Officer

CC(23)72 MAINSTREAMING EQUALITY AND DIVERSITY PROGRESS REPORT 2021-2023

As part of the Council's statutory requirements under the Equality Act 2010, the report, submitted by the Strategic Director, Partnership and Performance, presented progress made by the Council on mainstreaming equality and on the Council's equality outcomes, as set out in the Mainstreaming Equality & Diversity 2021/25 report. It also set out employment data relating to Equality and Diversity and to gender pay and the gender pay gap for the Council.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Donald Balsillie.

Decision

The Council:

1. Noted, challenged and commented on the report; and
2. Noted the statutory requirement for the report to be published on the web following consideration by Council.

CC(23)73 PEOPLE DIRECTORATE BUSINESS PLAN

The report, submitted by Catriona Scott, Senior Manager, People, presented the People Directorate Business Plan 2023/24. The People Business Plan aligns with a number of strategic local and statutory plans as set out in Appendix 3 of the report.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council noted, commented on and approved the Plan.

Action

Catriona Scott, Senior Manager, People

Mr George Marcinkiewicz, Religious Representative (Roman Catholic Church) joined the meeting for the undernoted item of business (10.44 am).

CC(23)74 NATIONAL IMPROVEMENT FRAMEWORK PLAN 2023 -2024

The report, submitted by Catriona Scott, Senior Manager, People, presented Clackmannanshire Council's National Improvement Framework (NIF) Plan 2023/24.

Motion

To agree the recommendation set out in the report.

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

Decision

The Council approved the National Improvement Framework (NIF) Plan 2023/24.

Action

Catriona Scott, Senior Manager, People

CC(23)75 THE PROMISE PLAN 2023-26

The report, submitted by Sharon Robertson, Chief Social Work Officer and Lorraine Sanda, Strategic Director, People; sought approval for Clackmannanshire's Promise Plan 2023-2026 and Clackmannanshire's Language of Care, Language Policy.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council

1. Approved the Clackmannanshire's Promise Plan 2023-2026 (Appendix 1).
2. Approved the Clackmannanshire's Language of Care, Language Policy (Appendix 2).

3. Noted the reviewing of specific Council policies and provisions, in the context of the Promise Plan.
4. Noted the further work needed to develop a 'Data Map' to assess our progress towards The Promise (para 3.6); and
5. Noted the positive partnership work with The Vardy Foundation (para 3.7).

Action

Chief Social Work Officer and Strategic Director, People

CC(23)76 VIOLENCE AGAINST WOMEN AND GIRLS STRATEGY

The report, submitted by Scott McDonald, Senior Manager, Justice Services, sought approval of the Clackmannanshire Violence Against Women and Girls (VAWG) Strategy 2023-2026.

The Convener advised that he was satisfied in terms of Standing Order 17.1 that circumstances had changed in such a way that report could be considered. He advised that significant work had taken place on the Strategy with a number of key actions relating to the key priorities of the Local Outcomes Improvement Plan (LOIP) required.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council:

1. Approved the Clackmannanshire Council Violence Against Women and Girls Strategy 2023-2026 (Appendix 1);
2. Approved the plans for development of the Delivery Plan to support the Strategy by August 2024 (para 3.6); and
3. Approved the repurposing of £115,000 from the discretionary fund earmarked reserve to fund a Violence against Women and Girls Partnership officer for 2 years and support the partnership to raise awareness, build capacity and work together (para 3.9).

Action

Scott McDonald, Senior Manager, Justice Services

Mr George Marcinkiewicz, Religious Representative, withdrew from the meeting at the conclusion of the previous item of business.

In line with Standing Order 10.23, the Convener adjourned the meeting at 11.26 am for a fifteen minute comfort break. When the meeting resumed, 17 members remained present.

CC(23)77 FAMILY WELLBEING PARTNERSHIP ANNUAL PLAN

The report, submitted by the Strategic Director, People, sought approval for Clackmannanshire's Family Wellbeing Partnership (FWP) Plan 2023/24.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council:

1. Approved the Family Wellbeing Partnership (FWP) Plan 2023/24 (**Appendices 1a and 1b**); and
2. Noted the progress on current activity as outlined in the Annual Report (**Appendix 2**).

Action

Strategic Director, People

CC(23)78 WELLBEING HUB UPDATE

The report, submitted by the Senior Manager, Sport and Leisure (People), provided Council with an update on the progress of the Wellbeing Hub development.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council noted:

1. The update on the project brief (**See paragraphs 3.1 to 3.4**);
2. The RIBA Stage 2 - concept design update (**See paragraphs 3.5 to 3.9**);
3. The update on supply chain selection for the design team and main contractor (**See paragraphs 3.10 to 3.22**);
4. The update on the Communications & Engagement Strategy (**See paragraphs 3.23 to 3.26**); and
5. The update on the Primary 5 curricular swimming programme (**See paragraphs 3.27 to 3.28**).

