



**Clackmannanshire  
Council**

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**Greenfield, Alloa, Scotland, FK10 2AD (Tel.01259-450000)**

## **Clackmannanshire Council**

**Thursday 2 June 2011 at 9.30 am**

**Venue: Council Chamber, Greenfield, Alloa, FK10 2AD**

Date	Time
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# Clackmannanshire Council

There are 32 Unitary Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at the 6 weekly meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct. Co-option of religious representatives in respect of Education policy decisions is also a Council responsibility.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

Details of all of our Council and Committee dates and agenda items are published on our website at [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

If you require further information about Council or Committee meetings, please contact Finance and Corporate Services by e-mail at [customerservice@clacks.gov.uk](mailto:customerservice@clacks.gov.uk) or by telephone on 01259 452106 or 452004.

**25 May 2011**

**A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 2 JUNE 2011 at 9.30 am.**

**ELAINE McPHERSON**  
**Head of Strategy and Customer Services**

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# Clackmannanshire Council – Councillors and Wards

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Councillors		Wards		
Councillor	Eddie Carrick	1	Clackmannanshire West	LAB
Councillor	George Matchett	1	Clackmannanshire West	LAB
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Janis Paterson	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	John S Biggam	2	Clackmannanshire North	SLD
Councillor	Walter McAdam	2	Clackmannanshire North	SNP
Councillor	Robert McGill	2	Clackmannanshire North	LAB
Councillor	Sam Ovens	3	Clackmannanshire Central	LAB
Provost	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Gary Womersley	3	Clackmannanshire Central	SNP
Councillor	Janet Cadenhead	4	Clackmannanshire South	LAB
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Mark English	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	IND
Councillor	Alastair Campbell	5	Clackmannanshire East	CON
Councillor	Irene Hamilton	5	Clackmannanshire East	SNP
Councillor	Harry McLaren	5	Clackmannanshire East	LAB

## Religious Representatives

Reverend Mhairi Lovett	Church of Scotland
Father Michael Milton	Roman Catholic Church





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**THIS PAPER RELATES TO  
ITEM 3  
ON THE AGENDA**

**MINUTE OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 21 APRIL 2011 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 George Matchett, QPM  
Councillor Walter McAdam  
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  
Nikki Bridle, Director of Finance and Corporate Services  
Garry Dallas, Director of Services to Communities  
Deirdre Cilliers, Joint Head of Social Policy  
Stephen Crawford, Head of Facilities Management  
John Gillespie, Head of Community and Regulatory Services  
Belinda Greer, Joint Head of Education  
Elaine McPherson, Head of Strategy and Customer Services  
Lesley Robertson, Interim Head of Education  
David Thomson, Legal Services (Clerk to the Council)

**CC.01/97      APOLOGIES**

Apologies for absence were received from Councillor Craig Holden and Rev Mairi Lovett, Religious Representative.

**CC.02      DECLARATIONS OF INTEREST**

Councillor Womersley declared an interest in Agenda Item 11 (Notice of Motion - Waterwatch Scotland) by virtue of being Chief Executive Officer/Director of Waterwatch Scotland.  
Councillor Womersley indicated his intention to withdraw from the Chamber until discussion of, and voting on, the item is concluded.

**CC.03                    PRESENTATION: COSLA EXCELLENCE AWARDS 2011 - GOLD AWARD  
CLACKMANNANSHIRE INTEGRATED MENTAL HEALTH TEAM**

Clackmannanshire Council, in partnership with NHS Forth Valley and the Scottish Association for Mental Health, were successful in winning a gold award for integrated mental health services at the CoSLA Excellence Awards 2011. The Council, together with its partners, won the award in the category of service innovation and improvement.

On behalf of the Council, Councillor Rev. Sam Ovens, Leader of the Council, congratulated the Integrated Mental Health Team on its achievement. Jane Menzies, Service Manager Partnership and Workforce Development, thanked the Council and responded on behalf of the Integrated Mental Health Team.

**CC.04                    MINUTE OF MEETING HELD ON THURSDAY 10 MARCH 2011**

A minute of the meeting held on Thursday 10 March 2011 was submitted for approval by Council

The minute of the meeting held on Thursday 10 March 2011 was agreed as a correct record and signed by the Provost.

**CC.05                    SUBMISSION OF PETITION AND REQUESTED TO BE HEARD FROM  
TILlicOUNTRY COMMUNITY ACTION GROUP**

A report which advised the Council formally of the receipt of a petition by Tillicoultry Community Action Group and asked Council to consider whether or not comments by the Group should be heard at this meeting of the Council was submitted by the Head of Strategy and Customer Services.

A petition signed by 2111 individuals was delivered to the Council by Tillicoultry Community Action Group on 1 April 2011. A copy of the terms of the petition and an accompanying letter were appended to the report.

In terms of Standing Order 34.2, the Council agreed unanimously that comments from Tillicoultry Community Action Group would be heard at today's meeting.

**Amendment**

That there is added a further recommendation, namely:

- 2.1        That Council instructs officers to cease any actions in pursuing the closure of the facilities in Tillicoultry for a period of six months, in order to allow for a full consultation exercise to take place with the local community, existing and potential user groups.

Moved by Councillor Gary Womersley.

The Clerk to the Council advised that the purpose of the report by the Head of Strategy and Customer Services is to note the submission and the contents of a petition and to decide whether comments will be heard, it is largely a procedural matter. The extent of members input in this matter is to hear the petitioners if they are so minded and after comments, members may also ask questions. In terms of Standing Order 25.7, amendments must relate to the motion and this amendment relates to a previous substantive decision of the Council and, as such, cannot be accepted as an amendment.



### **Motion**

That Council suspends Standing Orders in order that an additional contribution can be heard from the Tillicoultry Community Action Group.

Moved by Councillor Mark English. Seconded by Councillor Walter McAdam.

### **Voting**

On a division, the motion to suspend Standing Orders was defeated by 9 votes to 8.

In terms of Standing Order 34.4, the Council heard representations from Mr Archie Drummond and Ms Clare MacKay on behalf of Tillicoultry Community Action Group.

In terms of Standing Order 34.5, Members then had opportunity to put questions to the Tillicoultry Community Action Group representatives.

On behalf of the Council, the Provost thanked the representatives from Tillicoultry Community Action Group for their contribution to the meeting. (Item ends 10.00 am)

### **CC.06                    CONSULTATIONS ON (1) THE FUTURE OF POLICING IN SCOTLAND AND (2) THE FUTURE OF THE FIRE AND RESCUE SERVICE IN SCOTLAND**

A report which invited Council to agree its response to the consultation exercises being undertaken by the Scottish Government on the future of policing and the fire and rescue service was submitted by the Head of Strategy and Customer Services.

Formal consultations on police and fire services reform were launched on 10 February, with responses being sought by 5 May 2011.

### **Motion**

That Council approves the document appended to the report as its submission to the Scottish Government.

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

### **Decision**

The Council agreed unanimously to approve the document appended to the report as its submission to the Scottish Government.

### **Action**

Head of Strategy and Customer Services

## **CC.07 CLACKMANNANSHIRE/STIRLING SHARED SERVICES**

A report which updated Council, as agreed at its meeting on 2 December 2010, on the progress being made on the development of shared education and social services with Stirling Council was submitted by the Chief Executive.

In December 2010 Clackmannanshire and Stirling Councils approved recommendations to manage education and social services jointly within the terms of the Local Government (Scotland) Act 1973 and to appoint a Joint Head of Education and a Joint Head of Social Services.

### **Motion**

That the Council notes the progress made to date and provides any further observation and guidance to the Leader of the Council that may be thought appropriate for consideration at future Steering Group meetings.

Moved by Councillor Rev Sam Ovens. Seconded by Councillor George Matchett, QPM.

### **Decision**

Following debate on revision of the Scheme of Delegation and the need to brief those members of the Council not directly involved in the Steering Group, the Council agreed to note the progress made to date.

\*\*\*

The Chief Executive withdrew from the meeting at 10.50 am during debate on the following item. The Director of Finance and Corporate Services then acted on her behalf.

## **CC.08 OCHIL HILLS LANDSCAPE PARTNERSHIP**

A report which informed members of success in attracting funding from the Heritage Lottery Fund (HLF) towards implementation of the Ochils Landscape Partnership Scheme and sought agreement to sign the relevant documentation to enable commencement of the Scheme's implementation was submitted by the Head of Community and Regulatory Services. The report also advised Council of its changed role in the Partnership.

The Landscape Partnership Scheme has been planned and developed by the Council and its partners since 2007.

### **Motion**

That Council agrees the recommendations set out in the report.

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

### **Decision**

The Council agreed unanimously to approve:

- (i) the Ochil Landscape Partnership Constitution (Appendix 1)
- (ii) the Ochil Landscape Partnership Management Agreement (Appendix 2); and
- (iii) the contract with Heritage Lottery Fund (Appendix 3)

The Council also agreed to note the intention to offer the Chair of the OLP to one of the Scheme's other partners. As such, Councillor Eddie Carrick will step down from Chairmanship at the first OLP meeting following the signing of the Constitution.

## **Action**

Head of Community and Regulatory Services

\*\*\*

Councillor Womersley asked for a short adjournment before consideration of the following item of business. The Council agreed to adjourn for five minutes at this point in the proceedings (11.10 am). Councillor Campbell withdrew from the meeting at this point.

When the meeting resumed at 11.15 am, sixteen (16) members were present.

## **CC.09 ALVA POOL COMPLEX**

A report which sought an extension to the closure of the Alva Pool Complex to 21st June 2012 to allow further consideration of alternative funding, management and efficiency arrangements for the building was submitted by Councillors Balsillie, English and Womersley.

The report sought to alter Council decision CC.84 (Special Meeting 10 February 2011) and, as such, was subject to Standing Order 35 (Withdrawing Previous Decisions).

### **Standing Order 35 - Withdrawing Previous Decisions**

- 35.1 No motion that tries to alter or withdraw a council decision (or has that effect) will be considered or passed for at least six months from the date of the original decision, unless:
- The Provost is satisfied that circumstances have changed in a relevant way; and
  - the notice of the meeting says that the decision may be withdrawn or altered (this information does not need to be specifically highlighted if the withdrawal or alteration is set out in the terms of a report or of any committee minute put forward to us); or
  - a decision is needed by law.

The Clerk to the Council provided explanation and advice to Council regarding the application of Standing Order 35. He advised that The report would have the affect of altering a previous decision of Council taken within the last 6 months and for this matter to proceed the Provost must make a ruling that he is satisfied that circumstances have changed in a relevant way.

Having taken advice from the Clerk, the Provost was of the view that there had been no relevant change in circumstances and, as such, the item would not be taken.

Councillor Womersley acknowledged the advice given by the Clerk and the Provost's decision but disagreed with the reasons for not taking the report. Councillors Balsillie, English, Hamilton, McAdam, Murphy, Paterson and Womersley then withdrew from the meeting at this point in the proceedings (11.22 am).

Nine (9) Members remained present for the following items of business.

**CC.10 NOTICE OF MOTION IN TERMS OF STANDING ORDER 31 - COALFIELD REGENERATION TRUST**

"That this Council welcomes the Scottish Government's change of mind by now committing to fund the Coalfield Regeneration Trust CRT) in Scotland for one year.

This decision has been taken based on the tremendous work the CRT has carried out in our former mining communities since its inception in 1999.

As recent independent reports have shown, because of the recession having a greater detrimental impact in the former coalfield areas, it is crucial that this organisation is allowed to continue for a longer period of time.

Therefore, we call on the Scottish Government to commit itself to a longer term funding package for the CRT. This is vital for the type of projects they support especially in relation to employment, a one year package does not meet the requirement to assist these types of projects."

Moved by Councillor Bobby McGill. Seconded by Councillor John Biggam.

**Decision**

The Council agreed to support the motion to call on the Scottish Government to commit itself to a longer term funding package for the Coalfields Regeneration Trust.

**Action**

Head of Strategy and Customer Services.

**CC.11 NOTICE OF MOTION IN TERMS OF STANDING ORDER 31 - WATERWATCH SCOTLAND**

"This Council is concerned over the likely loss of jobs from Clackmannanshire which could result from the future transfer of Waterwatch Scotland to the Public Services Ombudsman.

The Council requests the new Scottish Government after 5 May 2011 to review the decision."

Moved by Councillor Rev Sam Ovens. Seconded by Councillor George Matchett, QPM.

**Decision**

The Council agreed to support the motion to request the new Scottish Government after 5 May 2011 to review the decision on the future transfer of Waterwatch Scotland to the Public Services Ombudsman.

**Action**

Head of Strategy and Customer Services

ENDS 11.35 am

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Report to: Clackmannanshire Council

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Date: 2 June, 2011

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Subject: Submission of Petition & Request To Be Heard - Save Alva Pool Campaign Group and Save Our Swimming Pool Campaign Group in Association With Alva Community Council

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Report by: Head of Strategy & Customer Services

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## **1.0 Purpose**

- 1.1 The purpose of this report is to advise Council formally of the receipt of a petition by Save Alva Pool Campaign Group and Save Our Swimming Pool Campaign Group in association with Alva Community Council and for Council to consider whether or not comments by the Group should be heard at this meeting of the Council.

