

**MINUTE OF MEETING of the
CLACKMANNANSHIRE COUNCIL
held within the Council Chamber,
Greenfield, Alloa, on THURSDAY 6th
NOVEMBER 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 Mark English
Councillor Irene Hamilton
Councillor Walter McAdam
Councillor Bobby McGill
Councillor Harry McLaren
Councillor Tina Murphy
Councillor Reverend Sam Ovens
Councillor Janis Paterson
Councillor Gary Womersley**

IN ATTENDANCE

**Dave Jones, Chief Executive
Garry Dallas, Director of Development
and Environmental Services
Peter Broadfoot, Head of Administration
and Legal Services (Clerk to the Council)
Deirdre Cilliers, Head of Social Services
Barry Dickson, Head of Business
Improvement and Technology Services
Jim Goodall, Head of Schools
Elaine McPherson, Head of Strategic
Policy
Muir Wilson, Head of Finance
George Adamson, Team Leader, Property
Asset Management
Jim Burke, Senior Manager, Childcare
Services
Rosemary Champion, Support Services
Manager, Services to People
Stuart Crickmar, Business Improvement
Manager
Ian Doctor, Environmental Health and
Consumer Services Manager
Clare Hebbert, Policy and Planning
Officer, Services to People
Mac West, Roads and Transportation
Manager**

In terms of Standing Order 10.2, the Provost agreed to accept an item of urgent business relating to membership of the Appointments Committee, which has been convened to appoint the new Chief Executive. The Provost advised that Councillor Womersley is not available to take part in the Appointments Committee and therefore a new member is sought to fill his position on the Committee as a matter of urgency.

As a decision on the membership of the Appointments Committee had been taken within the previous six months, the Council unanimously agreed to suspend standing order 35.1 in order to appoint a replacement Member to the Committee.

Councillor Balsillie nominated Councillor Walter McAdam to the Appointments Committee. The Council unanimously agreed that Councillor McAdam will replace Councillor Womersley on the Appointments Committee.

Action: Peter J Broadfoot, Head of Administration and Legal Services

CC.172 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Father Michael Milton (Religious Representative).

CC.173 DECLARATIONS OF INTEREST

There were no declarations of interest.

CC.174 MINUTES OF MEETING HELD ON 25TH SEPTEMBER 2008

There was submitted a minute of the meeting held on Thursday 25th September 2008, a copy of which had been circulated previously to each Member.

The minute of the meeting held on Thursday 25th September 2008 was agreed as a correct record and signed by the Provost.

CC.175 POLLING DISTRICT AND POLLING PLACE REVIEW 2008

There was submitted a report by Rod Richardson, Principal Administration Officer, a copy of which had been circulated previously to each Member.

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

The Council agreed unanimously to:

- Approve the polling district and polling place scheme for each Ward as detailed in Appendix A, attached to the report;
- Formally review the scheme of polling district and polling places again in the future and certainly before the end of 2012; and

- Delegate authority to the Chief Executive (following consultation with all Councillors in the affected Ward) to approve any changes to the scheme which become necessary before the next formal review.

Action: Dave Jones, Chief Executive

CC.176 CORPORATE IMPROVEMENT PLAN AND BEST VALUE AUDIT IMPROVEMENT PLAN - PROGRESS REPORT

There was submitted a report by Stuart Crickmar, Business Improvement Manager, a copy of which had been circulated previously to each Member.

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

The Council agreed unanimously to note the current status of the Corporate Improvement Plan and the Best Value Audit Improvement Plan.

Action: Dave Jones, Chief Executive

CC.177 B9140 REALIGNMENT OF BENDS (COLLYLANDS TO GLENOCHIL - WEST)

There was submitted a report by Mac West, Roads and Transportation Manager, a copy of which had been circulated previously to each Member.

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

The Council agreed unanimously to:

- Authorise the acceptance of the tender submitted by Kilmac Construction Limited; and
- Approve the proposed virement of £103,000 to allow the project to proceed.

Councillor Carrick advised that he will write to Alloa and Alva Community Councils to inform them of the delay to projects within their areas and to assure them that the work will be carried out early in the next financial year.

Action: Garry Dallas, Director of Development & Environmental Services

**CC.178 RESOLUTION UNDER ANTISOCIAL BEHAVIOUR ETC.
(SCOTLAND) ACT 2004**

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

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

Amendment

"To amend paragraph 2 of Annex 2 - proposed resolution to read:

The noise control period is 0000 hours Monday to 2400 hours Sunday for every week of the year excepting the period between 0900 hours on the last working day before Christmas and 1900 hours on the first working day after New Year's Day."

Moved by Councillor Holden. Seconded by Councillor McAdam.

The amendment was defeated by 12 votes to 2 with 4 abstentions.

The motion was carried by 15 votes to 2 with 1 abstention. Accordingly, on a division, the Council agreed to approve the terms of the proposed resolution detailed in Annex 2 of the report and agrees to revoke the current resolution with effect from 1st February 2009.

