

**MINUTE OF SPECIAL MEETING of the  
CLACKMANNANSHIRE COUNCIL**  
held within the Council Chamber,  
Greenfield, Alloa, on THURSDAY 19<sup>th</sup>  
JUNE 2008.

**PRESENT**

**Provost Derek Stewart (Chair)**  
**Councillor Donald Balsillie**  
**Councillor John Biggam**  
**Councillor Janet Cadenhead**  
**Councillor Alastair Campbell**  
**Councillor Eddie Carrick**  
**Councillor Kenneth Earle**  
**Councillor Craig Holden**  
**Councillor George Matchett**  
**Councillor Walter McAdam**  
**Councillor Bobby McGill**  
**Councillor Harry McLaren**  
**Councillor Tina Murphy**  
**Councillor Rev Sam Ovens**  
**Councillor Janis Paterson**  
**Councillor Gary Womersley**

**IN ATTENDANCE**

**Dave Jones, Chief Executive**  
**Garry Dallas, Director of Development**  
**and Environmental Services**  
**Jeni Graham, Director of Corporate**  
**Development Services**  
**Peter J Broadfoot, Head of**  
**Administration and Legal Services (Clerk**  
**to the Council)**

**APOLOGIES** for absence were received from Councillor Mark English and Councillor Irene Hamilton.

The Head of Administration and Legal Services advised Council on the reasons for Items 4 to 7 being noted on the Agenda as exempt items.

**Item 4 - Proposed Sale of Public Open Space, Keilarsbrae, Sauchie**

Councillor Balsillie moved that Item 4 is taken in public. Seconded by Councillor Holden.

The Council unanimously agreed that Item 4 will be taken in public.

### **Item 5 - Remediation of Land at Former Gasworks, Alva**

Councillor Holden moved that Item 5 is taken in public. Seconded by Councillor McAdam.

The motion was defeated by 6 votes to 10, therefore the Council agreed that this item would be exempt.

### **Item 6 - Secondary School Site Sales**

The Council unanimously agreed that this item would be exempt.

### **Item 7 - Single Status Employment**

The Council unanimously agreed that this item would be exempt.

## **CC.140                    JOINT WORKING - CLACKMANNANSHIRE AND STIRLING COUNCILS**

There was submitted a report by Dave Jones, Chief Executive, a copy of which had been circulated previously to each Member.

Councillor Cadenhead moved the recommendations as set out in the report. Seconded by Councillor McGill.

### ***Amendment***

"Add

- e) agree that where appropriate co-ordination on tourism, destination marketing, promotion and events be investigated."

Moved by Councillor Balsillie. Councillor Cadenhead seconded the amendment and agreed to incorporate the amendment within her motion.

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 16 Members present who were eligible to vote. On the roll being called the Members present voted as follows:

For the motion as amended:

Provost Stewart, Councillor Matchett, Councillor Rev. Ovens, Councillor McLaren, Councillor Earle, Councillor McGill, Councillor Cadenhead, Councillor Carrick, Councillor Campbell, Councillor McAdam, Councillor Paterson, Councillor Womersley, Councillor Balsillie and Councillor Murphy.

Against the motion as amended:

Councillor Holden and Councillor Biggam.

On a division of 14 votes to 2, the Council agreed to:

- a) Note the feasibility study funded by the Scottish Government carried out by SOLACE Enterprises incorporating work by IPF, Price-Waterhouse-Cooper and Mackay Hannah;
- b) Re-affirm the Council's commitment to collaborating with Stirling Council to improve service quality and achieve efficiencies;
- c) Joint working be pursued where demonstrable benefits can be achieved by each Council and where each Council can retain its independence
- d) In the first instance, a small number of services, including the following, be examined in detail with a view to determining whether there are benefits to be achieved:
  - Information Technology
  - Cleaning and Catering
  - Education Quality Improvement
  - Internal Audit
  - Fostering and Adoption
- e) Where appropriate co-ordination on tourism, destination marketing, promotion and events be investigated.

**Action: Dave Jones, Chief Executive**

#### **CC.141            DRAFT STATEMENT OF ACCOUNTS**

There was submitted a report by Martin Dunsmore, Accounting and Budgeting Manager, a copy of which had been circulated previously to each Member.

Councillor McGill moved the recommendations as set out in the report. Seconded by Councillor McLaren.

The Council agreed unanimously to note the draft accounts and authorised the Head of Finance to complete all the outstanding issues prior to submission to Audit Scotland.