## **2.0 Recommendation**

- 2.1 It is recommended the Council:
- a) notes the submission and contents of the petition submitted by Save Alva Pool Campaign Group and Save Our Swimming Pool Campaign Group in association with Alva Community Council; and
  - b) decides under Standing Order 34.2 whether the groups' comments will be heard at this meeting.

## **3.0 Background**

- 3.1 A petition signed by 4824 individuals was handed in to the Council on 21 April. (A copy of the terms of the petition and the letter which accompanied it are appended to this report; the full petition is available for review from Members' Services).
- 3.2 The text of the petition is as follows:

*"Save Alva Swimming Pool Facebook Campaign and Save Our Swimming Pool Campaign Groups*

*Save Our Swimming pool (including its Public Toilets and Sports Hall)*

*We the undersigned call on Clackmannanshire Council to reverse its decision to close and demolish the Alva Pool and Sports complex and to establish a committee of community reps and user groups to ensure the facility is well managed, promoted and developed as a key sport and leisure facility for the benefit of Clackmannanshire and safeguard the common good rights of the people of Alva."*

#### **4.0 Presenting Petitions & Hearing Comments**

4.1 Standing Order 34 sets out how the Council deals with the presentation of petitions and requests for comments to be heard.

4.2 The process to be followed under this Standing Order can be summarised as follows:

a) SO 34.1 - requests for comments to be heard must be received in writing at least 8 clear days before the meeting (this requirement has been met)

b) SO 34.1 - applications for comments to be heard will be included as part of the agenda for the meeting (this requirement has been met)

c) SO 34.2 - the Council will decide by a majority whether the comments will be heard

d) SO 34.4 - if the Council decides to hear comments, representatives of the organisation will speak for no more than five minutes, unless the Provost decides otherwise

e) SO 34.5 - after the comments have been made, councillors may ask questions of the petitioners.

#### **5.0 Sustainability Implications - N/A**

#### **6.0 Resource Implications**

*Financial & Staffing Details* - none directly from this report

#### **7.0 Exempt Reports**

7.1 Is this report exempt?      No

#### **8.0 Declarations**

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

**(1) Our Priorities 2008 - 2011** (Please tick ☒)

- |  |                                     |
|--|-------------------------------------|
| The area has a positive image and attracts people and businesses         | <input type="checkbox"/>            |
| Our communities are more cohesive and inclusive                          | <input checked="" type="checkbox"/> |
| People are better skilled, trained and ready for learning and employment | <input type="checkbox"/>            |
| Our communities are safer  | <input type="checkbox"/>            |
| Vulnerable people and families are supported                             | <input checked="" type="checkbox"/> |
| Substance misuse and its effects are reduced                             | <input type="checkbox"/>            |
| Health is improving and health inequalities are reducing                 | <input type="checkbox"/>            |
| The environment is protected and enhanced for all                        | <input type="checkbox"/>            |
| The Council is effective, efficient and recognised for excellence        | <input checked="" type="checkbox"/> |

**(2) Council Policies** (Please detail)

**9.0 Equalities Impact**

- 9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? NO

**10.0 Legality**

- 10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. YES

**11.0 Appendices**

1) Terms of petition submitted by Save Alva Pool Campaign Group and Save Our Swimming Pool Campaign Group in association with Alva Community Council

2) Letter from Facebook Campaign and Alva Community Council


**12.0 Background Papers**

- 12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)


Yes ☒ (please list the documents below) No ☐

1 - Petition to Clackmannanshire Council from Save Alva Pool Campaign Group and Save Our Swimming Pool Campaign Group in association with Alva Community Council - 21 April

**Author(s)**

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Head of Strategy & Customer Services	

**Approved by**

NAME	DESIGNATION	SIGNATURE
Angela Leitch	Chief Executive	





Save Alva Pool facebook Campaign and Save our Swimming Pool campaign  
Groups in association with Alva Community Council.

Fao Elaine McPherson,  
Head of Strategy and Customer Services  
Clackmannanshire Council  
Greenfield House,  
Alloa  
FK10 2AD.

21st April 2011

**To the Provost and Elected Members of Clackmannanshire Council**

Please accept the attached petition on behalf of the citizens of Alva and Clackmannanshire as well as the user groups of the Alva Pool Complex.

4824 petitioners have recorded their objection to the proposed closure of the Alva Swimming Pool Complex. This is the clear voice of the community.

On behalf of our Community we urge you to think again and establish a committee or group of community reps and user groups to advise the council and ensure the facility is well managed, promoted and developed as a key sport and leisure facility for the benefit of Alva and Clackmannanshire.

In accordance with your standing order 34 we formally request to be heard at the next Council Meeting on June 2nd 2011, when the Council considers our petition. Please reply to the addresses below

Yours Sincerely



Lucinda Kerr  
Facebook Campaign  
8 Burnbrae Gardens  
Alva  
FK12 5LX  
07760482500

Mr George Horsburgh  
Secretary  
Alva Community Council  
3 Dumyat Road  
Alva  
FK12 5NN  
01259 761113



**Save Alva Swimming Pool facebook Campaign and Save Our Swimming Pool Campaign Groups.**

**Petition to Clackmannanshire Council.**

**"Save Our Swimming pool (including its Public Toilets and Sports Hall)**

**We the undersigned call on Clackmannanshire Council to reverse its decision to close and demolish the Alva Pool and Sports complex and to establish a committee of community reps and user groups to ensure the facility is well managed ,promoted and developed as a key sport and leisure facility for the benefit of Clackmannanshire and safeguard the common good rights of the people of Alva."**

**Delivered and Presented to Clackmannanshire Council on 21st April 2011**



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**Report to: Clackmannanshire Council**

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**Date: 2 June, 2011**

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**Subject: Amendments to Scheme of Delegation and Notice of  
Amendments to Council Standing Orders**

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**Report by: Head of Strategy & Customer Services**

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**1.0 Purpose**

- 1.1 The purpose of this report is to give notice to the Council of proposed changes to Standing Orders.

**2.0 Recommendation**

- 2.1 It is recommended the Council notes that:

- a) amendments to Standing Orders will be submitted to the next Council meeting for approval;
- b) a briefing for all elected members will take place on 6 June to discuss and review potential amendments;
- b) a report proposing amendments to the Scheme of Delegation will come forward to the next Council meeting for approval.

**3.0 Background**

- 3.1 At its meeting in June 2010, the Council agreed a range of changes to the Scheme of Delegation as a consequence of the senior management restructuring. Standing Orders were subsequently amended in August of the same year. Council also agreed as part of those discussions that a broader review of both the Scheme of Delegation and Standing Orders should take place.
- 3.2 Since the Council took the decision to review these two governance documents, it has been agreed to work jointly with Stirling Council in relation to education and social services. The Council appointed two Joint Heads of Service to take this forward in December, 2010. This development has implications for the Scheme of Delegation which requires to be altered to ensure that the postholders have the relevant authority delegated to them by each council.

## **4.0 Considerations**

### Standing Orders

- 4.1 Standing Order 3.2 states: *“The standing orders can only be changed or abolished when (at a meeting of the Council) there has been an indication that proposals to amend standing orders will be brought before the next Council meeting.”*
- 4.2 All elected members and senior officers were invited to comment on existing Standing Orders in September of 2010 (memo dated 14 September, 2010, from Head of Strategy & Customer Services). The feedback from that exercise has been reviewed and revised draft Standing Orders have been produced. This revised draft currently includes the following proposed amendments:
- a restructuring of Standing Orders so that they flow more logically
  - the bringing together of related Standing Orders into the same sections so that the document is more accessible
  - the inclusion of certain new proposals to take account of issues which have arisen in the past but for which there is no provision currently in Standing Orders
  - some textual changes to clarify procedures and remove ambiguities.
- 4.3 Copies of the revised draft document have been circulated to elected members and a briefing and discussion session for all councillors has been arranged for 6 June to inform the final draft which will be presented to Council at its meeting on 30 June.

### Scheme of Delegation

- 4.5 There is no requirement for changes to the Scheme of Delegation to be notified in advance to Council but it is appropriate to do so given the circumstances of this report.
- 4.6 The proposed changes to the Scheme which will come forward on 30 June will focus mainly on ensuring that the Joint Heads of Education and Social Services have the relevant authority delegated to them to enable them to carry out their duties for Clackmannanshire Council.
- 4.7 A similar report is being presented to Stirling Council on 30 June which will ensure that the postholders will have the relevant authority delegated to them to enable them to carry out their duties for Stirling Council

## **5.0 Sustainability Implications - N/A**

## **6.0 Resource Implications**

*Financial & Staffing Details* - none directly from this report

## 7.0 Exempt Reports

6.1 Is this report exempt? No

## 8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please tick ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

## 9.0 Equalities Impact

9.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? NO

## 10.0 Legality

10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. YES

## 11.0 Appendices

None


## 12.0 Background Papers

12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

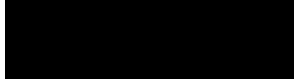
Yes ☒ (please list the documents below) No ☐

Revised draft Standing Orders

**Author(s)**

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Head of Strategy & Customer Services	

**Approved by**

NAME	DESIGNATION	SIGNATURE
Angela Leitch	Chief Executive	



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**Report to: Council**

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**Date: 2 June 2011**

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**Subject: Clackmannanshire Assurance & Improvement Plan**

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**Report by: Director of Finance and Corporate Services**

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## **1.0 Purpose**

- 1.1 Following consideration of the Assurance and Improvement by the Scrutiny Committee on 19 May 2011, the purpose of this report is to request that Council notes and makes comment on the findings and planned activity following review of the *Shared Risk Assessment: Improvement & Assurance Plan 2011-14* for Clackmannanshire Council .

## **2.0 Background**

- 2.1 The Assurance and Improvement Plan (AIP) is the product of a collaborative approach adopted by the various scrutiny bodies operating in the Council; it sets out the planned scrutiny activity for the organisation to March 2014. The AIP is attached at Appendix A.
- 2.2 All 32 Council AIPs will be consolidated within a single National Scrutiny Plan. This was agreed by the Strategic Scrutiny Group, chaired by the Accounts Commission, on the 5 May and was endorsed by the Accounts Commission at its meeting on 19 May.
- 2.3 Following consideration of the Assurance and Improvement by the Scrutiny Committee, the document will be considered by Council at its 2 June meeting.

## **3.0 Recommendations**

- 3.1 It is recommended that the Council:
- a) notes the Shared Risk Assessment: Improvement & Assurance Plan 2011-14 for Clackmannanshire
  - b) notes the summary findings and summary of planned scrutiny activity to March 2014

## **4.0 Sustainability Implications**

NA

## 5.0 Resource Implications

*Financial Details* N/A

*Staffing* N/A

## 6.0 Declarations

6.1 The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses ☐

Our communities are more cohesive and inclusive ☐

People are better skilled, trained and ready for learning and employment ☐

Our communities are safer ☐

Vulnerable people and families are supported ☐

Substance misuse and its effects are reduced ☐

Health is improving and health inequalities are reducing ☐

The environment is protected and enhanced for all ☐

The Council is effective, efficient and recognised for excellence ☒

(2) **Council Policies** (Please detail) N/A

## 7.0 Equalities Impact

7.1 N/A

## 8.0 Legality

8.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒


## 9.0 Appendices

9.1 1 - Shared Risk Assessment: Improvement & Assurance Plan 2010-13, Clackmannanshire Council

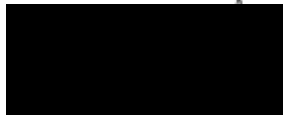
## 10.0 Background Papers

Clackmannanshire Assurance & Improvement Plan reported to Council 12th August 2010

**Author(s)**

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Head of Strategy & Customer Services	

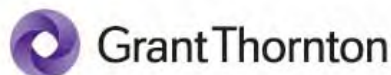
**Approved by**

NAME	DESIGNATION	SIGNATURE
Angela Leitch	Chief Executive	



# Shared risk assessment: Assurance and improvement plan 2011–14

Clackmannanshire council





# Clackmannanshire Council scrutiny Plan Update

## Introduction

1. The first Assurance and Improvement Plan (AIP) for Clackmannanshire Council was published in July 2010. That document set out the planned scrutiny activity for the council for the period April 2010 to March 2013 based on a shared risk assessment undertaken by a local area network (LAN) made up of representatives of all of the main local government audit and inspection agencies.
2. The aim of the shared risk assessment process was to focus scrutiny activity where it is most needed and to determine the most proportionate scrutiny response over a three year period. The AIP gave an overview of the information that informed the risk assessment and showed how this links to the proposed scrutiny response.
3. The local area network met in November 2010 to update the AIP for the period 2011-14. The update process drew on evidence from a number of sources, including:
  - The annual report to the Controller of Audit and elected members for 2009/10 from the council's appointed external auditors (Grant Thornton).
  - The council's own performance data and self-evaluation evidence.
  - Evidence gathered from HMIE, SWIA, SHR and the Care Commission (including published inspection reports and other supporting evidence).
4. The outcomes of that exercise are contained in this short report which summarises changes to risk assessments and proposed scrutiny responses. Appendix 1 to this report sets out a timetable for proposed audit and inspection activity between April 2011 and March 2014 which reflects the revised and updated scrutiny risk assessment.

