



**Clackmannanshire  
Council**

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**THIS PAPER RELATES TO  
ITEM 4(i)  
ON THE AGENDA**

**MINUTE OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, ALLOA, FK10 2AD, on THURSDAY 3 JUNE 2010 at 9.30 am.**

**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 Craig Holden  
Councillor George Matchett  
Councillor Walter McAdam  
Councillor Bobby McGill  
Councillor Harry McLaren  
Councillor Tina Murphy  
Councillor Reverend Sam Ovens  
Councillor Janis Paterson  
Councillor Gary Womersley  
Father Michael Milton

**IN ATTENDANCE**

Angela Leitch, Chief Executive  
Garry Dallas, Director of Services to Communities  
Elaine McPherson, Head of Strategy and Customer Services  
Deirdre Cilliers, Head of Social Policy  
John Gillespie, Head of Community and Regulatory Services  
Lesley Robertson, Interim Head of Education  
Susan MacKay, Finance Manager  
Barry Dickson, IT Services Manager  
David A Thomson, Legal Services Manager (Clerk to the Council)

**CC.07 APOLOGIES**

None.

**CC.08 DECLARATIONS OF INTEREST**

None

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Councillor Donald Balsillie advised the Council that at the recent SNP Council Group AGM, he had decided to stand down from the position of Group Leader for personal reasons. He stated that he believed the SNP group has a wealth of talent and was happy to support Councillor Gary Womersley as Group Leader and Councillor Mark English as his depute. He also stated that he was keen to develop the Scrutiny Chair's role within the Council and wished to focus on this and Clackmannanshire North ward issues. He thanked the SNP Group and activists for their support and wished Councillors Womersley and English all the best in their new roles.

Councillor Cadenhead thanked Councillor Balsillie for his work as SNP Group Leader and congratulated Councillor Womersley and Councillor English on their new roles.

Councillor Womersley also paid tribute to Councillor Balsillie and thanked Councillor Cadenhead for her comments and the SNP Group for their support.

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#### **CC.09 MINUTE OF MEETING HELD ON 22 APRIL 2010**

A minute of the meeting held on 22 April 2010 was submitted for approval by the Council.

The minute of the meeting held on 22 April 2010 was agreed as a correct record and signed by the Provost.

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#### **CC.10 PROPOSED MERGER OF CLAREMONT PRIMARY SCHOOL AND ST JOHN'S PRIMARY SCHOOL IN A NEW PURPOSE BUILT SCHOOL (ITEM 9 ON THE AGENDA)**

The Chief Executive alerted Members to new legislation that had come into effect and asked Members to consider withdrawal of the report in order to take steps to comply with the legal requirements of the Schools (Consultation) (Scotland) Act 2010.

The Council agreed to withdraw Item 9 "Proposed Merger of Claremont Primary School and St John's Primary School in a New Purpose Built School" from the Agenda.

The Chief Executive advised that further guidance is being sought to ensure the consultation process is fully in keeping with new statutory requirements and it is intended to bring the report back to Council in the Autumn.

The Chief Executive assured Members that forthcoming legislation will be noted at the beginning of each year. The Chief Executive apologised to parents, staff and the community for the delay.

#### **Action**

Interim Head of Education

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#### **CC.11 COUNCIL'S FINANCIAL POSITION 2009/10**

At a Special Council meeting in November 2009, a potential budget shortfall for 2010-11 was brought to the attention of the Council. An undertaking was given to bring a report back to Council explaining the reasons for the situation which had arisen. The paper reported to Council the circumstances which led to the need to secure increased savings; recommendations which have since been made for financial management and administration

as a result of a review of these circumstances; and progress to date in achieving those recommendations.

### **Motion**

That the Council notes the contents of the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Harry McLaren.

### **Voting**

The voting on the motion was as follows:

For the motion	- 10 votes
Against the motion	- 1 votes
Not voting	- 7 abstentions

### **Decision**

On a division of 10 votes to 1 with 7 abstentions, the Council agreed to note the contents of the report.

## **CC.12 AMENDMENTS TO: SCHEME OF DELEGATION, FINANCIAL REGULATIONS, CONTRACT STANDING ORDERS AND NOTICE OF AMENDMENTS TO COUNCIL STANDING ORDERS**

The report sought to obtain Council approval of amendments to the Council's Scheme of Delegation, Contract Standing orders and Financial Regulations and to give notice to the Council of proposed changes to Standing Orders.

### **Motion**

That the Council:

- a) approves an amended Scheme of Delegation as set out in Appendix 3 to the report;
- b) approves amendments to the Financial Regulations as set out in paragraph 6.1 of the report;
- c) approves amendments to Contract Standing Orders as set out in paragraph 6.1 of the report;
- d) notes the amendments to Standing Orders as set out in paragraphs 7.1 to 7.3 of this report will be submitted to the next Council meeting for approval; and
- e) agrees that a comprehensive review of the Scheme of Delegation and Standing Orders takes place by the end of 2010.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Bobby McGill.

