



**Clackmannanshire  
Council**

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**THIS PAPER RELATES TO  
ITEM 03  
ON THE AGENDA**

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

## **PRESENT**

Councillor Harry McLaren, Depute Provost (Chair)  
Councillor Donald Balsillie  
Councillor John Biggam  
Councillor Janet Cadenhead  
Councillor Alastair Campbell  
Councillor Eddie Carrick  
Councillor Kenneth Earle  
Councillor Mark English  
Councillor Craig Holden  
Councillor George Matchett, QPM  
Councillor Walter McAdam, MBE  
Councillor Bobby McGill  
Councillor Tina Murphy  
Councillor Reverend Sam Ovens  
Councillor Janis Paterson  
Councillor Gary Womersley

## **IN ATTENDANCE**

Garry Dallas, Director of Services to Communities  
Nikki Bridle, Director of Finance and Corporate Services  
Deirdre Cilliers, Joint Head of Social Services  
Stephen Crawford, Head of Facilities Management  
Belinda Greer, Joint Head of Education  
Elaine McPherson, Head of Strategy and Customer Services  
Lesley Robertson, Interim Head of Education  
David Thomson, Solicitor, Legal Services (Clerk to the Council)

Apologies for absence were received from Angela Leitch, Chief Executive.

## **CC.12/01 APOLOGIES**

Apologies for absence were received from Provost Derek Stewart and Councillor Irene Hamilton.

In the Provost's absence, the meeting was chaired by Councillor Harry McLaren, Depute Provost.

## **CC.13 DECLARATIONS OF INTEREST**

None

## **CC.14      MINUTE OF MEETING HELD ON 21 APRIL 2011**

A minute of the meeting held on Thursday 21 April 2011 was submitted for approval by Council.

### **CC.05 Submission of Petition and Request to be heard from Tillicoultry Community Action Group:**

Councillor Womersley asked that the minute be amended to reflect that it was the ruling of the Provost and *not* the Clerk to the Council that in terms of Standing Order 25.7 amendments must relate to the motion and as the amendment related to a previous substantive decision of the Council, it could not be accepted as an amendment.

Subject to the above amendment, the minute of the meeting held on Thursday 21 April 2011 was agreed as a correct record and signed by the Depute Provost.

## **CC.15      SUBMISSION OF PETITION AND REQUEST TO BE HEARD - SAVE ALVA POOL CAMPAIGN GROUP AND SAVE OUR SWIMMING POOL CAMPAIGN GROUP IN ASSOCIATION WITH ALVA COMMUNITY COUNCIL**

A report which advised the 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 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 4,824 individuals was delivered to the Council on 21 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 Save Alva Pool Campaign Group, Save Our Swimming Pool Campaign Group and Alva Community Council would be heard at today's meeting.

### **Motion**

That Council suspends Standing Orders in order that a motion can be debated given a reported change in circumstances.

Moved by Councillor Mark English. Seconded by Councillor Donald Balsillie.

### **Voting**

Councillor English asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 Members present who were eligible to vote. On the roll being called the Members present voted as follows:

#### **For the Motion (8 votes)**

Councillor John Biggam  
Councillor Craig Holden  
Councillor Walter McAdam, MBE  
Councillor Tina Murphy  
Councillor Janis Paterson  
Councillor Donald Balsillie  
Councillor Mark English  
Councillor Gary Womersley

**Against the Motion (7 votes)**

Councillor George Matchett, QPM  
Councillor Reverend Sam Ovens  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Kenneth Earle  
Councillor Eddie Carrick  
Councillor Harry McLaren

**Abstain (1)**

Councillor Alastair Campbell

In terms of Standing Order 41, the motion was defeated as it had failed to find a majority of at least two thirds of the votes of councillors present and eligible to vote.

In terms of Standing Order 34.4, the Council then heard representations from:

Ms Lucinda Kerr, Save Alva Swimming Pool Facebook Campaign Group  
Mr Alan Petrie, Save Our Swimming Pool Campaign Group, Alloa Amateur Swimming Club  
Mr George Horsburgh, Secretary, Alva Community Council

In terms of Standing Order 34.5, the members present had opportunity to put questions to Ms Kerr, Mr Petrie and Mr Horsburgh.

Councillors Mark English and Gary Womersley asked that their dissatisfaction with the process in particular the allowing of only 10 minutes for members' questions be recorded in the minute..

On behalf of the Council, the Depute Provost thanked the representatives from Save Alva Swimming Pool Campaign, Save Our Swimming Pool Campaign Group and Alva Community Council for their contribution to the meeting.

(Item ends 9.55 am)

**CC.16      AMENDMENTS TO THE SCHEME OF DELEGATION NOTICE OF  
AMENDMENTS TO COUNCIL STANDING ORDERS**

A report which gave the Council notice of proposed changes to Standing Orders was submitted by the Head of Strategy and Customer Services.