## Overall scrutiny risk assessment

5. There are no significant concerns about Clackmannanshire council's overall performance; the council has a number of areas of strong performance. Leadership is strong and clear about the council's vision and direction and a range of improvement activities are in train, designed to strengthen management capacity, improve governance and secure better use of resources. As a result of this risk assessment limited scrutiny activity is planned in years 1 and 2 of the AIP focusing on specific targeted areas of risk (e.g. aspects of education and social work performance) and locally directed work to assess the impact of the council's Transformation Programme. No additional work has been identified for year three of the AIP (2013-14).
6. Clackmannanshire, like all other Scottish councils, faces an acute financial challenge, but it continues to respond well to this with shared member and officer commitment to an agreed programme of change,

based on consultation with partners and the public. The Clackmannanshire Improvement Model continues to drive service performance based on outcomes, and is helping to apply a consistent approach to demonstrating competitiveness within services. Equality impact assessments are a key element of the council's approach to option appraisal, and in determining the impact of budget decisions both across interest groups and geographically. A number of key improvements have also been made in relation to financial scrutiny and budget challenge. Agreement has been reached on the overall approach to the governance and accountability of the shared services agenda which Clackmannanshire Council is taking forward with Stirling Council. Both councils will be working together to minimise any operational risks arising from these significant organisational changes as they are implemented.

## National risk priorities

7. A number of core national risk priorities will be applied to all 32 councils. These are:

- **The protection and welfare of vulnerable people (children and adults) including access to opportunities:** the council's innovative approach to developing a shared approach to the strategic management of its education and social work services with Stirling Council presents the opportunity to strengthen capacity and improve services to these vulnerable client groups (children and adults) and in the universal education service provided to all young people. The process of managing change carries with it important risks that the councils are aware of and are managing jointly. The LAN will maintain an overview of this area during 2011/12.
- **Assuring public money is being used properly:** assuring public money is being used properly is a key strand of the council's approach to excellence. The council has been making improvements in corporate capacity and performance to support more effective use of resources across all council departments. This has included restructuring the management team to create a governance team, and improving financial scrutiny, including strengthening the corporate challenge as part of the 2011/12 budget setting process. Further work is planned to develop a governance strategy and prepare a local code of good governance. Grant Thornton, the council's appointed auditors will continue to assess progress in this area as part of the annual audit process.
- **How councils are responding to the challenging financial environment:** all councils are continuing to face financial challenges in the current economic climate. Clackmannanshire Council has set a prudent financial savings target of £18 million over the next three years. Achievement of this savings target will require careful prioritisation of services, and potentially radically new approaches to existing levels of service provision, but should allow the council to protect key services whilst responding effectively to projected cuts in funding. It is acknowledged that the financial climate may impact on the council's ability to deliver its outcome targets and maintain service performance into the future. The extent of this is currently uncertain, although the councils Budget Strategy Group is developing contingency plans to mitigate the risk that identified savings are not fully realised. Grant Thornton will continue to assess progress as part of the annual audit process and this area will be kept under review by LAN members.



8. The LAN is committed to maintaining its engagement with the council between now and the next SRA/AIP refresh so that we can retain an overview of how the council is managing its response to the significant financial challenges that it and all other Scottish public bodies face. The LAN therefore plans to meet with the council's management team during the late summer/early autumn to discuss progress in this area prior to the start of the 2012 SRA/AIP refresh process. As part of that meeting the LAN will consider how best to approach the planned scrutiny activity in 2012-13 which will be focusing on the impact and effectiveness of the council's Transformation Programme. This work will assess the extent to which the council, working with its partners, is delivering the planned improvements in efficiency and cost reduction and securing better outcomes for citizens and service users.

### Risk assessment changes

9. The SRA process for 2011/12 has involved revisiting the Assurance and Improvement Plan for 2010/11 updating the risk assessment and proposed scrutiny plans taking account of any new evidence. Areas where risk assessments have changed as a result of updated evidence are detailed below.
10. **People are better skilled, trained and ready for learning and employment:** in 2010 this was identified by the LAN as an area of no significant concern. For this year it has been rated as an area of uncertainty as educational attainment at S4 to S6 remains below both comparator authorities and the national average and there is a higher proportion of residents with no qualifications in the local authority area. The council recognises the need to improve performance in this area. One aspect of securing these improvements is the planned joint management of Social Work services and Education services with Stirling Council. This arrangement provides opportunities for both councils to jointly improve leadership and performance in two key service areas. A joint Head of Service for each of the two services will be formally appointed, both of whom will report direct to the Chief Executives of Clackmannanshire and Stirling Councils. Both councils will retain control over policy and service levels for their areas.
11. A steering group comprising of the two council leaders, two depute leaders and the two main opposition leaders has been established to oversee implementation of this decision following further discussion with staff and the trade unions. There is also a project board of officers from Clackmannanshire and Stirling (including both Chief Executives) managing the change process within both councils. The Head of Joint Social Services will also be meeting routinely with the chief social work officer within Clackmannanshire Council to ensure smooth implementation of the operational aspects of the new arrangements. However, it will take time for the impact of these organisational changes to cascade down into improved organisational performance. Hence the risk assessment of area of uncertainty. No specific scrutiny work is planned in this area at this time but SWIA and HMIE will maintain a watching brief on the impact of these changes and will be discussing appropriate scrutiny responses as part of their engagement with the council over the spring period.
12. **Vulnerable people and families are supported:** this has been moved from no significant concern to an area of uncertainty.. Whilst the planned joint management of social work services with Stirling Council should improve capacity and performance in this area, as with 'People are better skilled, trained and ready

for learning and employment' it will take time for the impact of these organisational changes to cascade down into improved organisational performance.. No specific scrutiny work is planned in this area at this time but SWIA will consider the impact of these changes and any appropriate scrutiny responses as part of their engagement with the council once their initial scrutiny level assessment (ISLA) work is concluded. Hence the risk assessment of area of uncertainty

13. **Financial management:** this was an area of significant concern last year. During 2010, Grant Thornton reviewed the council's response to an identified £9 million budget deficit. They found that the council had made significant improvements in financial management arrangements, including the approval of a medium term finance strategy, development of a business plan, and delivery of a balanced budget for 2010/11. The appointment of a new Director of Finance and Corporate Services has led to further improvements including increased financial capacity and greater financial scrutiny and challenge. The Council's Scrutiny Committee is currently undertaking a review of its own effectiveness, which will inform the development of a local code of governance, and assurance framework.
14. The council has also worked with partners and the public to identify and agree short and long term priorities to help inform resource decisions. The council has good arrangements in place for monitoring and realising savings, led by the Budget Strategy Project Board. On the basis of this evidence the LAN has therefore assessed this area as of no significant concern in 2011.

15.

**Managing people:** this was assessed by the LAN as area of significant concern last year. As part of this year's refresh process the LAN recognised the need to differentiate its risk assessment to reflect the differing levels of risk between strategic and operational people management. In terms of strategic people management, the LAN has assessed this as an area of lower risk than in 2010/11 as the council has finalised issues related to Single Status and Equal Pay and the Chief Executive and new Director of Finance and Corporate Service are driving strategic change and working collaboratively with Stirling Council to consider how further capacity in people management arrangements can be made secured. t, However, the impact on staff of the council's change and service redesign agenda remains unclear at this stage and operational people management is therefore rated as an area of uncertainty. Grant Thornton will continue to assess progress as part of the annual audit process and this area will be kept under review by LAN members.

## Scrutiny plan changes

16. A number of changes to the scrutiny plans for 2011/12 are proposed in response to the organisational changes that are taking place within the council.
17. Following a positive CP2 inspection, the link inspector to the Child Protection Committee will support improvement through ongoing engagement with partners, and support for self-evaluation activity.

18. HMIE are reviewing their planned scrutiny work for 2011/12 in light of the major organisational changes that are taking place within the council's education service and that of Stirling council. Discussions with the council on appropriate scrutiny activity, in terms of scope and timing, will take place over the spring period.
19. Details of planned scrutiny work are detailed in Appendix 1. The focus of the AIP and this Appendix is on strategic scrutiny activity, that is scrutiny activity which is focused at corporate or whole service level, but there will also be baseline scrutiny activity at unit level (e.g. schools and care homes) ongoing throughout the period of the AIP. Scrutiny bodies also reserve the right to make unannounced scrutiny visits. These will generally be made in relation to care services for vulnerable client groups.
20. National thematic scrutiny activity, such as ministerially-directed inspections (e.g. prison-based social work) and national performance audit studies undertaken by Audit Scotland on behalf of the Accounts Commission and Auditor General for Scotland, will also be taking place alongside the strategic scrutiny activity set out in the AIP. The LAN lead will liaise with the council where this work is likely to impact on Clackmannanshire council.

### Review of 2010/11 planned activity

21. The 2010/11 scrutiny plan was substantively completed in accordance with the timetable reported.
22. Social Work Inspection Agency (SWIA) inspected prison based social work services in April/May 2010. This was a positive report with the prison based social work service at HMP Glenochil making a positive contribution, particularly to risk assessment and ICM processes. The service was valued by other staff working in the prison. Management of the team was strong, and the work of team members was well supervised and supported.
23. Less positively there had been difficulties in retaining staff and delays in recruiting staff. Clackmannanshire Council's senior managers had not sustained the necessary on-going working relationships with Scottish Prison Service senior managers to regularly monitor, review and where necessary update the service contract. Prison based social work team members were not well integrated with Clackmannanshire's other criminal justice services, wider council social work services and the Forth Valley Criminal Justice Partnership. SWIA identified nine areas for improvement.
24. SWIA began the process of completing their initial scrutiny level assessment (ISLA) on Clackmannanshire Council in 2010. This initially involved reading approximately 100 files during September 2010. SWIA will now commence the analysis of approximately 200 sources of evidence which Clackmannanshire is due to submit to SWIA by mid February 2011. Once the ISLA process has concluded an appropriate level and range of social work scrutiny activity will be discussed and agreed with the council.
25. Scottish Housing Regulator (SHR) completed its appraisal of the council's comprehensive self assessment of its housing service during 2010. This work, together with surveys of the Council's

Registered Tenant Organisations, provided evidence of improved performance and outcomes for service users and confirmed that the Housing service has maintained its recent good progress. SHR is of the view that there are no significant risks evident and as a result, propose no specific scrutiny over the coming year.

26. The Care Commission carried out inspections of all 29 registered services in Clackmannanshire including Fostering and Adoption in accordance with the services regulatory support assessments. All are generally performing well and Care Commission has no significant or urgent concerns.
27. Grant Thornton's work on competitiveness in 2010 included an audit of the council's contract tendering and award arrangements. This review concluded that the council has adequate policies and procedures in place and generally follows those procedures in evaluating and awarding contracts. One example was identified where proper procedures had not been followed in the award of a small value service contract. The council has taken full robust action in relation to this matter and this is therefore no longer highlighted as an area of significant risk. Grant Thornton noted that STO arrangements have not been subject to review for some time. It was therefore recommended that the council should review STO arrangements to ensure that performance is measured on outcomes, in line with other council services. This will be reviewed in 2011 as part of Grant Thornton's annual audit work.
28. The Auditors also found that the council is developing a consistent approach to the use of option appraisal, including an equality impact assessment, within the Clackmannanshire Improvement Model. Following assessment using the PSIF framework, services are required to develop an action plan to ensure continuous improvement. Alternative Service Delivery Groups have been established to allow elected members to work with officers during option appraisals. It is currently too early to assess the success or impact of options appraisals as few services have undertaken full assessment to date. Grant Thornton will monitor progress here as part of the annual audit process to ensure the council can demonstrate competitiveness in its activities.

## APPENDIX 1

### \* Footnotes

CLACKMANNANSHIRE COUNCIL SCRUTINY PLAN		2011-12											
Scrutiny activity year 1	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
HMIE are reviewing their planned scrutiny work for 2011/12 in light of the major organisational changes that are taking place within the council's education service and that of Stirling Council. Discussions with the council on appropriate scrutiny activity, in terms of scope and timing, will take place over the spring period.		HMIE engagement and scrutiny planning with council (tbc)											
SWIA* began their initial scrutiny level assessment (ISLA) in 2010. This initially involved reading approximately 100 files during September 2010. Once the ISLA process has concluded an appropriate level and range of social work scrutiny activity will be discussed and agreed with the council.			(tbc)										
	2012-13												
Scrutiny activity year 2	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
Targeted work to assess the impact of the Transformation Programme in embedding performance management throughout the council and securing improved services and better outcomes for local people (Audit Scotland and external auditors)					Dates tbc								
The council will receive a Housing Benefit audit during 2012-13 as part of the Accounts Commission's Benefit Fraud Inspection work on behalf of the Department for Work and Pensions (DWP). The precise date of the work has yet to be determined.													
	2013-14												
Indicative scrutiny activity for rolling third year	Potential scrutiny bodies involved												
No additional work identified													

- The focus of the AIP is strategic scrutiny activity, that is scrutiny activity which is focused at corporate or whole service level, but there will also be baseline scrutiny activity at unit level on-going throughout the period of the AIP. This will include, for example, school and residential home inspections. Scrutiny bodies also reserve the right to

make unannounced scrutiny visits. These will generally be made in relation to care services for vulnerable client groups. The annual audit of local government also comprises part of the baseline activity for all councils and this includes work necessary to complete the audit of housing benefit and council tax benefit arrangements. HMIE, through the District Inspector, will continue to support and challenge Education Services regularly and as appropriate.