*Councillor Carrick withdrew from the Chamber at this point in the proceedings.*

### **Decision**

The Council unanimously agreed:

- a) to approve an amended Scheme of Delegation as set out in Appendix 3 to the report;
- b) to approve amendments to the Financial Regulations as set out in paragraph 6.1 of the report;
- c) to approve amendments to Contract Standing Orders as set out in paragraph 6.1 of the report;
- d) to note the amendments to Standing Orders as set out in paragraphs 7.1 to 7.3 of this report will be submitted to the next Council meeting for approval; and

- e) that a comprehensive review of the Scheme of Delegation and Standing Orders takes place by the end of 2010.

**Action**

Head of Strategy and Customer Services

**CC.13 SERVICES AGREEMENT FOR GEOGRAPHIC INFORMATION SERVICES**

The report sought approval for the Council to extend its current Services Agreement for the provision of Geographic Information Services (GIS) by Forth Valley GIS Limited (FVGIS) for a period of 12 month, from 1 July 2010 to 30 June 2011. The extension would allow the Council, in conjunction with Stirling and Falkirk Councils to procure a new Services agreement for the provision of Geographic Information Services to be effective from 1 July 2011.

*Councillor Carrick returned to the Chamber during questions to this item of business.*

**Motion**

That the Council:

1. Authorise the 12-month extension of the existing Services Agreement for the provision of Geographic Information Services by FVGIS, from 1 July 2010 to 30 June 2011; and
2. Note the procurement process required for the future provision of Geographic Information Services on behalf of the Council.

Moved by Councillor Bobby McGill. Seconded by Councillor Kenny Earle.

**Decision**

The Council unanimously agreed to:

1. Authorise the 12-month extension of the existing Services Agreement for the provision of Geographic Information Services by FVGIS, from 1 July 2010 to 30 June 2011; and
2. Note the procurement process required for the future provision of Geographic Information Services on behalf of the Council.

**Action**

Head of Strategy and Customer Services

- The Finance Manager agreed to provide information to elected members on why Forth Valley GIS Limited does not appear on the register of arms length organisations.

#### **CC.14 HOME TO SCHOOL TRANSPORT POLICY (CAMBUS AMENDMENT)**

The report described an unsustainable anomaly in the Council's Home to School Transport Policy. It recommended that Council should amend its School Transport Policy to remove the anomaly.

#### **Motion**

That Council approve the amendment to the Council's Home to School Transport Policy to read:

"Lornshill Academy: any pupil resident in the catchment areas of Clackmannan PS, Craigbank PS, Fishcross PS or Deerpark PS, or who is resident in the catchment areas of Abercromby PS, Banchory PS or St. Serfs PS and his/her residence is over two miles from the school, or nearest designated transport pick-up point, by the shortest possible walking route will be entitled to free school transport. "

Moved by Councillor George Matchett QPM. Seconded by Councillor Eddie Carrick.

#### **Voting**

Father Michael Milton (Religious Representative), was present and entitled to vote, therefore there were 19 members present and eligible to vote.

The voting on the motion was as follows:

For the motion	- 9 votes
Against the motion	- 10 votes
Not voting	- 0 abstentions

#### **Decision**

On a division, the motion was defeated by 10 votes to 9.

Accordingly, the Council did not approve the Cambus amendment to the Home to School Transport Policy.

- At the request of Councillor Craig Holden, the Director of Services to Communities agreed to investigate the possibility of additional electronic signage on the A907.

#### **CC.15 HOME TO SCHOOL TRANSPORT POLICY (GLENOCHIL)**

The report brought forward actions which it proposed should be taken in relation to the provision of home to school transport from and to Glenochil Village and Coalsnaughton.

#### **Motion**

That the Council approves the actions set out in the report and notes their implications for the provision of home school transport.

Moved by Councillor George Matchett. Seconded by Councillor Eddie Carrick.

*Councillor Walter McAdam MBE withdrew from the meeting at this point in the proceedings.*

#### **Voting**

Father Michael Milton (Religious Representative), was present and entitled to vote, therefore there were 18 members present and eligible to vote.

The voting on the motion was as follows:

For the motion - 9 votes  
Against the motion - 9 votes  
Not voting - 0 abstentions

The Provost used his casting vote to vote for the motion.

### **Decision**

On the casting vote of the Provost, the actions as set out in the report were approved and their implications for the provision of home school transport were noted.

### **Action**

Interim Head of Education

*Councillor George Matchett QPM withdrew from the meeting prior to the following item of business.*

### **CC.16 NOTICE OF MOTION IN TERMS OF STANDING ORDER 31 - "CHARTER OF RIGHTS FOR PEOPLE WITH DEMENTIA AND THEIR CARERS IN SCOTLAND"**

A Notice of Motion in terms of Standing Order 31 was submitted by Councillor Donald Balsillie.

### **Motion**

The Motion to Council read as follows:

"Council notes the recent publication of the "Charter of Rights for People with Dementia and their Carers in Scotland" and congratulates Alzheimer's Scotland for their work relating to the publication of the Charter.

Council fully supports the aims of the Charter to empower people with dementia and their carers to assert their rights in every part of their daily lives, to ensure that those who provide health, social care and other services understand and respect the rights of people with dementia and their carers and to ensure the highest quality of service provision to people with dementia and carers."

Moved by Councillor Donald Balsillie. Seconded by Councillor Janis Paterson.

### **Decision**

The Council agreed unanimously to support Councillor Donald Balsillie's motion.

ENDS 12.35 pm