At its meeting in June 2010, the Council agreed a range of changes to the Scheme of Delegation as a consequence of senior management restructuring. Standing Orders were subsequently amended in August of the same year and Council also agreed that a broader review of both the Scheme of Delegation and Standing Orders should take place.

**Motion**

That Council notes the information set out in the report.

Moved by Councillor Reverend Sam Ovens. Seconded by Councillor Gary Womersley.

**Decision**

The Council agreed unanimously to note 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
- (c) a report proposing amendments to the Scheme of Delegation will come forward to the next Council meeting for approval.

### **Action**

Head of Strategy and Customer Services

## **CC.17 CLACKMANNANSHIRE ASSURANCE AND IMPROVEMENT PLAN**

Following consideration of the Assurance and Improvement Plan by the Scrutiny Committee on 19 May 2011, a report which asked the Council to note and comment on the findings and planned activity following review of the Shared Risk Assessment: Improvement and Assurance Plan 2011-14 for Clackmannanshire Council was submitted by the Director of Finance and Corporate Services.

The Assurance and Improvement Plan (AIP) is the product of a collaborative approach adopted by the various scrutiny bodies operating in the Council and sets out the planned scrutiny activity for the organisation to March 2014.

### **Motion**

That Council notes the information set out in the report and the Assurance and Improvement Plan appended to the report.

Moved by Councillor Reverend Sam Ovens. Seconded by Councillor Kenneth Earle.

### **Decision**

The Council agreed to :

- note the Shared Risk Assessment: Improvement and Assurance Plan 2011-14 for Clackmannanshire.
- note the summary findings and summary of planned scrutiny activity to March 2014.

## **CC.18 PRISON VISITING COMMITTEES**

Two reports seeking Council approval of nominations to fill vacancies on Cornton Vale Prison Visiting Committee and Glenochil Prison Visiting Committee were submitted by the Head of Strategy and Customer Services and were considered together as one item of business.

The Council has a statutory responsibility to appoint two people to serve on Cornton Vale Prison Visiting committee; there is currently one vacancy, and a statutory responsibility to appoint five people to serve on Glenochil Prison Visiting Committee; there are currently two vacancies.

### **Motion**

That Council notes the information set out in the reports and approves the nominations to serve on the Prison Visiting Committees.

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

## **Decision**

The Council agreed unanimously to note the information set out in the report and to approve the following nominations to serve on the Prison Visiting Committees:

**(a) Cornton Vale Prison Visiting Committee**

Mrs Jennifer McIntyre

**(b) Glenochil Prison Visiting Committee**

Ms Pat Havlin-Gibson

Mr Robin Dale

## **Action**

Head of Strategy and Customer Services

### **CC.19 PROPOSED LAND EXCAMBION AND SALE OF AGRICULTURAL LAND AT DITCH FARM, TULLIBODY TO SECURE ALLOTMENTS AT KEILARSBRAE, SAUCHIE**

A report which sought Council approval for a land excambion and sale of Council owned farmland at Ditch Farm in exchange for allotment land at Keilarsbrae was submitted by the Head of Facilities Management.

The Keilarsbrae site is adjacent to a further area of allotment land owned by Clackmannanshire Council. Subject to approval of the excambion, additional approval was requested to formalise a lease of this larger combined allotments site to Sauchie Allotments Association.

## **Motion**

That Council approves the recommendations set out in the report (paragraphs 2.1 and 2.2).

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

## **Decision**

The Council agreed unanimously to:

- (a) Declare 23.8 acres of land at Ditch Farm (as indicated in Appendix II of the report) surplus to requirements.
- (b) Approve 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 of the report), and
- (c) Approve the sale to the same landowner of the balance of 8.8 acres of Ditch Farm land for the sum of £16,800.

The Council also agreed 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. The lease to be subject to terms and conditions to be agreed by the Director of Services to Communities in consultation with Legal Services.

## **Action**

Head of Facilities Management/Director of Services to Communities.

**CC.20      THE ESTABLISHMENT OF A NURSERY CLASS OF PARK PRIMARY  
SCHOOL AND THE CLOSURE OF TOWER NURSERY SCHOOL**

A report which provided information gathered in the course of the consultation about the future of Tower Nursery School was submitted by the Interim Head of Education.

At its meeting in December 2010, the Council had considered a report on primary school provision in Alloa West and had 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.

**Motion**

That Council agrees the recommendations set out in the report.

Moved by Councillor George Matchett, QPM. Seconded by Councillor Kenneth Earle.

**Decision**

The Council agreed unanimously to:

- (1) note the contents of the consultation report which reflected the preference of the consultees to merge the management of the two schools whilst retaining the separate, existing nursery accommodation; and
- (2) approve the merger of the management of Tower Nursery School with Park Primary School. The Tower Nursery building to be used as the nursery class accommodation and Tower Nursery to be redesignated as the nursery class of Park Primary School from August 2011.

**Action**

Interim Head of Education

ENDS 10.55 am