- \*The new body, Social Care and Social Work Improvement Scotland (SCSWIS), will be in place from April 1st 2011 and will regulate care services and inspect social work services based on the Public Services Reform (Scotland) Act 2010.
- HMIE and Learning and Teaching Scotland are to form a new quality and improvement agency on 1 July 2011.
- The Accounts Commission has decided to undertake Best Value audits of Fire & Rescue Services and Authorities during 2011. Planning is currently taking place and Audit Scotland will contact LAN leads when the detail of the fieldwork is established.
- Audit Scotland also undertakes a series of national performance audit studies. Field visits to individual local authorities often form part of this work. When a visit is planned to a council this will be communicated to the council through the LAN lead.
- In April 2008, the Accounts Commission agreed to a request from the Department for Work and Pensions (DWP) to take over the Benefit Fraud Inspectorate's responsibility for inspecting housing and council tax benefit (benefits) services in Scotland. As Audit Scotland has no inspection function, this 'benefits performance audit' work has been incorporated into the annual audit of local government. The timing of the audits will be confirmed through the LAN lead.

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**Report to Council**

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**Date of Meeting:** 2nd June 2011

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**Subject:** Cornton Vale Prison Visiting Committee

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**Report by:** Head of Strategy & Customer Services

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**1.0 Purpose**

- 1.1. The purpose of this report is to seek Council approval of a nomination to fill a vacancy on Cornton Vale Prison Visiting Committee

**2.0 Recommendations**

- 2.1. It is recommended that the Council notes the contents of this report and approves the nomination of Mrs Jennifer McIntyre to serve on Cornton Vale Prison Visiting Committee.

**3.0 Considerations**

- 3.1 Council has a statutory responsibility to appoint two people to serve on Cornton Vale Prison Visiting Committee.
- 3.2 One of the Council's two representatives has tendered her resignation leaving one vacancy on the Visiting Committee.
- 3.3 Mrs McIntyre, a local resident, had previously indicated her interest in becoming a member of Cornton Vale Prison Visiting Committee.
- 3.4 In line with the Association of Visiting Committees for Scottish Penal Establishments recommendations, Mrs McIntyre has attended an interview with the Committee Chairperson, she has met the appropriate selection criteria and is deemed to have the relevant experience and skills to be a suitable nomination to fill the vacancy on the Committee.
- 3.5 The required Disclosure Scotland check has been completed for Mrs McIntyre.

**4.0 Sustainability Implications**

- 4.1 None

## 5.0 Resource Implications

5.1 Financial Details - no specific implications for spend

## 6.0 Exempt Reports

6.1 Is this report exempt? No

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please tick ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input checked="" type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input checked="" type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

## 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

## 9.0 Legality

9.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

None

## 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

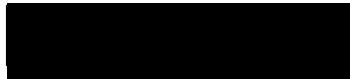
Yes ☐ (please list the documents below) No ☒



**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Eileen McKinsley	Business Support Officer	01259 452011

**Approved by**

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Head of Strategy and Customer Services	

**Approved by**

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Finance and Corporate Services Director	



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**Report to Council**

---

**Date of Meeting:** 2nd June 2011

---

**Subject:** Glenochil Prison Visiting Committee

---

**Report by:** Head of Strategy & Customer Services

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**1.0 Purpose**

- 1.1. The purpose of this report is to seek Council approval of nominations to fill two vacancies on Glenochil Prison Visiting Committee

**2.0 Recommendations**

- 2.1. It is recommended that the Council notes the contents of this report and approves the nomination of Ms Pat Havlin-Gibson and Mr Robin Dale to serve on Glenochil Prison Visiting Committee.

**3.0 Considerations**

- 3.1 Council has a statutory responsibility to appoint five people to serve on Glenochil Prison Visiting Committee.
- 3.2 Two of the Council's representatives have tendered their resignations leaving two vacancies on the Visiting Committee.
- 3.3 Ms Havlin-Gibson and Mr Dale, both local residents, had previously indicated their interest in becoming members of Glenochil Prison Visiting Committee.
- 3.4 In line with the Association of Visiting Committees for Scottish Penal Establishments recommendations Ms Havlin-Gibson and Mr Dale have attended an interview with the Committee Chairperson, they have met the appropriate selection criteria and are deemed to have the relevant experience and skills to be a suitable nomination to fill the vacancies on the Committee.
- 3.5 The required Disclosure Scotland checks have been completed for Ms Havlin-Gibson and Mr Dale

**4.0 Sustainability Implications**

- 4.1 None

## 5.0 Resource Implications

5.1 Financial Details - no specific implications for spend

## 6.0 Exempt Reports

6.1 Is this report exempt? No

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

### (1) Our Priorities 2008 - 2011 (Please tick ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input checked="" type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input checked="" type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

### (2) Council Policies (Please detail)

## 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☒

## 9.0 Legality

9.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

None

## 11.0 Background Papers


11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Eileen McKinsley	Business Support Officer	01259 452011

### Approved by

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Head of Strategy and Customer Services	

### Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Finance and Corporate Services Director	



**CLACKMANNANSHIRE COUNCIL**

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**Report to Clackmannanshire Council**

---

**Date of Meeting: 2 June 2011**

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**Subject: Proposed Land Excambion and Sale of Agricultural Land at Ditch Farm, Tullibody to Secure Allotments at Keilarsbrae, Sauchie.**

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**Report by: Head of Facilities Management**

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**1.0 Purpose**

- 1.1. This report seeks approval to a land excambion and sale of Council owned farmland at Ditch Farm in exchange for allotment land at Keilarsbrae. The Keilarsbrae site is adjacent to a further area of allotment land owned by Clackmannanshire Council.
- 1.2. Subject to approval of the excambion additional approval is also requested to formalise a lease of this larger combined allotments site to Sauchie Allotments Association.
- 1.3. It is intended that this will bring to a conclusion protracted discussions and negotiations whereby the Council wishes to obtain legal title to the land unifying the Sauchie Allotments ownership.

**2.0 Recommendations**

- 2.1. The Council is requested to approve the following related recommendations:
  - a) declaration of 23.8 acres of land at Ditch Farm (as indicated in Appendix II) surplus to requirements;
  - b) an excambion arrangement whereby 15 acres of this same Council owned land at Ditch Farm will be exchanged with the landowner for 1.96 acres of land at Keilarsbrae, Sauchie (as indicated in Appendix III); and
  - c) the sale to the same landowner of the balance of 8.8 acres of Ditch Farm land for the sum of £16,800.
- 2.2. The Council is further asked to agree to a subsequent grant of a long term lease of the entire allotment site to Sauchie Allotment Association subject to satisfactory completion of the excambion and land sale as indicated in paragraphs 2.1 above. The lease will be subject to terms and conditions to be agreed by Director Services to Communities in consultation with Legal Services.

### **3.0 Considerations**

#### **Background**

- 3.1. The initiative to provide allotments within Sauchie for use by members of Sauchie Allotment Association originates with the relocation of the Association from Sunnyside in 1994. This took place at the behest of Clackmannanshire District Council in support of the Sunnyside Cemetery extension. Since that time it has not been possible to secure full ownership and title of the complete allotments site to enable the council to grant a formal lease to the association and provide them with security of tenure.
- 3.2. The complete site previously comprised separate titles held by two distinct parties. The purchase of one of these titles was concluded by the Council in 1995.
- 3.3. This lack of a formal lease has placed the Association at a disadvantage as without any formal right to occupy the allotment land it cannot submit applications for funding support nor undertake improvements. It also occupies the land under theoretical threat of eviction by the landowner.
- 3.4. The Council (nor the landowner) have not charged rent to the Association since they took occupancy of the site due to the sale being "pending". A lease was drafted in 1996 but not signed due to the land ownership remaining unresolved.
- 3.5. Previous solutions considered by the Council in its attempts to remedy the situation have included outright purchase ( approved by Clackmannanshire Council in December 2004 ); alternative land exchanges (approved by Clackmannanshire Council on October 2003 ) and Compulsory Purchase. Whilst the matter remains unresolved, it has however always been the intention of the Council to reach an amicable settlement and as such CPO powers have never been pursued.

#### **Policy**

- 3.6. Clackmannanshire does not have a specific policy to provide land for allotments. There has however, been a long term tradition of allotment provision in Scotland by local authorities. Since 1892 local authorities have been required to consider whether there is a proven need to provide allotments and if satisfied that such a need exists to acquire or lease land for that purpose. Specific compulsory purchase powers are set out in the legislation if land cannot be acquired by agreement.
- 3.7. The Keilarsbrae allotments will be one of two Council owned allotments sites. The other is Chapelle Crescent Tillicoultry which is leased to Tillicoultry Allotment Association. Both Tillicoultry and Sauchie Allotment associations indicate that there is a waiting list for new members.



## **Proposal**

- 3.8 The detail of this proposal has been agreed in principle directly with the landowner in question subject to conclusion of missives and the overriding proviso that all associated land transfer activity completes comprehensively and simultaneously.
- 3.9 The 23.8 acres of land at Ditch Farm ( as indicated in Appendix II ) must be declared surplus to requirements to allow the exchange to progress.
- 3.10 The proposal is that an area of Council owned land at Ditch Farm extending to 15 acres (as indicated in Appendix II ) be exchanged for the required 1.96 acres of "allotment land " at Keilarsbrae ( as indicated in Appendix III ). This is on the basis that both pieces of land are of equal value (as indicated in Appendix 1).
- 3.11 The proposal also includes an extra area of land at ditch farm extending to 8.8 acres (as indicated in Appendix II). The landowner has included this as part of the negotiation terms, this to be added to the transaction. This will be the subject of a linked and related sale.
- 3.12 A report by the District Valuer of 7 April 2011 provides a valuation of these respective areas of land and advises that some 15 acres of farmland at Ditch Farm would form the basis for an equitable exchange of 1.96 acres at Keilarsbrae.
- 3.13 The value attributable to the additional 8.8 acres to be included in the transaction is £30,800. However, the landowner considers that the value of the rent due since 1996 for occupancy by the Association of 1.96 acres at Keillarsbrae equates to £14,000 (or 4 acres at Ditch Farm). This valuation cannot be supported by allotment use, the Association cannot meet these terms and the landowner considers the Council should reimburse his claim. Thus the net payment for the 8.8 acres is proposed at £16,800. These are the best terms of the landowner.
- 3.14 Keilarsbrae is presently identified in the adopted Clackmannanshire Local Plan as recreational space. The farmland at Ditch Farm is designated as Greenbelt on the Countryside Map in the local plan and currently remains in agricultural use. The District Valuer's assessment reflects the landowner's assertion of development potential at Keilarsbrae and thus the valuation takes account of this longer term possibility. It does not equate to normal allotment or agricultural land value.

## **By Pass Land Agreement**

- 3.15 The construction of the Tullibody pass in 2004 called for the acquisition of an area of 6.3 acres of farmland to complete the Eastern section of the link road. This land was secured by means of an agreement with the landowner and missives concluded whereby compensation would be achieved by means of a land transfer of a corresponding 6.3 acres of Ditch Farm. (as indicated in Appendix 11 and iv).
- 3.16 Missives were concluded and the land was agreed to be transferred over within a period of five years otherwise the landowner would have the power to

exercise his right to resile and seek financial compensation. This agreement is still active and the date of the land transfer has been scheduled to coincide with the other elements of this transaction.

### **Existing Ditch Farm Tenancy**

- 3.17 The entire Ditch Farm agricultural land extending to 163 acres is presently leased to an adjoining farm operator under a Short Limited Duration Tenancy.
- 3.18 Should the recommendations in this report be accepted then an area of land equating to a total of 30.1 acres consisting of the Excambion Land plus By Pass Land plus Additional Requested Land will be resumed .
- 3.19. This will leave a balance of 132.9 acres which will remain available to the farm operator.

### **Lease Terms and Conditions**

- 3.20. Following full title to the land being obtained by the Council then Sauchie Allotment Association will be offered a long term lease of the complete site.
- 3.21. The lease terms and conditions will be sufficient to enable them to submit an application for external funding and enable works of improvement to be undertaken. The lease term will be for a period of not less than 25 years. This timespan will enable the association to fully benefit from the improvements and enjoy uninterrupted rights of occupancy.

