THIS PAPER RELATES TO
ITEM 3
ON THE AGENDA

Clackmannanshire Council
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MINUTE OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, ALLOA, FK10 2AD, on THURSDAY 23 SEPTEMBER 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, QPM
Councillor Walter McAdam, MBE (From Item 5)
Councillor Bobby McGill
Councillor Harry McLaren
Councillor Tina Murphy
Councillor Reverend Sam Ovens
Councillor Janis Paterson
Councillor Gary Womersley

IN ATTENDANCE

Angela Leitch, Chief Executive
Deirdre Cilliers, Head of Social Policy
Stephen Crawford, Head of Facilities Management
Garry Dallas, Director of Services to Communities
Martin Dunsmore, Accounting and Budgeting Manager
John Gillespie, Head of Community and Regulatory Services
Susan Mackay, Finance Manager
Elaine McPherson, Head of Strategy and Customer Services
David Thomson, Legal Services Manager (Clerk to the Council)
Grace Scanlin, Grant Thornton (Item 7)

Before the start of business, the Provost advised elected members that the "Kirkin' of the Council" will be held on Sunday 24th October 2010 at St Bernadette's Church in Tullibody at 2.00 pm. The Provost reminded Members to respond to the invitations as soon as possible.

CC.31 APOLOGIES

None.

CC.32 DECLARATIONS OF INTEREST

None.

CC.33 MINUTES OF MEETING HELD ON 12 AUGUST 2010

A minute of the meeting held on 12 August 2010 was submitted for approval by the Council.

The minute of the meeting held on 12 August 2010 was agreed as a correct record and signed by the Provost.

CC.34 APPOINTMENT OF COUNCIL LEADER

The purpose of the report was to invite the Council to appoint a new Leader following the resignation of Councillor Janet Cadenhead and, in the event that the appointment leaves a vacancy for a Portfolio Holder, to consider appointing an elected member to any consequent vacancy.

Motion

To appoint Councillor Rev. Sam Ovens as the Leader of Clackmannanshire Council.

Moved by Councillor Eddie Carrick. Seconded by Councillor Harry McLaren.

Voting

The voting on the motion was as follows:

For the motion	- 9 votes
Against the motion	- 0 votes
Not voting	- 8 abstentions

Decision

On a division of 9 votes to 0 with 8 abstentions, the Council agreed to appoint Councillor Rev. Sam Ovens as the Leader of Clackmannanshire Council

Action

Head of Strategy and Customer Services

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Councillor Janet Cadenhead, former Leader of the Council, asked for her appreciation to be recorded for the support provided by Councillor Bobby McGill and the Members' Services Team, particularly Eileen McKinsley.

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The Members agreed to proceed to appoint an elected member to the post of Portfolio Holder for Regeneration.

Motion

To appoint Councillor Janet Cadenhead as the Portfolio Holder for Regeneration.

Moved by Councillor Bobby McGill. Seconded by Councillor Harry McLaren.

Voting

The voting on the motion was as follows:

For the motion	- 9 votes
Against the motion	- 0 votes
Not voting	- 8 abstentions

Decision

On a division of 9 votes to 0 with 8 abstentions, the Council agreed to appoint Councillor Janet Cadenhead as the Portfolio Holder for Regeneration.

Action

Head of Strategy and Customer Services

CC.35 BUDGET STRATEGY - INVEST TO SAVE FUND

The report invited Council to agree the principles and criteria for the operation of the Invest to Save Fund, the establishment of which was approved on 12 August 2010.

Councillor McAdam joined the meeting during questions to this item.

Motion

That the Council agrees the principles and criteria of the Invest to Save Fund as set out in the report.

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

Amendment

Delete paragraph 6.1 and replace with "All proposals, with directors' recommendations are referred to full Council for decision."

Moved by Councillor Donald Balsillie. Seconded by Councillor Gary Womersley.

Voting

The voting on the amendment was as follows:

Councillor Craig Holden asked for a roll call vote on this matter. 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.