**Action: Jeni Graham, Director of Corporate Development Services**

#### **CC.142            REFERENDUM ON SCOTTISH INDEPENDENCE**

There was submitted a report by Councillor Donald Balsillie, a copy of which had been circulated previously to each Member.

Councillor Campbell moved that this report is deferred to the next scheduled meeting of the Council as the report did not meet the criteria as set out in Standing Order 6.2. Councillor Balsillie agreed that his report did not require an urgent decision by Council and therefore could wait until the next scheduled meeting of the Council.

On a division of 14 votes to 2, the Council agreed to defer consideration of the report until the Council meeting scheduled for 14th August 2008.

**Action: Councillor Donald Balsillie**

**Councillor Womersley asked for a five minute adjournment. The Provost agreed to adjourn the Council meeting at 10.10 am. The Council re-convened at 10.15 am.**

**The Council resolved that the press and public were not excluded from the meeting during consideration of the following item of business.**

**CC.143            PROPOSED SALE OF PUBLIC OPEN SPACE,  
KEILARSBRAE, SAUCHIE**

There was submitted a report by Garry Dallas, director of Development and Environmental Services, a copy of which had been circulated previously to each Member.

Councillor Ovens moved the recommendations as set out in the report. Seconded by Councillor McLaren.

The Council agreed unanimously to:

- a) Approve the sale of 1.22 acres of land at Keilarsbrae, Sauchie (Site Plan - Appendix 1) to Mulraney Investments at a price of £370,000 as determined by reference to the District Valuer; and
- b) Allocate part of the proceeds of the sale (£85,000) for the provision of compensatory facilities in lieu of the existing playing pitch within the site. Final agreement of the proposed facilities shall be subject to further local consultation.

**Action: Garry Dallas, Director of Development and Environmental Services**

**EXEMPT INFORMATION**

**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, Paragraphs 8, 9, 11, 12 and 13.**

**CC.144            REMEDIATION OF LAND AT FORMER GASWORKS,  
ALVA**

There was submitted a report by Ian Doctor, Health and Consumer Services Manager, a copy of which had been circulated previously to each Member.

Councillor Carrick moved the recommendations as set out in the report. Seconded by Councillor McGill

## **Amendment**

"Recommendation 2.1 (b)

Add after "appropriately" - (subject to proper evidence based investigation that clearly demonstrates that the owners bought the plot knowing that the land was contaminated)."

Moved by Councillor Balsillie. Seconded by Councillor Murphy.

Councillor Carrick agreed to incorporate Councillor Balsillie's amendment within his motion.

On a division of 15 votes to 1, the Council agreed the recommendations set out in the report as amended.

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The Council also agreed that the Chief Executive is to write to the Chief Executive of the Scottish Environmental Protection Agency (SEPA) and the Scottish Government to express the Council's concern regarding SEPA's continued failure to provide timely responses to consultations.

The Council further agreed that the Chief Executive is to write to the Scottish Government regarding funding for remediation of contaminated land.

The responses from SEPA and the Scottish Government are to be reported to a future meeting of the Council.

**Action: Garry Dallas, Director of Development and Environmental Services**

*\*Councillor Holden withdrew from the meeting during consideration of the following item.*

### **CC.145            SECONDARY SCHOOL SITE SALES**

There was submitted a report by Gordon Stewart, Head of Property Services, a copy of which had been circulated previously to each Member. The Head of Property Services also circulated a supplementary confidential report at the meeting.

Councillor Cadenhead moved the recommendation as set out in the report. Seconded by Councillor Matchett.

The Council unanimously agreed to authorise officers to accept the optimum bids received in respect of the secondary schools' grounds and buildings and confer preferred bidder status according to the supplementary confidential report circulated at the meeting.

**Action: Garry Dallas, Director of Development and Environmental Services**

*\*Councillor Holden re-joined the meeting at this point in the proceedings.*

**CC.146        SINGLE STATUS EMPLOYMENT**

There was submitted a report by Brian Hutchison, Head of Human Resources, a copy of which had been circulated previously to each Member.

Councillor McGill moved the recommendations set out in the report. Seconded by Councillor Matchett.

On a division of 11 votes to 0 with 5 abstentions, the Council agreed the recommendations as set out in the report.

**Action: Jeni Graham , Director of Corporate Development**

The meeting concluded at 12.15 pm