## **4.0 Conclusion**

- 4.1. The total transfer of Council owned agricultural land at Ditch Farm to the allotment landowner will amount to some 30.1 acres. This comprises :
- 6.3 acres land transferred to secure bypass land from 2004
  - 8.8 acres additional land requested by landowner
  - 15 acres exchanged to obtain allotment land
- 4.2. The landowner has stipulated that only if all parts of the agreement are effected simultaneously will the allotment land at Keilarsbrae be transferred.

## **5.0 Sustainability Implications**

- 5.1. Both the Keilarsbrae and Ditch farm sites are under cultivation and will remain so for the foreseeable future. The land exchange proposal does not involve any loss of either agricultural or leisure space.

## **6.0 Resource Implications**

- 6.1. *Financial Details*

6.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☒

6.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

#### 6.4 *Staffing*

6.5 The proposed course of action will require the involvement of both Estates Staff and members of Legal services.

### 7.0 Exempt Reports

7.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

### 8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input checked="" type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input checked="" type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

As detailed in the approved the Property Asset Management Plan 2010-2015.

### 9.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes ☐ No ☒

## 10.0 Legality

- 10.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 11.0 Appendices

- 11.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix I - Table of property transaction information.

Appendix II - Ditch Farm Plan.

Appendix III - Sauchie Allotments Plan.

Appendix IV - Proposed Exchange - Related Previous Property Transaction

## 12.0 Background Papers

- 12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☒ (please list the documents below) No ☐

District Valuers Valuation of land forming part of Allotments, Keilarsbrae, Sauchie and at Ditch Farm Tullibody.

January 2011 Local Development Plan. Main Issues Report.

January 2011 Local Development Plan. Open Space Framework.

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
George Adamson	Estates FM Team Leader	452647

### Approved by

NAME	DESIGNATION	SIGNATURE
Stephen Crawford	Head of Facilities Management	
Garry Dallas	Director Services to Communities	

## Appendix I

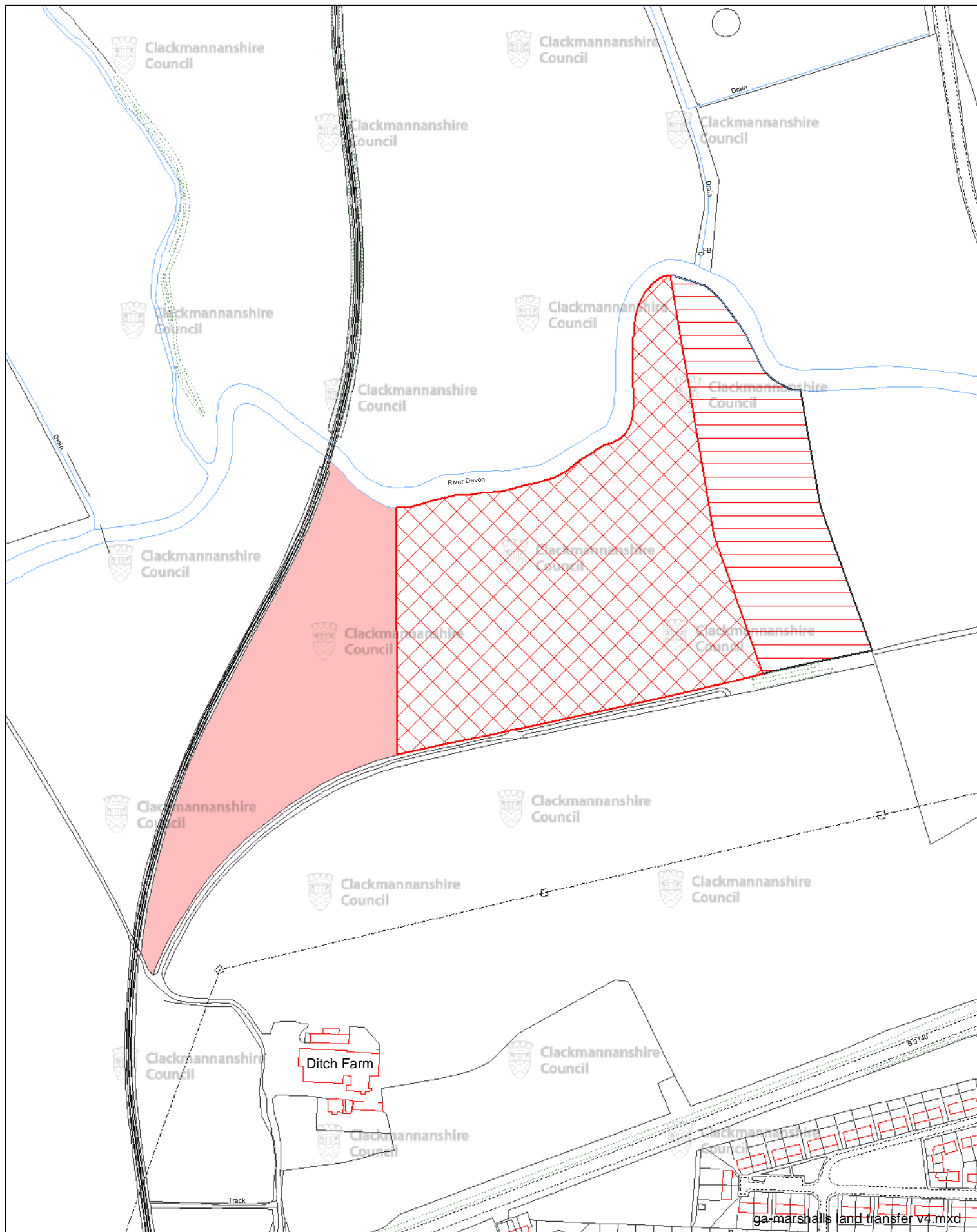
### Proposed Land Excambion and Sale of Agricultural Land. Ditch Farm / Keilarsbrae

#### Property Transaction Information.

The following figures represent a summary of the respective values attributed to the land by the District Valuer.

Property	Area ( Acres)	Value
Ditch Farm	15	50,000
Keilarsbrae Sauchie	1.96	50,000
Ditch Farm	8.8	£30,800





0 90 180 270 Metres




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Date : May 2011

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## Appendix 2 Land at Ditch Farm Tullibody.

-  = Area of proposed excambion (15 acres)
-  = Area for Bypass Land Agreement (6.3 acres)
-  = Area requested for sale (8.8 acres)

 **Clackmannanshire Council**  
[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

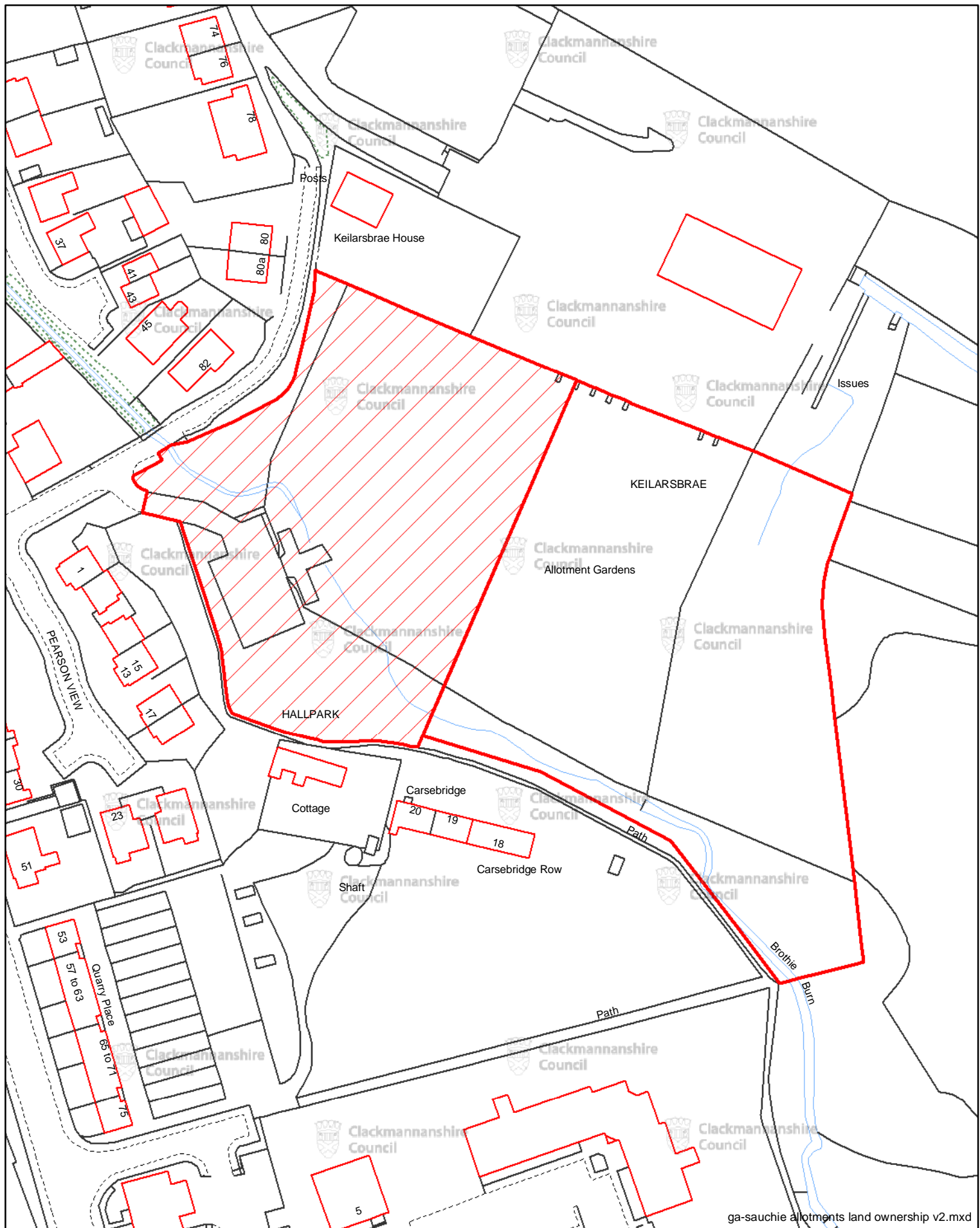
Services to Communities  
Kilncraigs  
Greenside Street  
Alloa  
FK10 1EB

Tel: 01259 450 000  
Fax: 01259 727 452

ga-marshalls land transfer v4.mxd







ga-sauchie allotments land ownership v2.mxd

0 25 50 75 Metres



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Date : Apr 2011

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### Appendix 3 Land at Sauchie Allotments.

-  = Area of Proposed Excambion (1.96 acres)
-  = Area Owned by Clackmannanshire Council



**Clackmannanshire Council**  
[www.clacksweb.org.uk](http://www.clacksweb.org.uk)

Services to Communities  
Kilncraigs  
Greenside Street  
Alloa  
FK10 1EB

Tel: 01259 450 000  
Fax: 01259 727 452



## Appendix 4 - Proposed Exchange Ditch Farm land and Keilarsbrae allotments

### Related Previous Property Transaction

#### Background

When the Council acquired land at Tullibody for the by-pass road in 2004 from Marshall Farms the registered concluded missives imposed legally binding contractual obligations which have never been finally implemented. The agreed value of the land was £24,000.00. The date of entry to the by-pass land was 22 September 2004. The price to be paid not in cash but by the transfer of an identified area of land measuring 2.5463ha at Ditch Farm. The Ditch Farm land has not yet been transferred to Marshall Farms. The relevant missives clauses provide:-

"5..... In the event that (i) the sale of the Ditch Farm Subjects has not completed within five years of the Date of Entry in terms of the Missives and (ii) the Sellers have in such circumstances exercised their right to resile from the Ditch Farm Missives, the Purchasers (the Council) shall be bound to pay to the Sellers (Marshall Farms) as the price for the subjects the sum of £24,000 **with interest thereon from the Date of Entry at the statutory rate until payment, less the amount paid by the Purchasers to the Sellers in terms of Condition 7 of this Offer.**"

"7. The Purchasers (the Council) will make **annual rental payments** to the Sellers (Marshall Farms) for the period from the Date of Entry in terms of the Missives to the date of settlement of the Ditch Farm Missives, or (in the event of the Sellers exercising the right to resile from the Ditch Farm Missives in terms of Condition 2 of the said Missives) to the date of payment of the sum of £24,000 with interest all as referred to in Condition 5 hereof and that **at the rate of £629 per annum** (being one hundred pounds £100 sterling per acre for the acreage of the Subjects) said payments to be made annually as aforesaid commencing as at the Date of Entry in respect of the Missives for the period from that date to the first anniversary of the Date of Entry and annually thereafter with a proportionate payment being due in respect of any period from the anniversary of the date of Entry of less than a year."

#### Current Position

The five year period referred to in the missives expired on 22 September 2009 but Marshall Farms have not formally sought to resile from the missives. The land at Ditch Farm has still not been transferred over to Marshall Farms. It would be appropriate for the transfer to be completed along with the present proposed transfer of further Ditch Farm land in exchange for the Keilarsbrae allotment land.