For the Amendment (8):
Councillor Craig Holden
Councillor Mark English
Councillor Walter McAdam MBE
Councillor Janis Paterson
Councillor Gary Womersley
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Tina Murphy

Against the Amendment (10):

Provost Derek Stewart
Councillor George Matchett QPM
Councillor Rev. Sam Ovens
Councillor Harry McLaren
Councillor Kenny Earle
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Eddie Carrick
Councillor Alastair Campbell
Councillor John Biggam

The amendment was defeated by 10 votes to 8.

The voting on the motion was as follows:

For the motion	- 10 votes
Against the motion	- 8 votes
Not voting	- 0 abstentions

Decision

On a division on 10 votes to 8, the Council agreed the principles and criteria of the Invest to Save Fund as set out in the report.

Action

Director of Finance and Corporate Services

CC.36 COMMUNITY HEALTH PARTNERSHIPS - REVISED ARRANGEMENTS

The report invited the Council to nominate two elected members to represent the organisation on the Partnership Board which has recently been established by NHS Forth Valley.

Councillor Craig Holden declared a financial interest in this item as an employee of NHS Forth Valley and decided not to participate in discussion and voting. Councillor Holden withdrew from the Chamber until discussion of the item of business was concluded.

Motion

That Council notes the changes to the arrangements for Community Health Partnerships (CHPs), inlcuding the establishment by NHS Forth Valley of a Partnership Board.

That the Council appoints Councillor Rev. Sam Ovens, Leader of the Council and Councillor Janet Cadenhead, Portfolio Holder for Regeneration as the Council's representatives on the Partnership Board.

Moved by Councillor Bobby McGill. Seconded by Councillor George Matchett.

Decision

The Council agreed unanimously to note the changes to the arrangements for Community Health Partnerships (CHPs), including the establishment by NHS Forth Valley of a Partnership Board and appointed Councillor Rev. Sam Ovens, Leader of the Council and Councillor Janet Cadenhead, Portfolio Holder for Regeneration as the Council's representatives on the Partnership Board.

Action

Head of Strategy and Customer Services

Councillor Craig Holden re-joined the meeting prior to the next item of business.

CC.37 EXTERNAL AUDIT REPORT ON STATEMENT OF ACCOUNTS 2009/10 AND AUDITED STATEMENT OF ACCOUNTS 2009/10

The report brought to the Council the report by our external auditors Grant Thornton on the audit of the Council's accounts for 2009/10 which had been included as Appendix 1 - "Key Issues Memorandum". Following the conclusion of the audit, the Statement of Accounts for the year ended 31st March 2010, set out in Appendix 2 to the report, were included for approval.

Motion

That the Council notes the content of the external audit report; and

That the Council approve the audited Accounts for 2009/10.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Harry McLaren.

Decision

The Council agreed unanimously to note the content of the external audit report; and to approve the audited Accounts for 2009/10.

Action

Director of Finance and Corporate Services

CC.38 GLENOCHIL PRISON VISITING COMMITTEE

The purpose of the report was to seek Council approval of a nomination to fill a vacancy on the Glenochil Prison Visiting Committee.

Motion

To note the contents of the report and approve the nomination of Mrs Pauline Brewerton to serve on Glenochil Prison Visiting Committee.

Moved by Councillor Kenny Earle. Seconded by Councillor John Biggam.

Decision

The Council agreed unanimously to note the contents of the report and approved the nomination of Mrs Pauline Brewerton to serve on Glenochil Prison Visiting Committee.

Action

Head of Strategy and Customer Services

CC.39 CORNTON VALE PRISON VISITING COMMITTEE

The purpose of the report was to seek Council approval of a nomination to fill a vacancy on the Cornton Vale Prison Visiting Committee.

Motion

To note the contents of the report and approve the nomination of Mr Henry Mennie to serve on Cornton Vale Prison Visiting Committee.

Moved by Councillor John Biggam. Seconded by Councillor Kenny Earle.

Decision

The Council agreed unanimously to note the contents of the report and approved the nomination of Mr Henry Mennie to serve on Cornton Vale Prison Visiting Committee.

