

**MINUTE OF MEETING of the
CLACKMANNANSHIRE COUNCIL held
within the Council Chamber, Greenfield,
Alloa, on THURSDAY 29th JANUARY 2009.**

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 George Matchett QPM
Councillor Walter McAdam MBE
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
Angela Leitch (Chief Executive designate)
Jeni Graham, Director of Corporate
Development Services
Stephen Bell, Head of Development Services
Peter J Broadfoot, Head of Administration
and Legal Services (Clerk to the Council)
Barry Dickson, Head of Business
Improvement and Technology Services
John Gillespie, Head of Housing, Benefit
and Advice Services (From Item 9)
Muir Wilson, Head of Finance
Derek Barr, Procurement Manager
Kenny Hutton, Strategic Housing Services
Alastair Mackenzie, Building Standards
Team Leader
Susan White, Housing Strategy and
Research Manager**

The Chief Executive updated members on the progress of the Scottish Government's Budget for 2009/10 through the Scottish Parliament and advised it will be necessary to postpone the Special Meeting of the Council scheduled for the 5th February 2009.

CC.200 APOLOGIES

Apologies for absence were received from Councillor Craig Holden.

CC.201 DECLARATIONS OF INTEREST

Councillor Biggam declared a non-financial interest in agenda item 12 (Strategy for Housing Lock-up Service) as he is an owner occupier who rents a garage from the Council.

CC.202 MINUTE OF MEETING HELD ON 18TH DECEMBER 2008

There was submitted a minute of the meeting held on Thursday 18th December 2008, a copy of which had been circulated previously to each Member.

The Head of Administration and Legal Services advised that there had been an error under the heading "Presentation of Award". The Customer Service Excellence accreditation was awarded to Development Services and the Roads and Transportation Service by the Cabinet Office of the UK Government.

CC.190 Councillor Womersley advised that "paertnership" should read "partnership".

Subject to the above amendments, the minute of the meeting held on Thursday 18th December 2008 was accepted as a correct record and signed by the Provost.

CC.203 KILNCRAIGS 1904 BUILDING

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

Councillor McAdam MBE joined the meeting during questions on this item.(9.50 am)

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

On a division, the Council agreed by 10 votes to 0 with 7 abstentions, to decommit from the European Regional Development fund agreement with respect to the Kilncraigs 1904 building and repay the grant of £1,139,779.

Action: Dave Jones, Chief Executive

CC.204 DRAFT SINGLE OUTCOME AGREEMENT 2009-10

There was submitted a report by Elaine McPherson, Head of Strategic Policy, a copy of which had been circulated previously to each Member.

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

The Council unanimously agreed to:

- a) Note the requirements in relation to the 2009 SOA
- b) Approve the general approach of the working draft SOA for 2009 for further development
- c) Provide comment as appropriate on the working draft
- d) Agrees to have a member discussion briefing prior to the submission of the final draft to Council and to the Clackmannanshire Alliance
- e) Note that a final draft will be submitted for approval to the 12 March 2009 meeting of the Council and to a special meeting of the Clackmannanshire Alliance on 24 February 2009.

Action: Dave Jones, Chief Executive

CC.205 AMENDMENT OF STANDING ORDERS

There was submitted a report by Peter J Broadfoot, Head of Administration and Legal Services, a copy of which had been circulated previously to each Member.

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

The Council unanimously agreed that the Council's Standing orders be amended such that the words "Regulatory Committee" are replaced with the words "Planning Committee" and after the words "Regulatory Sub Committee" the words "of the Planning Committee" are added.

Action: Dave Jones, Chief Executive

CC.206 PROCUREMENT STRATEGY

There was submitted a report by Derek Barr, Procurement 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 Matchett.

The Council unanimously agreed to approve the Procurement Strategy and to approve the Procurement Improvement Plan on the basis that it will be monitored, reviewed and updated annually.

Action: Jeni Graham, Director of Corporate Development

CC.207 ALVA GLEN HOTEL, STIRLING STREET, ALLOA

There was submitted a report by Alastair Mackenzie, Building Standards Team Leader, a copy of which had been circulated previously to each Member.

Councillor Balsillie circulated the undernoted amendment:

To add "2.2 These actions to be carried forward within the next nine months and an update report provided to Council at its October meeting in 2009."

Councillor Carrick moved the recommendation as set out in the report and agreed to accept Councillor Balsillie's amendment into the motion. Seconded by Councillor Balsillie.

The Council unanimously agreed that Option 2, as set out in Paragraph 3.8 of the report is the most appropriate course of action and confirmed its support for the actions set out therein. The actions are to be carried forward within the next nine months and an update report is to be provided to Council at its October meeting in 2009.

Action: Garry Dallas, Director of Development and Environmental Services

John Gillespie, Head of Housing, Kenny Hutton, Strategic Housing Services and Susan White, Housing Strategy and Research Manager joined the meeting before the next item.

CC.208 CLOSURE OF FAIRFIELD SCHOOL

There was submitted a report by Jim Goodall, Head of Education and Community Services, a copy of which had been circulated previously to each Member.

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

Councillor Carrick was not present during the decision on this item.