The Council's legal liability to Marshall Farms under the concluded missives will be met by the transfer of the identified area of land and payment of interest on the agreed notional value of £24,000 from 22 September 2004 to date under deduction of sums paid by way of annual rent. Interest at the varying statutory rate on £24,000 from 22 September 2004 until 31 May 2011 is £4,703.69. From this fall to be deducted rental payments totalling £3774 leaving a sum owing by the Council to Marshall Farms of £929.69.



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**Report to Council**

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**Date: 2nd June 2011**

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**Subject: The establishment of a nursery class of Park Primary School  
and the closure of Tower Nursery School**

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**Report by: Interim Head of Education**

---

**1.0 Purpose**

- 1.1 This report provides information which has been gathered in the course of the consultation about the future of Tower Nursery School.
- 1.2 Approval from the Council to consult with all interested parties was granted at the meeting of December 2010. The Council requested that the report on the consultation be brought back to Council no later than June 2011. The consultation exercise was carried out in accordance with the Schools (Consultation) (Scotland) Act 2010. Two options were the subject of consultation:

**Option 1**

The complete integration of Park Primary School and Tower Nursery School with the relocation of the Nursery School in the primary school building.

**Option 2**

The merger of the management of Park Primary School with Tower Nursery School with the retention of the purpose built nursery accommodation. This option was suggested by parents and the community during the informal consultation.

**2.0 Recommendations**

- 2.1 It is recommended that the Council notes the contents of the consultation report which reflects the preference of the consultees to merge the management of the two schools whilst retaining the separate, existing nursery accommodation.

- 2.2 It is recommended that the Council agrees to merge the management of Tower Nursery School with Park Primary School. The Tower Nursery building will be used as the nursery class accommodation. Tower Nursery will be redesignated as the nursery class of Park Primary School from August 2011.

### **3.0 Considerations**

- 3.1 At its meeting of 27 September 2007, the Council approved the recommendations of the independent commission set up to review of the provision of education 3 -12. One of the recommendations of the commission was to move to provide early years' education within the campus of primary schools wherever possible.
- 3.2 The Council has already approved the closure Clackmannan Nursery School and its re-establishment as the nursery class of the primary school. Since the formally closure of the nursery as a separate establishment, inspections conducted by both HMIE and the Care Commission report that the quality of early years' education provided in Clackmannan has been sustained and built upon. It is expected that the Clackmannan model could be replicated with the same results.
- 3.3 At its meeting in December 2009, the Council considered a report on Primary School Provision in Alloa West, and approved a recommendation that officers examine any other possibilities within the Council area for improving the organisation and delivery of teaching and learning through shared leadership of service components.
- 3.4 The recommendation of officers is to retain the Tower Nursery building to deliver early years' education. However, if the Tower Nursery building is to be retained, its redesignation as a nursery class constitutes a closure of the establishment as a school. The proposed closure of any school requires a formal consultation process to be carried out in line with the Schools (Consultation) (Scotland) Act 2010.
- 3.5 The full report of the consultation is attached to this report.
- 3.6 As part of the consultation process, the Education Service undertook the following activities:
- Consultation papers were distributed to a wide range of stakeholders and interested parties
  - The consultation period ran from 26th January 2011 to 16th March 2011 inclusive, a total of 31 school days
  - A notice to advise of the consultation arrangements was placed in the local press

- A dedicated Clackmannanshire Council web page was established for all information on the consultation and any updates and minutes of meetings
  - A public meeting was held on 24th February 2011
  - A Parent forum meeting was held on 1st March 2011
  - A joint meeting with staff from Park Primary School and Tower Nursery School was held on 15th March 2011
  - Pupils from Tower Nursery School and Park Primary School were involved in the consultation process
- 3.7 The appendices to the report of the consultation provide details of the views expressed during the consultation.
- 3.8 A total of 60 responses to the proposal were received.
- 3.9 The education provided at Tower Nursery School is highly valued by the parents/carers. A number of respondents selected the option to merge the management of the schools (option 2) but stated that they would prefer things to continue as they are with a separate headteachers.
- 3.10 A report of the inspection of the consultation carried out by HMIE is also appended to the consultation report. The main messages contained in the HMIE report are that:
- a sound case has been made for the proposal to merge Tower Nursery School with Park Primary School.
  - the proposal is likely to lead to educational benefit, particularly for children in the nursery class.
  - there is the potential for the children to benefit from a more continuous and consistent range of curricular opportunities and there is also the potential for an increased level of joint staff development, shared understanding about Curriculum for Excellence and broader whole school improvement.
  - the Council should make sure that arrangements for the staffing and management of the nursery class are set out more clearly and that improvements to the perimeter of the new campus are carried out.
- 3.12 As well as raising concerns about staffing levels and the perimeter fencing, respondents' issues about the additional workload of the headteacher and the name of the nursery were raised.
- 3.13 The staffing levels of the nursery class will remain consistent with those in all other nursery classes in the authority. Statutory ratios have to be maintained. As a result, the authority is confident that the quality of service currently provided will be maintained.

- 3.14 The perimeter fencing round the school and the nursery will be reviewed to ensure that the safest access arrangements can be provided. If the report is approved, work on the secure access and the perimeter fence will be carried out as quickly as possible thereafter.
- 3.15 Currently, there are 11 primary school headteachers who manage nursery classes as part of their remit. The staffing formula for schools with nursery classes takes the additional management needs into account. The staffing formula for schools with nursery classes would be applied to Park Primary if the report is approved.
- 3.16 As it does at present, the service will endeavour to make sure that parents understand that all nursery classes attached to primary schools provide early years education for pupils who might choose to enrol at another primary school. If the formation of the nursery class goes ahead, 4 of the 5 primary schools in Alloa will have nursery classes. The way the nursery class is referred to will be the subject of discussion with the Parent Council. One suggestion has already been made.

#### **4.0 Sustainability Implications**

There are no sustainability implications arising from this report.

#### **5.0 Resource Implications**

##### **5.1 Financial Details**

- 5.2 The financial implications relate to the full year savings of £55 365 which will be found from the merger of the two headteacher posts. The saving takes account of adjustments which will be required to the staffing formula in Park Primary School. There will be a small one off cost (around £3500) to offset against these savings in the current financial year in order to carry out work on the perimeter fence to improve the secure access arrangements in both establishments.

##### **5.3 Staffing**

- 5.4 The merger of the nursery school and the primary school, if approved, will allow the deletion of the post of Headteacher, Tower Nursery School. The headteacher of Park Primary School will assume management responsibility for the nursery class. The acting headteacher of the nursery will return to her own post as a nursery teacher. Staffing will be maintained to meet statutory requirements.



## 6.0 Exempt Reports

Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

### (1) Our Priorities 2008 - 2011 (Please tick ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input checked="" type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input type="checkbox"/>

### (2) Council Policies (Please detail)

## 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☒ No ☐

## 9.0 Legality

9.1 In adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state

Appendix 1 Future Plans for Tower Nursery Consultation Report

## 11.0 Background Papers


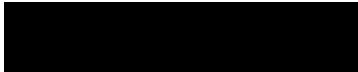
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☐

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Lesley Robertson	Interim Head of Education	2515

### Approved by

NAME	DESIGNATION	SIGNATURE
Lesley Robertson	Interim Head of Education	
Angela Leitch	Chief Executive	



## **CONSULTATION REPORT**

### **FUTURE PLANS FOR TOWER NURSERY SCHOOL**

#### **Introduction**

- 1.1. On 16 December 2010, Clackmannanshire Council approved a request from the Education Service to consult on a proposal to close Tower Nursery School as a stand alone establishment and establish it as the nursery class of Park Primary School.
- 1.2. The consultation was conducted in line with the requirements of the Schools (Consultation) (Scotland) Act 2010. This Act requires a consultation process that is robust, open, transparent and fair. The process requires authorities to actively involve and consult children and young people, staff, parents/carers, parent councils and other school users. The authority must also include an educational benefits statement stating its assessment of the effects of the proposal on children and young people. There is a minimum consultation period of six weeks which must be in school term time.
- 1.3. As part of the consultation process, the Education Service undertook the following activities:
  - Consultation papers were distributed to a wide range of stakeholders and interested parties
  - The consultation period ran from 26th January 2011 to 16th March 2011 inclusive, a total of 31 school days
  - A notice to advise of the consultation arrangements was placed in the local press
  - A dedicated Clackmannanshire Council web page was established for all information on the consultation and any updates and minutes of meetings
  - A public meeting was held on 24th February 2011
  - A Parent forum meeting was held on 1st March 2011
  - A joint meeting with staff from Park Primary School and Tower Nursery School was held on 15th March 2011

- Children from Tower Nursery School and Park Primary School were involved in the consultation process
- 1.4. In relation to the proposal, a public meeting was held in Alloa Academy. Approximately 15 people attended this meeting. The questions and issues raised at this meeting are contained in Appendix F.
  - 1.5 One parent attended the parent forum meeting held on 1 March. Following the presentation, no additional issues were raised.

## **2.0 Response to the consultation**

- 2.1. A total of 60 responses to the proposal were received.
- 2.2. One of the 60 responses was on behalf of Alloa Central Community Council..
- 2.3. The breakdown of responses by respondent category is detailed in Appendix A.
- 2.4. A list of respondents to the consultation document is detailed in Appendix B.
- 2.5. The majority of the responses were in favour of Option 2 which is to merge the management of the two schools but retain the existing, separate accommodation. A breakdown of numbers selecting each option is detailed in Appendix C.
- 2.6. Consultation was also undertaken with pupils in both schools using the guidance issued by Scotland's Commissioner for Children and Young People. The outcome of the pupil consultation is attached as appendix G.

## **3.0 Main Issues**

- 3.1. The education provided at Tower Nursery School is highly valued by the parents/carers.
- 3.2. A number of respondents selected the option to merger the management of the schools (option 2) but stated that they would prefer things to continue as they are with a separate headteachers.
- 3.3. The responses to the consultation and the public meeting highlighted the following areas of concern:
  - There was concern expressed about how the nursery parents would access the primary school Headteacher. The expectation is that, in the first instance, the headteacher will be around as much as possible when the children arrive and depart from the nursery so that parents will not have the need to make an appointment.
  - Several respondents expressed concern about the job of the acting nursery headteacher. The arrangement is that she will return to her substantive post as a nursery teacher employed by the Council.

- Some of the respondents raised the issue of the cost of providing a gate for ease of access between the school and the nursery. They felt that this was a waste of money and the money would be better spent elsewhere.
- 3.4. The pupil consultation for Park Primary School and Tower Nursery School was carried out during the week of 14th March 2011. Two visits were made to Tower Nursery School to consult with the nursery children in their key worker groups. Park Primary School class teachers facilitated a discussion in class and recorded the pupils responses. Park primary pupils prefer option 1 which was to move the nursery into the school. Tower Nursery School pupils would prefer to stay in their current building. The outcome of the pupil consultation exercise is attached as Appendix G.

#### **4.0 HMIE report**

- 4.1. The Schools (Consultation) (Scotland) Act 2010 requires Her Majesty's Inspectorate of Education (HMIE) to be involved in the formal consultation process and as part of this process HMIE undertook a number of activities in considering the educational aspects of this proposal
- 4.2. The HMIE report is attached as Appendix D. Paragraph 4.3 summarises the key elements of that report.
- 4.3. HMIE state that a sound case has been made for the proposal to merge Tower Nursery School with Park Primary School and that the proposal is likely to lead to educational benefit, particularly for children in the nursery class. There is the potential for the children to benefit from a more continuous and consistent range of curricular opportunities and there is also the potential for an increased level of joint staff development, shared understanding about Curriculum for Excellence and broader whole school improvement. HMIE state that the proposal also achieves the Council's aim of ensuring that early years' education is provided within the campus of a primary school wherever possible. There is a significant saving in keeping Tower Nursery School in its current building rather than relocating it. The report suggests that the Council should make sure that arrangements for the staffing and management of the nursery class are set out more clearly and that improvements to the perimeter of the new campus are carried out.

#### **5.0 Legal Implications**

- 5.1. The Council may not decide to implement the proposal until the expiry of three weeks starting from the day on which the consultation report is published in both electronic and printed form.
- 5.2. Once a final decision has been taken on the closure, the Council must notify Scottish Ministers of this decision within a period of six working days. Ministers have the power to issue a call-in notice regarding a closure decision, but only where it appears to the Scottish Ministers that the council has failed in a significant regard to comply with the requirements of the act, or to take proper account of a material consideration relevant to its decision to implement the proposal. Ministers have six weeks to decide whether or not to issue a call-in notice. During the first three weeks of the six week period, any

person or group will be able to make representation to the Scottish Ministers on whether a decision would be called-in. Any relevant representations must be taken into account by the Scottish Ministers when deciding whether or not to issue a call-in

- 5.3. The Council carried out an Equality Impact Assessment (Appendix E). This did not identify that any child or young person would be treated less favourably on the basis of, for example, disability or race.