Action

Head of Strategy and Customer Services

CC.40 PROPOSED NEW COUNCIL HOUSING AT ALVA AND TULLIBODY

The report provided the Council with an indication of the scale, cost and scope of the proposed new build and associated works and sought approval by the Council for the project.

Motion

To approve:

a. building of new Council housing at the lock up site 80-98 Newmills, Tullibody;
b. construction of new housing at the Dalmore Centre, Alva;
c. the refurbishment of property in Tullibody which will be carried out as part of the overall project; and
d. the transfer of the Dalmore Centre site to the Housing Account at nil cost in part lieu of a commuted sum relating to the requirement for affordable housing on the former Alva school site.

Moved by Councillor Rev. Sam Ovens. Seconded by Councillor Eddie Carrick.

Amendment

Amend after "Dalmore Centre, Alva" paragraph 2.1 b) add "subject to consultation with Alva Community Council on proposal as well as community use and management similar to that of the Devonvale Hall, Tillicoultry."

Moved by Councillor Donald Balsillie. Seconded by Councillor Walter McAdam MBE.

Voting

The voting on the amendment was as follows:

Councillor Donald Balsillie asked for a roll call vote on this matter. 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.

<u>For the Amendment (9):</u>
Councillor Craig Holden
Councillor John Biggam
Councillor Mark English
Councillor Walter McAdam MBE
Councillor Janis Paterson
Councillor Gary Womersley
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Tina Murphy

<u>Against the Amendment (9):</u>

Provost Derek Stewart
Councillor George Matchett QPM
Councillor Rev. Sam Ovens
Councillor Harry McLaren
Councillor Kenny Earle
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Eddie Carrick
Councillor Alastair Campbell

The voting on the amendment was 9 votes for the amendment and 9 votes against. On the casting vote of the Provost, the amendment was defeated.

The voting on the motion was as follows:

For the motion	- 13 votes
Against the motion	- 4 votes
Not voting	- 1 abstention

Decision

On a division on 13 votes to 4 with 1 abstention, the Council agreed to approve:

a. building of new Council housing at the lock up site 80-98 Newmills, Tullibody;
b. construction of new housing at the Dalmore Centre, Alva;
c. the refurbishment of property in Tullibody which will be carried out as part of the overall project; and
d. the transfer of the Dalmore Centre site to the Housing Account at nil cost in part lieu of a commuted sum relating to the requirement for affordable housing on the former Alva school site.

Action

Head of Community and Regulatory Services

CC.41 PROPERTY ASSET MANAGEMENT PLAN 2010 TO 2015

The report introduced a 2010 to 2015 Property Asset Management Plan to replace the existing 2005 to 2010 Plan.

Motion

To approve the Property Asset Management Plan 2010 to 2015.

Moved by Councillor Eddie Carrick. Seconded by Councillor Gary Womersley.

Voting

The voting on the motion was as follows:

For the motion	- 16 votes
Against the motion	- 1 votes
Not voting	- 1 abstention

Decision

On a division of 16 votes to 1 with 1 abstention, the Council agreed to approve the Property Asset Management Plan 2010 to 2015.

Action

Head of Facilities Management

CC.42 ALLOA TOWN CENTRE REGENERATION: SPEIRS CENTRE

The report presented progress on the Speirs Centre Redevelopment Project and sought approval to progress with detailed design and tender stage. In addition, the Council was presented with the exit strategy for the vacated buildings for approval.

Motion

That the Council agree to:

1. approve the design brief as set out in paragraph 3.3 of the report;
2. declare 8-14 Bank Street and 19 Mar Street, Alloa surplus to requirements and the sale and marketing of the premises; and
3. declare the existing Drysdale Street library surplus to requirements, and, subject to planning consent, approve an off-market sale to a local firm of NHS dental practitioners at a valuation to be determined in consultation with the District Valuer.

Moved by Councillor Eddie Carrick. Seconded by Councillor Kenny Earle.