The Council agreed:

1. To approve in principle the proposal by Education and Community Services to close Fairfield School, subject to the completion of the statutory consultation process;
2. That the formal, statutory process to close Fairfield School should be carried out immediately;
3. That in accordance with our statutory duty, all stakeholders will be notified of this proposal; and
4. That the outcome of the consultation process will be reported to Council in March 2009.

Action: Dave Jones, Chief Executive

CC.209 BUSINESS PLAN FOR CLACKMANNANSHIRE COUNCIL HOUSING 2008/13

There was submitted a report by John Gillespie, Head of Housing, a copy of which had been circulated previously to each Member.

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

Amendment

To add:

"2.5 Instruct officers to identify the most cost effective way to deliver new social and special needs housing and to report these findings to the Council in six months time."

Moved by Councillor Balsillie. Seconded by Councillor Murphy.

The amendment was carried by 9 votes to 8.

The Council agreed to:

1. Approve the Business Plan for Clackmannanshire Council Housing 2008/13;
2. Instruct the Head of Housing to submit an annual statement to Council which highlights progress and reviews the main assumptions contained in the Plan;
3. Instructs officers to report regularly to the Scrutiny Committee on revenue and capital budgets including capital receipts and prudential borrowing as directed by the business plan; and
4. Instructs officers to identify the most cost effective way to deliver new social and special needs housing and to report these findings to the Council in six months time.

Action: Dave Jones, Chief Executive

CC.210 STRATEGIC HOUSING INVESTMENT PLAN

There was submitted a report Kenny Hutton, Strategic Housing Services, a copy of which had been circulated previously to each Member.

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

Amendment

To add:

"2.4 To agree that "special needs" accommodation is included in any future planning guidance or policy for housing development alongside affordable housing considerations."

Moved by Councillor Balsillie. Seconded by Councillor Murphy.

The vote on the amendment was 8 votes for and 8 votes against with 1 abstention, the amendment was defeated on the casting vote of the Provost.

The Council agreed to:

1. The broad principles developed within the Strategic Housing Investment Plan and the priorities which it promotes;
2. The onward process of consultation and development required to deliver upon these priorities.
3. The broad programme of projects which seek to deliver these priorities in the Draft SHIP 2009 - 2014

Action: Dave Jones, Chief Executive

CC.211 STRATEGY FOR HOUSING LOCK-UP SERVICE

There was submitted a report by Susan White, Housing Strategy and Research Manager, a copy of which had been circulated previously to each Member.

Councillor Biggam declared a non-financial interest in this item as he is an owner occupier who rents a garage from the Council. Councillor Biggam withdrew from the Chamber and did not participate in discussion or voting.

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

Amendment

To remove Paragraphs 2.1 and 2.2 and add:

"2.1 To require officers to prepare a report to Council detailing recommendations for future action which includes -

1. Feedback from tenants and residents
2. Options to retain garage unit within Housing Services (Business Case)
3. Options to transfer assets and staff to Property Services (Business Case)
4. Options contained in paragraph 5.3 as set out in the report
5. Self financing options"

Moved by Councillor Balsillie. Seconded by Councillor Womersley.

The amendment was defeated by 9 votes to 7.

On a division of 9 votes to 7, the Council agreed that the lock-up and garage service should be decoupled from the Housing Revenue Account and instructed officers to prepare a Business Plan which will be self financing. Officers are required to prepare a further report to Council, at a later date, detailing final recommendations for future action.

Action: Dave Jones, Chief Executive

CC.212 MOTION TO COUNCIL

There was submitted a notice of motion by Councillor John Biggam, a copy of which had been circulated previously to each Member.

"Under the Local Governance (Scotland) Act 2004 (Remuneration) amendment Regulations 2008, the Scottish Parliament has increased councillors' salaries by 2.5% backdated to 1st April 2008 with a further 2.5% from 1st April 2009.

The United Kingdom, and indeed the world, are undergoing a severe economic downturn at the moment. Many people are losing their jobs and many more are suffering cuts in income.

If councillors accept these increases without comment, this will diminish even further the low esteem with which constituents regard their politicians at a time when we need to encourage more involvement.

It is recommended that this Council regrets the increase in councillors' remuneration which it is required to pass on to council tax payers and writes to the Scottish Government requesting a moratorium on all further increases in remuneration for councillors during the current economic climate.

It is also recommended that all councillors should give an amount equal to the gross increase in their remuneration to be split amongst the community events held in their wards to help bring some cheer to their constituents in these dark days."

Moved by Councillor Biggam.

There was no seconder for this motion and therefore the motion fell.

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 it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 6, 9 and 13.

CC.213 CONFIRM MINUTE OF MEETING HELD ON 18TH DECEMBER 2008 - EXEMPT ITEM REFERENCE NO. CC.199 - REMEDIATION OF LAND AT FORMER GASWORKS

There was submitted a minute of the meeting held on Thursday 18th December 2008, relating to exempt item reference no. CC.199 - remediation of land at former gasworks, a copy of which had been circulated previously to each Member.

The minute of the meeting held on Thursday 18th December 2008, relating to exempt item reference no. CC.199 - remediation of land at former gasworks, was accepted as a correct record and signed by the Provost