## **6.0 Financial Implications**

- 6.1. The preferred option of the merger of the managements of the two schools will result in a saving of around £40 000 in a full financial year. The cost of providing a secure access point, to make access to and from the school to the nursery easier, will cost around £3,500.

## **7.0 HR Implications**

- 7.1 The merger of the nursery school and the primary school will allow the deletion of the post of Headteacher, Tower Nursery School. This post is currently filled in an acting capacity.
- 7.2 Dependent on the roll of the nursery class staffing ratios will remain the same to meet the statutory requirements.

## **8.0 Recommendations from the Consultation**

- 8.1 It is recommended that Clackmannanshire Council approves the proposal to close Tower Nursery School in June 2011 and reopen it, in its current building, as the nursery class of Park Primary School in August 2011.

## **9.0 Appendices**

- A Number of responses to proposal by category
- B List of respondents to consultation document
- C Breakdown of numbers selecting each option
- D HMIE report
- E Equalities Impact Assessment
- F Notes of public meeting
- G Pupil consultation notes

...o0o...

**APPENDIX 1A****Number of responses to proposal by category\***

<b>Appendix A - Number of responses to proposal by category</b>	
<b>Respondent Category</b>	<b>Number of Responses</b>
<b>Parent/carer</b>	<b>51</b>
<b>Pupil</b>	<b>2</b>
<b>Prospective Parent</b>	<b>1</b>
<b>Member of Staff</b>	<b>7</b>
<b>Member of Public</b>	<b>1</b>

\* totals here are 62. 2 respondents identified themselves in more than 1 category. 60 response sheets were received.





**APPENDIX 1B**  
**LIST OF RESPONDENTS TO CONSULTATION DOCUMENT**

Ref. Number	Respondent
4	Alloa Central Community Council
5	A. McAra
6	S. Brown
7	C. Burns
8	C. Hynd
9	Z. Burgess
10	K. McEwen
11	K. McDade
12	D. Christie
13	S. McDade
14	N. Baird
15	C Glass
16	K. Lawrence
17	G. Johnston
18	K. Prentice
19	L. Riddell
20	N. Paterson
21	S. Campbell
22	L. Wilson
23	N. Conlan
24	C. Paterson
25	A. McNally
26	A. & H. Jarvie
27	S. Dawson
28	J. Johnston
29	R. Rooney
30	G. Sneddon
31	L. Coyle
32	J. Smith
33	T. Paton
34	D. McGhee
35	L. Mackay
36	M. Freck
37	H. Brogan
38	H. Kopolynska
39	B. Williams
40	P. Hepburn
41	A. McKinsley
42	L. Hoggan
43	S. Hill
44	K. McEwan
45	A. Gray
46	L. Preston
47	S. Henderson
48	S. Drummond
49	A. Penman

50	D. Berney
51	N. Taylor
52	D. Skillin
53	L. Eadie
54	L. Maxwell
55	M. Keane
56	S. Snaddon
57	D. McMurdie
58	Gi. Gillies
59	K. Armit
60	K. Docherty
61	D. Johnstone
62	S. Morris
63	M. Michie

Total number of responses = 60

**APPENDIX 1 C**  
**BREAKDOWN OF NUMBERS SELECTING EACH OPTION**

Option	Numbers selecting as preferred option
<b>Option 1</b> To relocate the existing Tower Nursery School in the Park Primary Building	<b>3</b>
<b>Option 2</b> To merge the managements of the two schools, but retain the existing separate accommodation	<b>55</b>



**APPENDIX 1D**  
**HMIE report**  
**Consultation proposal by Clackmannanshire Council**

**Report by HM Inspectorate of Education addressing educational aspects of the proposal for education provision at Park Primary School and Tower Nursery School to be merged and managed by the headteacher of Park Primary School. Tower Nursery will be renamed 'Park Primary School Nursery Class'.**

**Introduction**

1.1 Clackmannanshire Council proposes to merge Tower Nursery School and Park Primary School and that the headteacher of Park Primary School should manage the new Park Primary School and Nursery Class. The council proposal includes two options: either to relocate the nursery within the existing Park Primary School with appropriate improvements to the building, or retain the existing Tower Nursery School building as the site for the Park Primary School Nursery Class with minor improvements to the boundary fencing and gated access. Clackmannanshire Council supports the second option. The distance between the two schools is 50 metres from the rear of the primary to the perimeter fence of the nursery.

1.2 The report from HM Inspectorate of Education (HMIE) is required under the terms of the *Schools (Consultation) (Scotland) Act 2010*. It has been prepared by HMIE in accordance with the terms of the Act.

1.3 HM Inspectors undertook the following activities in considering the educational aspects of the proposal:

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- consideration of further information on all schools affected; and
- visits to Park Primary School and Tower Nursery School, including discussion with relevant consultees.

1.4 HMIE considered:

- the likely effects of the proposal for children and young people of the schools, for any other users, for children likely to become pupils within two years of the date of publication of the proposal paper, and for other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and

- benefits which the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

## **2. Consultation process**

2.1 Clackmannanshire Council undertook the initial consultation on its proposals with reference to the *Schools (Consultation) (Scotland) Act 2010*.

2.2 Parents at Tower Nursery School are appreciative of Clackmannanshire Council's response to their initial concerns, proposed at an earlier budget engagement meeting, about relocating the nursery within the existing Park Primary School building. The council has now provided a second option to keep the nursery in its original building. Parents strongly believe this is a very effective learning environment for their children. Staff and children in Tower Nursery School unanimously share this view.

2.3 There is concern over the proposed change of name. Tower Nursery School has children who transfer to different primary schools in the area and changing the name, parents believe, could cause confusion. They feel that some parents may mistakenly assume that attendance at Park Primary School Nursery Class compels transfer to Park Primary School. The present Tower Nursery School could lose children in future years, parents suggest, as families choose other nursery classes believing that they will then have their first choice primary school.

2.4 Parents at Tower Nursery School feel that the present staffing provision is very effective in supporting both the nursery children and parents. Staff are available when parents feel they need to visit the nursery to raise a concern or seek advice or support. Parents feel that this is a strength of Tower Nursery School and that the nursery provides a service for the community, which is an area of severe deprivation. Staff in Tower Nursery School strongly support this view. Nursery children feel well nurtured and supported in their learning and development. Parents and staff within Tower Nursery School do not yet feel reassured about Clackmannanshire Council's intentions for managing and staffing the proposed Park Primary School Nursery Class once the present acting headteacher's post is terminated.

2.5 Parents and staff at Tower Nursery School are not yet fully aware of the council's proposed improvements to the boundary fencing and gated access to allow safe movement between the two buildings. They believe that a single campus with a clear perimeter and appropriate secure access would be the best option. They would benefit from more information from the council on this part of the proposal.

2.6 Parents and staff at Park Primary School strongly support the retention of the Tower Nursery School building should the two establishments merge. They also appreciate the council's willingness to listen to alternatives to relocating the nursery within the Park Primary School building. Children at Park Primary School are positive about both options, seeing advantages in each and expressing no strong preference.

2.7 Parents and staff in Park Primary School are concerned about the implications for the management of the new Park Primary School Nursery Class. They express concerns about the future workload of the headteacher in Park Primary School and the time required to lead and manage the nursery class effectively through the proposed merger while continuing with

existing responsibilities. They express concerns about the impact this will have on the management of Park Primary School. Parents and staff would benefit from further reassurance as to how the new merged establishment will be staffed and managed.

2.8 All stakeholders at Park Primary School do not feel fully informed about how the council intends to improve the boundary fencing and access between the two buildings to create a safe and secure single campus. They believe that the creation of a single campus is an important signal for future cohesion.

2.9 In both Tower Nursery School and Park Primary School, non-teaching staff currently employed in duplicated roles are uncertain as to the implications of the proposal on their future employment. The council has not yet fully explained in enough detail how non-teaching staff may be affected and any resulting issues resolved.

### **3. Educational aspects of the proposal**

3.1 Clackmannanshire Council believes that a series of benefits will accrue from the proposed merger. The majority of benefits relate to the children in Tower Nursery School rather than current Park Primary School children.

3.2 Certain aspects of the predicted future improvements as described by the council are already progressing well through the strong partnerships that currently exist between Tower Nursery School and Park Primary School. It is therefore reasonable to suggest, as the council does, that children would gain increased benefit from arrangements for transition being enhanced further by the merger and the identification of individual needs at the earliest possible stage.

3.3 The council proposes that children would benefit from closer staff collaboration and collegiate professional development. This would provide increased opportunities to develop a shared understanding of Curriculum for Excellence, notably the Early Level, and for enhancing learner's experiences through joint topic work, shared resources and increased continuity. This reflects current good practice as noted by HMIE in other parts of Clackmannanshire and across Scotland and should contribute to the outcomes the council describes.

3.4 The merger would establish a single management team across the primary school and nursery class and thereby provide opportunities for implementing a single vision of what the new establishment could achieve. This would be an effective means to incorporate the main points for action from the Tower Nursery School inspection by HMIE, published in November 2009, notably for children to be more closely involved in planning their own learning and for an increased emphasis on self-evaluation. It makes sound sense for such work to be through continued implementation of Curriculum for Excellence.

3.5 Progress in the areas outlined within the educational benefits statement would mean that children likely to become pupils within two years of the date of publication of the proposal paper would benefit from the result of such work across the nursery and primary. They could reasonably be expected to have a more consistent, continuous, challenging and supported education from age 3-12 and beyond.

3.6 The likely effects of the proposal on other users and on other children and young people would be minimal.

3.7 The council's proposal will result in the loss of the headteacher's post in Tower Nursery School and is likely to impact on staffing in other areas of work where there may be duplication across the two establishments. The council has outlined how it will manage these staffing changes but has not yet done so in enough detail to allay parental and staff concerns. There is currently a high level of satisfaction expressed by nursery staff and parents that key Scottish Government policies such as Getting It Right For Every Child and Early Years Framework are well supported. These can have a significant positive impact on children's educational progress. There is need to provide reassurance that this level of service will be at least maintained and possibly improved by the merger.

3.8 The council recognises the merger would require improvements to the boundary fencing and secure access between the two establishments. The educational benefits statement describes greater movement between the buildings as school and nursery children interact more regularly. Such improvements require to be outlined in more detail to give all stakeholders further reassurances about children's safety and security.

3.9 In September 2007, Clackmannanshire Council approved the recommendations of an independent commission set up to review of the provision of education 3-12. One of the recommendations of the commission was to move to provide early years' education within the campus of primary schools wherever possible. This is one of the major aims of the council's Schools Estate Management Plan for the period to 2015. The proposal, therefore, sits comfortably within council policy and Scottish Government guidance.

#### **4. Summary**

Clackmannanshire Council has set out a sound case for its proposal to merge Tower Nursery School with Park Primary School. Overall, the proposal is likely to lead to educational benefit, particularly for children in the nursery class. There is the potential for the children to benefit from a more continuous and consistent range of curricular opportunities. There is also the potential for an increased level of collaborative staff development and shared understanding in respect of implementation of Curriculum for Excellence and broader whole school improvement. The proposal also achieves the council's aim of ensuring that early years' education is provided within the campus of a primary school wherever possible. It would also represent best value for the council in achieving this aim. There is a significant saving in keeping Tower Nursery School in its current building rather than relocating it. From April 1 2011, Clackmannanshire and Stirling Councils will implement a joint service to deliver education. In taking forward the proposal the new joint head of education needs to ensure that arrangements are set out more clearly for the staffing and management of the nursery class and the improvements to the perimeter of the new campus and secure access within and between the two buildings.

**HM Inspectorate of Education**  
**March 2011**



## **APPENDIX 1E**

### **Equalities Impact Assessment**

An equality impact assessment is when we assess our policies and functions to find out if they discriminate against any of the groups we have listed below. We have carried out an equality impact assessment on this proposal. We do not believe that introducing this proposal will have an adverse impact on any of the groups listed below. We consulted a wide range of stakeholders as detailed in sections 1.3, 1.4 and 2.1 of the main response report. In total 60 responses were received. We have not identified any issues raised about equality during this consultation. From the impact assessment, we found that this policy would have neither a positive or negative effect on any of the six categories listed below. The relevant categories relating to equal opportunities are as follows:

- Age
- Gender
- Religion
- Racial group
- Disability
- Sexual orientation

#### **Background**

Full details of the background to this proposal were contained in the original consultation document published on 26th January 2011.

#### **Assessments**

##### **Age**

All children affected by this proposal will be given support to meet their needs. This proposal will not have an adverse impact on any child or young person in the area.

##### **Gender**

All children will be given support to meet their needs, whether they are male or female. This proposal will not have an adverse impact on any child or young person in the area.

##### **Religion**

Within early years provision in Clackmannanshire there is no differentiation based on religion. This proposal will not have an adverse impact on any child or young person in the area.

##### **Racial group**

This proposal affects all children currently attending Tower Nursery School and Park Primary School irrespective of their ethnicity. This proposal will not have an adverse impact on any child or young person on the basis of his/her ethnicity.

