



MINUTE OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, on THURSDAY 16 December 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 Mark English
Councillor Irene Hamilton
Councillor Craig Holden
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE (from 9.50 am)
Councillor Bobby McGill
Councillor Harry McLaren
Councillor Tina Murphy
Councillor Reverend Sam Ovens
Councillor Janis Paterson
Councillor Gary Womersley
Father Michael Milton (Religious Representative)

IN ATTENDANCE

Angela Leitch, Chief Executive
Nikki Bridle, Director of Finance and Corporate services
Garry Dallas, Director of Services to Communities
Elaine McPherson, Head of Strategy and Customer Services
David Thomson, Legal Services Manager (Clerk to the Council)
Deirdre Cilliers, Head of Social Policy
Lesley Robertson, Interim Head of Education
Martin Dunsmore, Accounting and Budgeting Manager
Julie Hamilton, Strategy and Support Manager, Services to Communities
Kenny Hutton, Service Manager, Strategic Housing Services

Councillor Eddie Carrick congratulated Keith Brown, MSP for Ochil on his appointment as Transport Minister and asked the Chief Executive to send a letter of congratulations with an invitation to meet with the Director of Services to Communities to discuss road signage for the Clackmannanshire Bridge.

CC.58 APOLOGIES

Apologies for absence were received from Councillor Kenneth Earle.

CC.59 DECLARATIONS OF INTEREST

None

CC.60 MINUTE OF MEETING HELD ON THURSDAY 4 NOVEMBER 2010

The minute of the meeting held on Thursday 4 November 2010 was submitted for approval by Council.

The minute of the meeting held on Thursday 4 November 2010 was agreed as a correct record and signed by the Provost.

CC.61 MINUTE OF SPECIAL MEETING HELD ON THURSDAY 2 DECEMBER 2010

The minute of the special meeting held on Thursday 2 December 2010 was submitted for approval by Council.

The minute of the special meeting held on Thursday 2 December 2010 was agreed as a correct record and signed by the Provost.

CC.62 INVESTMENT STRATEGY 2010/11 - 2012/13 AND ADOPTION OF NEW TREASURY MANAGEMENT CODE OF PRACTICE

The report presented the Council's Investment Strategy for 2010/11 to 2012/13.

Councillor Walter McAdam joined the meeting during the debate on this item.

Motion

That Council agree:

1. To formally adopt CIPFA's new Prudential Code which will be implemented as required in 2010/11 and for the 2011/12 budget setting process;
2. To formally adopt CIPFA's Treasury Management in the Public Services - Code of Practice and Cross Sectoral Guidance Notes as the basis for Treasury Management by Clackmannanshire Council; and
3. To approve the Investment Strategy for 2010/11 to 2012/13 attached as appendix A to the report in compliance with the Local Government Investments (Scotland) Regulations 2010.

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:

1. To formally adopt CIPFA's new Prudential Code which will be implemented as required in 2010/11 and for the 2011/12 budget setting process;
2. To formally adopt CIPFA's Treasury Management in the Public Services - Code of Practice and Cross Sectoral Guidance Notes as the basis for Treasury Management by Clackmannanshire Council; and
3. To approve the Investment Strategy for 2010/11 to 2012/13 attached as appendix A to the report in compliance with the Local Government Investments (Scotland) Regulations 2010.

Action

Director of Finance and Corporate Services

CC.63 CLACKMANNANSHIRE LOCAL PLAN 1ST ALTERATION (HOUSING LAND) - FINALISED PLAN - REPRESENTATIONS RECEIVED

The Provost proposed that consideration of this item (Item 8 on the Agenda) is deferred until the Council Meeting being held on 27 January 2011. This is to allow the opportunity for further consultation with local residents.

Decision

The Council agreed unanimously to defer consideration of the report until the Council Meeting being held on the 27 January 2011.

Action

Director of Services to Communities

CC.64 ANNUAL TREASURY REPORT

The report detailed the treasury management activities for the Council for 2009/10.

Motion

That the Council note and review the Annual Report on 2009/10 Treasury Management activities for Clackmannanshire Council.

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

Decision

The Council agreed unanimously to note and review the Annual Report on 2009/10 Treasury Management activities for Clackmannanshire Council.

Action

Director of Finance and Corporate Services

**CC.65 SCOTTISH JOINT COUNCIL AND SCOTTISH JOINT NEGOTIATING COMMITTEE
- CRAFT OPERATIVES: PAY NEGOTIATIONS/AWARD 2010; ALLOANCES,
PART-TIME REGISTRARS AND ASSISTANT REGISTRARS; STAND-BY, CALL
OUT AND DISTURBANCE PAYMENTS (OFFICERS OTHER THAN SOCIAL
WORKERS)**

The purpose of the report was to advise Council of the outcome of national pay negotiations which have taken place at the Scottish Joint Council for Local Government Employees (SJC) and the Scottish Joint Negotiating Committee - Craft Operatives (SJNC).

Motion

That Council:

- a. note the awarded pay rise of 0.65% for 2010/11 (backdated to 1 April 2010) to relevant groups of employees; and
- b. freezes pay in both 2011/12 and 2012/13 for those same groups of employees.

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

Voting

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 17 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 Bobby McGill
Councillor Janet Cadenhead
Councillor Eddie Carrick
Councillor Alastair Campbell
Councillor John Biggam

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

The voting on the motion was as follows:

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

Decision

On a division on 9 votes to 8 with 0 abstentions, the Council agreed to:

- a. note the awarded pay rise of 0.65% for 2010/11 (backdated to 1 April 2010) to relevant groups of employees; and
- b. freezes pay in both 2011/12 and 2012/13 for those same groups of employees.