Councillor Mark English moved that the Council defer consideration of the report until the conclusion of the major public consultation on the Council's budget and subject to the provision of more information on the dental practice; leisure groups currently using the facilities; and a risk assessment of how the project is funded.

Seconded by Councillor Gary Womersley.

Voting

The voting on the motion to defer was as follows:

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

The voting on the motion to defer was 9 votes for deferral and 9 votes against. On the casting vote of the Provost, the motion to defer was defeated.

The voting on the motion was as follows:

For the motion	- 9 votes
Against the motion	- 6 votes
Not voting	- 3 abstentions

Decision

On a division of 9 votes to 6 with 3 abstentions, the Council agreed to:

1. approve the design brief as set out in paragraph 3.3 of the report;
2. declare 8-14 Bank Street and 19 Mar Street, Alloa surplus to requirements and the sale and marketing of the premises; and
3. declare the existing Drysdale Street library surplus to requirements, and, subject to planning consent, approve an off-market sale to a local firm of NHS dental practitioners at a valuation to be determined in consultation with the District Valuer.

Action

Head of Facilities Management

CC.43 CLACKMANNANSHIRE SUSTAINABILITY AND CLIMATE CHANGE STRATEGY

The report presented the Clackmannanshire Sustainability and Climate Change Strategy for approval. The Strategy explains the importance of embedding economic, environmental and social sustainability in to the work of both the Council and the community it serves. It presents a set of clear objectives which will guide the Council towards continuous improvement in the sphere of sustainable development and a set of actions which will enable these objectives to be met.

Motion

That the Council approves the Sustainability and Climate Change Strategy and its associated Action Plan.

Moved by Councillor Eddie Carrick. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to approve the Sustainability and Climate Change Strategy and its associated Action Plan.

Action

Head of Community and Regulatory Services

CC.44 NOTICE OF MOTION IN TERMS OF STANDING ORDER 31 - "LAND ASSOCIATED WITH THE FORMER ALVA GAS WORKS"

A Notice of Motion in terms of Standing Order 31 was submitted by Councillor Donald Balsillie, Councillor Walter McAdam MBE, Councillor John Biggam, Councillor Gary Womersley, Councillor Mark English, Councillor Irene Hamilton, Councillor Tina Murphy and Councillor Craig Holden.

Motion

The Motion to Council read as follows:

"Officers are asked to prepare a report for the next full Council meeting, on the progress made on the treatment of contaminated land associated with the former Alva Gas Works, Alva.

The report should detail any outstanding issues and options to resolve them."

The Provost stated that the motion is accepted by Council. The Provost stated that a report will be brought to the next meeting of Council and that a report on the planning issues will be brought to next meeting of the Planning Committee.

The Council noted the position.

Action

Head of Strategy and Customer Services

EXEMPT INFORMATION

On a division of 10 votes to 8, 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 item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 6,8,9 and 10.

CC.45 COUNCIL OFFICE RATIONALISATION

The report presented a project to rationalise and integrate the Council's three main corporate offices and functions into one building within Alloa Town Centre by 2012.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Eddie Carrick. Seconded by Councillor Kenny Earle.

Voting

The voting on the motion was as follows:

Councillor Craig Holden asked for a roll call vote on this matter. 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.

For the Motion (9):
Provost Derek Stewart
Councillor George Matchett QPM
Councillor Rev. Sam Ovens
Councillor Harry McLaren
Councillor Kenny Earle
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Eddie Carrick
Councillor Alastair Campbell

Against the Motion (8):
Councillor Craig Holden
Councillor Mark English
Councillor Walter McAdam MBE
Councillor Janis Paterson
Councillor Gary Womersley
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Tina Murphy

Not Voting (1)
Councillor John Biggam

Decision

On a division on 9 votes to 8 with 1 abstention, the Council agreed to the recommendations as set out in the report.

EXEMPT INFORMATION

The voting on the resolution was 9 votes for exclusion of the press and public and 9 votes against. On the casting vote of the Provost, 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 item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 1

CC.46 MONITORING OFFICER BRIEFING REPORT

The monitoring officer's report was submitted and noted.

ENDS 3.25 pm