**Disability**

All support that children with additional support needs receive is matched to their individual needs. As this policy applies to all children in all establishments this proposal will not have an adverse impact on any child or young person in relation to admission to early years establishments.

**Sexual orientation**

This proposal will not have an adverse impact on any child in relation to their sexuality.

## **APPENDIX 1F**

### **Minutes of public meeting 24th February 2011**

Craig Machan welcomed attendees and introduced Lesley Robertson who gave a presentation in which she talked through the current position of Park Primary and Tower Nursery and the options for merging the two, as described:

Option 1 – Move Tower Nursery into the same building as Park Primary

Option 2 – Keep Tower Nursery in a separate building, but with the same Management as Park Primary.

The meeting was then opened for questions and comments.

### **QUESTIONS RAISED / AREAS OF CONCERN:**

**1. Should the proposal be accepted and the children moved into one building, will any savings be ring-fenced to improve staff and facilities at Park Primary?**

Bradley Cunningham, Parent - Tower Nursery

Lesley Roberston

If the result of the consultation is to be re-located in the school, there would be very little savings on staff costs due to pupil:teacher ratios.

**2. Would it be possible to go beyond the minimum set requirements? If you sell the building and receive a cash injection would the revenue be used on the school or for another statue on a roundabout or potholes?**

Bradley Cunningham, Parent - Tower Nursery

Lesley Robertson

I cannot guarantee that any savings would be ring-fenced to Park Primary. I would expect a good proportion would be spread across education. When we consulted on the Budget Engagement Strategy with the public

respondents agreed that savings could be made with fewer buildings; with more resources spent on Education.

Eileen Turnbull

Part of the re-location costs and adaptation costs would be off set with the first years savings, which is in excess of £180,000.

**3. Why are you changing the name from Tower Nursery to Park Nursery? Isn't this an additional cost as signs for example will have to be replaced, it has always been known as Tower Nursery, is there a need for this to change?**

Gladys Johnstone –Parent, Park Primary and Tower Nursery

Lesley Roberston

The Nursery will have to be officially closed with the Government so only one School name would be acceptable.

**4. Will there be another teacher at the nursery to help out?**

Gladys Johnstone –Parent, Park Primary and Tower Nursery

Lesley Robertson

Every nursery child will have access to a nursery teacher.

**5. You pointed out the benefit of nursery children moving onto primary school. What about the children who will not be attending Park Primary?**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

This is why the second proposal is an option, as this was a strong view in the last consultation.

**6. So you prefer the second option?**

Kevin McEwan, Parent

Lesley Robertson

Yes. Having listened to the views and opinions from the previous consultation we now believe that option 2 is the preferred option.

**7. How often are we going to see the Head Teacher at the nursery, will she know the children?**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

I would expect any Head Teacher to know every child in the school, whether they be in the nursery class or Primary 7.

**8. It won't be easy to be in two places at once.**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

This is an advantage of option 1 however, the distance between the nursery and school is not far. For example

Abercromby Primary have a separate nursery class in such a situation the Head Teacher will be determined and this is the standard we would set.

Eileen Turnbull

11 primary schools in Clackmannanshire now have a nursery class attached to the school, for example Clackmannan Primary.

**9. If we want to see the Head Teacher, will it be the case that we have to make an appointment?**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

I would expect the Head Teacher as much as possible to be around when the children arrive and depart from the nursery so parents will not have the need to make an appointment.

Sharon Evenden

Clackmannan Primary is the most recent school to have a nursery class and parents had similar anxieties, feedback since has been extremely positive and they see the Head Teacher a huge amount.

**10. A recent report by the EIS on nursery education highlighted the importance and value of having qualified teachers in nursery classes and schools. Clackmannanshire must be commended on committing and providing such, can we have an assurance that that provision will continue in the future?**

Gordon Joyce, EIS

Lesley Robertson

The children in the nursery class will have access to a qualified teacher.

**12. Will the funding for the nursery still be separate or will it be conjoined with the school funding?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

The nursery classes and primary schools have separate lines in the budget.

**13. Who decides what it will be spent on?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

The Head Teacher, in consultation with staff and parents.

**14. Will there be a full time teacher in the nursery class?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

It may not be full time, but nursery children will have access to a qualified teacher.

**15. Why not full time?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

The requirement is that we provide access, not necessarily a full time teacher. We are currently looking at the number of hours of teacher time that is provided in nursery classes across Clackmannanshire.

**16. How will the school support the nursery, who will be responsible for the nursery?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

The Head Teacher will be responsible for all the children.

**17. How often will they be there, will it be whenever she has free time?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

No, I would expect the Head Teacher to see the parents and children regularly at expected times.

**18. You cannot guarantee these times. This is unfair to the Head Teacher to split their time.**

Jennifer Johnston, Parent Tower Nursery

Sharon

We have 11 of our nurseries set like this already, and it works extremely successfully.

**19. Does Clackmannan Primary have as many children as Park Primary?**

Jennifer Johnston, Parent Tower Nursery

Sharon

Clackmannan Primary has more children than Park Primary.

**20. My child attended St Johns Nursery and I was not aware of any difference in the manner in which it was run in relation to it being a nursery class rather than a stand alone nursery. I felt I had no access issues in relation to the Head Teacher.**

Bradley Cunningham, Parent - Tower Nursery

**21. Will the running of the nursery be the same. For example can the groups that run currently?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

There will be no reason to change any activities that are working however, on consultation with children and parents improvements can be made.

**22. You stated that there is no reason to change something that is working. The current set up of Mrs Dempster being the Head Teacher in the nursery is working, so why is there the need to change?**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

Mrs Dempster is an acting Head Teacher at the nursery.

**23. What about the children with additional needs in the school?**



Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

The Primary School Support Service would also be relocated.

**24. You have stated costings at £3,500 for a new fence and door. Will they get new windows and a new roof?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Eileen Turnbull

Council wide, there is a programme of maintenance over the next 3-5 years that looks at the condition of schools.

If Tower Nursery became a condition level 'C' for example it would be moved accordingly in the priority list, this would be no different if the second option was chosen.

**25. Is Tower Nursery not in the running for new windows and a new roof before any other nursery?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Eileen Turnbull

There are other buildings sitting in a worse condition than Tower Nursery.

**26. What will happen to Mrs Dempster, will she still be in the nursery class as the full time teacher?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

Mrs Dempster would return to the post as a nursery teacher, teachers are employed by the Council, not a particular school.

**27. Why are you going to spend so much money on a gate and fence if you are trying to save on costs. Can't this money be used on something else rather than a gate?**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

The cost is relatively low in terms of work to be done.

Eileen Turnbull

If parents feel that a gate is an unnecessary expense, please articulate this on the consultation form. This was looked for the ease of the Head Teacher in transition between the school building and nursery building and for the safety of children.

**28. Who gets the job as Head Teacher, if you take one of the two acting Head Teachers away from the post a new one will have to start from scratch.**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

The post will be advertised. There are procedures that must be followed in the appointment of a Head Teacher. Representatives of the Parent Council will be heavily involved in the appointment of a new Head Teacher. Recently parents of Strathdevon, Alloa Academy, Claremont and Coalsnaughton Primaries can show how heavily they played a part in the selection and recruitment of the Head Teacher.

**29. Can I clarify that the same contact hours will be adhered to in terms of teacher contact as there is currently?**

Gordon Joyce, EIS

Lesley Robertson

Not necessarily, but this is being reviewed Council wide.

**30. Can you confirm the time and location of the meeting?**

Name Undeclared (A)

Lesley Robertson

Alloa Academy at 6.30pm.

**31. Can't you make the meeting an earlier time?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Lesley Robertson

Due to the availability of buildings and timescales the time is arranged. We will be happy to try and accommodate a different time if you feel it is unsuitable.

**32. Most parents have access to the internet, can't you have then opportunity for them to comment and ask questions there?**

Jennifer Johnston, Parent Tower Nursery

Lesley Robertson

If you go onto Clacksweb, the online questionnaires and documentation is available. The minute and presentation will also be available in due course.

**33. Are we to infer that contact hours between teacher and child is to be reduced across all institutions?**

Gordon Joyce, EIS

Lesley Robertson

We are currently reviewing the deployment of teachers.

**34. Are we looking at a reduced amount of buildings to increase the incoming revenue, and reducing the amount of outgoings in regards to teachers?**

Gordon Joyce, EIS

Lesley Robertson

You could infer such, as we must find considerable savings but still maintain the high quality of education

**35. Will the teachers and staff currently at the nursery change?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Sharon Evenden

Staff can change, but the Council must adhere to the ratios set by the Government.

**36. Will the support staff change in number?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Sharon

We will look at the requirements of the nursery, which is reviewed each year.

**37. Will there still be a gym teacher for the nursery?**

Kevin McEwan, Parent – Park Primary and Tower Nursery

Sharon

The Council still has a commitment to provide an Active Start Programme.

Lesley Robertson

Visitors came to review the Active Start Programme and it is still a valuable programme with which they were very impressed.

Craig Machan closed the meeting on behalf of the panel, everyone was thanked for their attendance, views and opinions. Forms and proposals were available and attendees were encouraged to take copies for neighbours or other parents. Copies are also available in the nursery. Gordon Joyce will place the EIS research paper at Tower Nursery if anyone would like a copy.

## Child consultation notes -

## Proposed merger of Park Primary School with Tower Nursery School

### Consultation with pupils

School:	Tower Nursery School
Date of consultation	14/3/11 and 15/3/11

**What do I think about Tower Nursery School becoming a Nursery Class of Park Primary School?**

Don't know, don't know  
ok, ok, ok, ok, ok, ok, ok, ok, ok, ok, ok  
I'm fine  
Don't mind, don't mind, don't mind, don't mind  
Happy, happy, happy, happy, happy, happy, happy, happy, happy, happy, happy, happy, happy  
Sad  
Pleased, pleased  
Like  
Good idea, good idea, good idea, good idea  
Good, good, good  
Thumbs up  
Yes, aye, aye, yes, yes, yes, yes  
No, no wouldn't like it  
School is far away  
Part of Park ok  
Sad because I like nursery and don't want to go to school  
Not good idea I like here  
Not ok don't want to

Proposed merger of Park Primary School with Tower Nursery School  
Consultation with pupils

School:	Park Primary School
Date of consultation	14/3/11 and 15/3/11

**What do I think about Tower Nursery School becoming a Nursery Class of Park Primary School?**

Then that would be a big group of people  
 I think there wouldn't be enough room for everybody  
 I want the nursery to assemblies with us  
 There won't be enough chairs for everyone  
 I want them to come beside us because I like them  
 I like the nursery to come because my little pal is there  
 I'd like my pal to be in a class beside me  
 What if my wee brother tries to find me?  
 Easier for mum to drop off my sister at nursery and me at school  
 Will they have a padlock on the gate to keep them safe?  
 All children agree it would be a good idea to have all the children together -  
 'like a family'  
 I would be happy to see my wee sister  
 I think it's a good idea, I'd get to see my cousin  
 The nursery children would get a big playground  
 The nursery children would learn more about school before they start  
 If one fell bigger children could help them  
 I think they'll be nice and not noisy  
 We can help them to find things  
 We can show them what to do before P1  
 They would be scared and shy in nursery but not in P1 because they'd know  
 what to do  
 Good idea so that I can see my brother more when I'm at school  
 Good idea because Sunshine class could be like a nursery  
 It would be nice for us to help the children and teach the children to learn  
 You could have more friends if they come to our school  
 It's a good idea because the children are looking forward to it  
 It will be fun because they can play with us at golden time  
 Might give them a chance to learn something new  
 The little ones in your family can play with you  
 The little ones won't know what they are doing  
 It will be noisy for the little ones  
 They might break the school staff because they don't know what to do with it  
 It's a good idea that both have the same headteacher  
 Would be happy if nursery moved into Park building  
 Nursery should stay where it is, ok for it to have same H/t as Park  
 Park pupils could help the nursery children if they moved to Park  
 Bad idea if P1 were playing with nursery children in the playground but a good  
 idea if they are not in the playground  
 Good idea because they can learn from boys and girls in school like in the  
 dinner hall  
 Good we get to know wee people

Good we can see wee sisters and stuff  
Good for having buddies  
Good to get more people in our school  
We'll know what Nursery are doing and they'll know what we're doing  
We have to stop playing football when they walk through our playground  
already so it would be worse if they moved here. We don't want them getting  
hurt  
We would like more information about where they would be placed and how  
they will be integrated into the school  
They already use the gym and dining hall  
Easier for the buddies training- no getting wet in bad weather  
Might form new friendships  
They would be used to the school rules  
Being settled within school already would help build their confidence  
Better for meeting buddies  
Saves nursery walking for dinner hall/gym hall when raining  
Nursery get good space to use  
Be able to pick up/drop off family members  
Be able to see family members  
Nursery children will be familiar with school for moving to P1  
Could be scared of so many big people  
Might hear noises from classrooms e.g. children/teacher shouting