Action

Director of Finance and Corporate Services

CC.66 THE 2010 SPENDING REVIEW AND BUDGET UP-DATE

The report updated Council on the implications of the Scottish Government Spending Review 2010 and approve the proposed funding package contained therein. The report also provided an update on the Council's draft budget position for 2011/12 and indicative funding gap.

Motion

That the Council:

1. agrees to accept the package of measures and commitments outlined in letter of 17th November to Leaders of all Scottish local authorities;
2. agrees the current planning assumptions relating to the Council's draft 2011/12 budget; and
3. endorses the Council's application under the Scottish Government General Consent to Borrow Scheme.

Moved by Councillor Rev. Sam Ovens.

Amendment

"Change 2.2 to read: Notes the current planning assumptions relation to the Council's draft 2011/12 budget."

Moved by Councillor Gary Womersley.

Councillor Rev. Ovens agreed to accept the amendment into the original motion. The motion was then seconded by Councillor Gary Womersley.

Voting

Councillor Walter McAdam MBE 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 17 members present who were eligible to vote.

Voting

For the motion (17):

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

The voting on the motion was as follows:

For the motion	- 17 votes
Against the motion	- 0 votes
Not voting	- 0 abstentions

Decision

The Council unanimously agreed to:

1. agrees to accept the package of measures and commitments outlined in letter of 17th November to Leaders of all Scottish local authorities;
2. notes the current planning assumptions relating to the Council's draft 2011/12 budget; and
3. endorses the Council's application under the Scottish Government's General Consent to Borrow Scheme.

Action

Director of Finance and Corporate Services

CC.67 CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN MAIN ISSUES REPORT AND OPEN SPACE FRAMEWORK

The report updated Council on progress towards the preparation of the Clackmannanshire Local Development Plan and sought approval to consult on the Main Issues Report.

Motion

That the Council:

- a) approve the Clackmannanshire Local Development Plan Main Issues Report (MIR) to enable public consultation to be carried out between January and March 2011; and
- b) approve the Environmental Report monitoring Statement and Open Space Framework.

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

Councillor Gary Womersley moved that the Council defer consideration of the report to allow a Members' briefing to take place.

Voting

The voting on the motion to defer was as follows:

For the motion to defer	- 7 votes
Against the motion to defer	- 9 votes
Not voting	- 1 abstention

The voting on the motion to defer was defeated by 9 votes to 7 with one abstention.

The voting on the motion was as follows:

For the motion - 9 votes
Against the motion - 7 votes
Not voting - 1 abstention

Decision

On division of 9 votes to 7 with one abstention, the Council agreed to:

- a) approve the Clackmannanshire Local Development Plan Main Issues Report (MIR) to enable public consultation to be carried out between January and March 2011; and
- b) approve the Environmental Report monitoring Statement and Open Space Framework.

Action

Director of Services to Communities

CC.68 STRATEGIC HOUSING INVESTMENT PLAN AND LEAD RSL DEVELOPER

The report presented the annual Strategic Housing Investment Plan (SHIP) which has been submitted to the Scottish Government in draft subject to Council approval. The report detailed the publicly funded affordable housing priorities for investment in Clackmannanshire over the next five years.

The report also detailed the Scottish Government's proposals to reform the affordable housing investment system by introducing a "lead developer" to each council area. The Registered Social Landlord (RSL) selected jointly by the Council and Scottish Government will develop the new RSL housing built using Housing Association Grant (HAG) allocated by the Government.

Motion

That Council:

- a) approve the final SHIP 2011/16 to be submitted to the Scottish Government, a full copy of which was made available to Members in Group Rooms;
- b) approve the selection of Ochilview Housing Association as the Council's preferred RSL partner to deliver Affordable Housing Investment Programme expenditure in Clackmannanshire as outlined in the report; and
- c) instructs officers to prepare a framework agreement with Ochilview which, among other things, will require:
 - (1) the establishment of an operational Common Housing Register by end November 2011 and
 - (2) any enhanced contribution to tackling homelessness by the lead developer

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

Decision

The Council agreed unanimously to:

- a) approve the final SHIP 2011/16 to be submitted to the Scottish Government, a full copy of which was made available to Members in Group Rooms;
- b) approve the selection of Ochilview Housing Association as the Council's preferred RSL partner to deliver Affordable Housing Investment Programme expenditure in Clackmannanshire as outlined in the report; and
- c) instructs officers to prepare a framework agreement with Ochilview which, among other things, will require:
- d)
 - (1) the establishment of an operational Common Housing Register by end November

2011 and

- (2) any enhanced contribution to tackling homelessness by the lead developer

Action

Director of Services to Communities

CC.69 THE CLOSURE OF TOWER NURSERY SCHOOL AND ITS RE-ESTABLISHMENT AS THE NURSERY CLASS OF PARK PRIMARY SCHOOL

The report sought approval to conduct a formal public consultation on two elements of a proposal by Education Services:

- (i) to establish Tower Nursery as the nursery class of Park Primary School; and
- (ii) to close Tower Nursery School as a stand alone establishment

Motion

That Council approves a formal public consultation on both aspects of the proposal which contains two options. The second option emerged during informal consultation earlier this year. That Council also approves that a report is brought back to Council no later than June 2011.

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

Decision

The Council unanimously agreed to approve a formal public consultation on both aspects of the proposal which contains two options:

- (i) to establish Tower Nursery as the nursery class of Park Primary School; and
- (ii) to close Tower Nursery School as a stand alone establishment

The Council also approved that a report is brought back to Council no later than June 2011.

Action

Interim Head of Education

ENDS 11.45am