Action: Garry Dallas, Director of Development & Environmental Services

CC.179 DISPOSAL OF COMMERCIAL PREMISES (SHOP) AT 61 MAIN STREET, SAUCHIE

There was submitted a report by George Adamson, Team Leader, Property Asset Management, a copy of which had been circulated previously to each Member.

Councillor Rev. Ovens moved the recommendation set out in the report. Seconded by Councillor Carrick.

The Council agreed unanimously to approve the sale of the property to the tenant, Glen Groceries Limited, for a price determined by reference to the District Valuer.

Action: Garry Dallas, Director of Development & Environmental Services

CC.180 SCHOOL CROSSING PATROLS IN CLACKMANNANSHIRE: DISESTABLISHMENT OF POSTS

There was submitted a report by Rosemary Champion, Support Services Manager, a copy of which had been circulated previously to each Member.

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

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

For the motion:

Provost Stewart, Councillor Matchett, Councillor Rev. Ovens, Councillor McLaren, Councillor Earle, Councillor McGill, Councillor Cadenhead, Councillor Carrick and Councillor Campbell (9)

Against the motion:

Councillor Holden, Councillor Biggam, Councillor English, Councillor McAdam, Councillor Paterson, Councillor Womersley, Councillor Hamilton, Councillor Balsillie and Councillor Murphy. (9)

There were 9 votes for the motion and 9 votes against the motion. On the casting vote of the Provost, the Council agreed to:

1. Approve the immediate disestablishment of the seven posts set out in Appendix 4 of the report;
2. Approve the disestablishment, as opportunity arises due to staff turnover or relocation, of School Crossing Patrol sites that are, or become, supported by light controlled crossings, unless exceptional circumstances apply. Posts currently supported by light controlled crossings are listed in Appendix 2; and
3. Note that the continuing provision complies with (Appendix 1), or exceeds (Appendix 3), guidance issued by the Local Authority Road Safety Officers Association.

Action: Dave Jones, Chief Executive

**** Councillor Womersley and Councillor Hamilton withdrew from the meeting before the following item.***

CC.181 CORPORATE PARENTING IN CLACKMANNANSHIRE COUNCIL

There was submitted a report by Jim Burke, Senior Manager, Child Care Services, a copy of which had been circulated previously to each Member.

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

The Council agreed unanimously to:

1. Note the setting up of a Corporate Parenting Group which will produce a corporate parenting strategy addressing all aspects of the life of a looked after young person including:
 - a) stability and continuity of their living arrangements;
 - b) the nature and level of support expected from all Council services;
 - c) strategies and structures for the most effective and successful educational outcome for a looked after young person in our educational resources;
 - d) the health and well-being of a looked after young person during and after their period of care; and
 - e) the planning and arrangements for the time after a young person leaves the looked after system including their further education, training, or employment opportunities, accommodation and support needs.
2. Note that the Corporate Parenting Group will report regularly to the Alliance and the Scrutiny Committee, producing an annual report on progress and outcomes for looked after young people.

Action: Dave Jones, Chief Executive

** Councillor English withdrew from the meeting before the following item.*

**CC.182 ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007:
IMPLEMENTATION OCTOBER 2008**

There was submitted a report by Clare Hebbert, Adult Care Policy Officer, a copy of which had been circulated previously to each Member.

Councillor Rev. Ovens moved the recommendation set out in the report. Seconded by Councillor McLaren.

On a division of 13 votes to 1 with 1 abstention, the Council agreed to approve the allocation of funding and proceed with appointments, training and implementation as required by legislation:

1. Setting up an Adult Protection Committee: to proceed with interim arrangements for a jointly-funded Forth Valley area-wide Adult Protection Committee, hosted by Stirling Council.
2. Appointment of a Lead Officer: to proceed with the appointment of an Adult Support and Protection Lead Officer for Clackmannanshire an administrative support;
3. Designation of Council Officers to carry out investigations: identified professionally qualified staff in the Adult Care Services to receive training and take on the new statutory duties and functions. The recruitment of an additional community care worker with allocated funding in 2009-2010.

4. Training Plan: to proceed with interim arrangements for up to one year, subject to review, for the recruitment of a joint-funded Forth Valley area-wide Adult Support and Protection Training Co-ordinator, hosted by Clackmannanshire Council.
5. Funding Allocation : expenditure of £76,555 allocated funding for Clackmannanshire October 2008 to March 2009 as set out in Appendix 1.

Action: Dave Jones, Chief Executive

**CC.183 SOCIAL WORK INSPECTION AGENCY (SWIA)
PERFORMANCE INSPECTION OF CLACKMANNANSHIRE
SOCIAL WORK SERVICES 2007-2008**

There was submitted a report by Clare Hebbert, Adult Care Policy Officer, a copy of which had been circulated previously to each Member.

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

The Council agreed unanimously to approve the proposals for development of Action Plans for Improvement and to note the positive aspects of the SWIA Inspection Report and it's recommendations.

Action: Dave Jones, Chief Executive