CC(23)79 PUBLIC TRANSPORT PROCUREMENT

The report, submitted by the Strategic Director, Place, updated Council on the procurement of Public Transport Services, C2 Bus Route & Door to Door (D2D) and provided information on future sustainable service provisions. The Strategic Director provided a verbal update to Council on initial discussions that had taken place.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council noted:

1. The outcome of the recent tender exercise impacting the Dial a Journey and C2 services;
2. That plans are being developed in consultation with Order of Malta/Dial a Journey to maintain an interim service for Door to Door services, within current budget. Appropriate governance will be secured for this, consistent with Contract Standing Orders.;
3. That in parallel with the interim delivery model for Door to Door services, a stakeholder Group is being established to develop a longer term sustainable transport delivery model;
4. That this work aims to deliver a transformational sustainable transport model that meets local need, integrates with the work of the Family Wellbeing Partnership and other key strategic workstreams including those being taken forward through the Alliance; the Connectivity Commission and the Regional Economic Strategy;
5. That the work to develop a collaborative and sustainable model requires significant development, consequently the anticipated timeline for this work is around 18-24 Months. A firm timeline will be established once the project team and plans are in place; and
6. That a verbal update had been provided on initial discussions at the Council meeting.

CC(23)80 SCOTTISH HOUSING REGULATOR ANNUAL RETURN OF THE CHARTER (ARC)/TENANT PARTICIPATION - INTERIM STRATEGY 2023/24

The report, submitted by the Strategic Director, Place, presented the Scottish Housing Regulator Annual Return of Charter 2023 . The report also asked Council to note a proposed Interim Tenant Participation Strategy (contained within Appendix 1) and this to be progressed during the current financial year 2023/24 in advance of a fully recognised Tenant Participation Strategy being introduced in 2024 with implementation through to 2027.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council noted:

1. The 2022/23 submission of the Annual Return of the Charter, which was submitted to the Scottish Housing Regulator on 31st May 2023, noting the relevant performance results and measures for scrutiny purposes.
2. The proposed Interim Tenant Participation Strategy for 2023/24 as set out in Appendix 1.

CC(23)81 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – DISPOSABLE VAPES

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Ellen Forson.

Motion

Disposable Vapes

The Council is asked to note in terms of the findings by ASH Scotland that:

- between January 2021 and April 2022 there was an 18-fold increase in the use of disposable vapes in the UK, and that on average 1.3 million disposable vapes are thrown away each week in terms of the findings of ASH Scotland;
- a single disposable vape can last for “600 puffs” which is the equivalent of smoking a pack of 20 cigarettes;
- vaping involves highly-addictive nicotine which, is particularly harmful to health for children and young people, with long-term health impacts of many of the other chemicals contained in vapes unknown.

The Council is asked to further note a December 2022 report by Keep Scotland Beautiful identified significant public concerns around littering, with plastic pollution and potential leakage of toxic chemicals from discarded vapes adversely impacting our communities and the local environment.

In light of these findings, Council agrees:

- to write to the Scottish Government expressing our support for the introduction of a nationwide ban on the sale of disposable vapes;
- that the above information informs our response to the ongoing Evidence Review on the Impact of Single Use Vapes conducted by Zero Waste Scotland;
- to support communication campaigns promoted by relevant partners and stakeholders, such as NHS Forth Valley, ASH Scotland, and Keep Scotland Beautiful, that highlight the public health and environmental impacts of disposable vapes;
- to promote the work of Trading Standards in preventing the sale of e-cigarettes and vapes to those aged under 18.

Voting on the Motion

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 (16)

Councillor Phil Fairlie
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Donald Balsillie
Councillor Martha Benny
Councillor William Keogh
Councillor Fiona Law
Councillor Wendy Hamilton
Councillor Janine Rennie
Councillor Jane McTaggart
Councillor Kenneth Earle

Councillor Ellen Forson
Councillor Bryan Quinn
Councillor Scott Harrison
Councillor Kathleen Martin
Councillor Denis Coyne

Against the Motion (1)

Councillor Craig Holden

The motion was carried by 16 votes to 1 with 0 abstentions.

Decision

On a division of 16 votes to 1 with 0 abstentions, the Council agreed to support the motion.

Action

Chief Executive

Ends: 13.10 am