



**Clackmannanshire  
Council**

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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 18 AUGUST 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 Craig Holden  
Councillor George Matchett, QPM  
Councillor Walter McAdam, MBE  
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 Services  
Stephen Crawford, Head of Facilities Management  
Martin Dunsmore, Accounting and Budgeting Manager  
Belinda Greer, Joint Head of Education  
Julie Hamilton, Strategy and Support Manager  
Elaine McPherson, Head of Strategy and Customer Services

## **INTIMATION**

On behalf of the Council, the Provost paid tribute to two members of staff who had recently passed away and extended condolences to the families and friends of both.

"Des Gallagher worked for the Council for 22 years. He passed away suddenly at the age of 52. During his time with the Council, Des worked in a variety of roles in education as a youth and community worker and latterly in Strategy and Customer Services.

Mark Carey worked for the Council for 8 years. He passed away suddenly at the age of 45. During his time with the Council, Mark was the systems accountant within the Accountancy Team."

## **CC.42 APOLOGIES**

Apologies for absence were received from Councillor Mark English and Councillor Irene Hamilton.

#### **CC.43 DECLARATIONS OF INTEREST**

Councillors Craig Holden and Janet Cadenhead declared an interest in item 10 on the agenda (Proposed Acquisition of Former Health Centre Site, Marshall, Alloa). (CC.51)

#### **CC.44 MINUTE OF MEETING: CLACKMANNANSHIRE COUNCIL 30 JUNE 2011**

The minute of the meeting held on 30 June 2011 was submitted for approval.

##### **Decision**

The minute of the meeting of the Clackmannanshire Council held on 30 June 2011 was approved as a correct record of the proceedings and signed by the Provost.

#### **CC.45 ALLOA FOOTBALL AND ATHLETIC CLUB LTD - SPONSORSHIP REQUEST**

A report submitted by the Chief Executive advised the Council of a request for sponsorship from Alloa Football and Athletic Club Ltd and sought a decision from Council on this request.

The Provost had received a request from the local football club that the Council provide sponsorship totalling £12,000 over the coming two seasons, equating to £7,000 in the current financial year and £5,000 in financial year 2012-13. The sponsorship money would be used to enhance the community projects run by the club, with a particular focus on school visits and the involvement of young people.

##### **Motion**

That Council approves the request from Alloa Football and Athletic Club Ltd for sponsorship totalling £12,000, over the coming two seasons, equating to £7,000 in the current financial year and £5,000 in financial year 2012-13.

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

##### **Amendment**

That the matter be deferred to allow a more comprehensive business case to be submitted to Council; the Business Case to set out how sponsorship will dovetail with the Council's Leisure Strategy, how it will enhance the Council's Single Outcome Agreements and highlight any additional elements.

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

##### **Voting**

On a division, the amendment was defeated by 9 votes to 7 with no abstentions.

Councillor Craig Holden 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 (9)

Provost Derek Stewart  
Councillor George Matchett, QPM  
Councillor Reverend Sam Ovens  
Councillor Bobby McGill  
Councillor Janet Cadenhead  
Councillor Kenneth Earle  
Councillor Harry McLaren  
Councillor Eddie Carrick  
Councillor Alastair Campbell

#### Against the Motion (5)

Councillor John Biggam  
Councillor Craig Holden  
Councillor Walter McAdam, MBE  
Councillor Tina Murphy  
Councillor Janis Paterson

#### Abstain from Voting (2)

Councillor Donald Balsillie  
Councillor Gary Womersley

#### **Decision**

The motion was carried by 9 votes to 5 with 2 abstentions, and accordingly the Council agreed:

- To provide sponsorship to Alloa Football and Athletic Club Ltd totalling £12,000 over the coming two seasons, equating to £7,000 in the current financial year and £5,000 in financial year 2012-13.

#### **Action**

Chief Executive

#### **CC.46 REVIEW OF DEBTORS 2010/11**

A report submitted by the Director of Finance and Corporate Services provided Council with an update on council income collection rates, arrears positions and provided recommendations for writing off those arrears classified as irrecoverable or 'bad debts'. The report also set out the main improvement actions currently being developed by the service to improve on performance.

The last write off exercise was undertaken in 2008/09; the Finance Strategy states that debts should be written off annually and this policy will be included within the revised Corporate Debt and Write Off Policies which are anticipated to be presented to Council for approval before Christmas 2011.

#### **Motion**

That Council notes the trends in income collection levels and arrears positions, approves the write off of £2,792,430 and notes the proposed priority developments and improvements in respect of the Council's corporate recovery arrangements.

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

## **Decision**

The motion was carried by 11 votes to 5 with 0 abstentions, and accordingly the Council agreed:

- to note the trends in income collection levels and arrears positions
- to approve the write off of £2,792,430
- to note the proposed priority developments and improvements in respect of the Council's corporate recovery arrangements.

## **Action**

Director of Finance and Corporate Services.

## **CC.47 ANNUAL TREASURY REPORT**

A report submitted by the Director of Finance and Corporate Services detailed Treasury Management activities for the Council for 2010/11.

At its meeting on 16 December 2010, the Council agreed to adopt CIPFA's 2009 Treasury Management in the Public Service Code of Practice and Cross Sectoral Guidance Notes as a basis for Treasury Management by Clackmannanshire Council. In addition, the Council adopted CIPFA's new Prudential Code and approved the Investment Strategy to be implemented as required for 2010/11 and 2011/12.

The need to prepare a Treasury Management Annual Report is a requirement of the revised Treasury Management in the Public Services Code of Practice.

## **Motion**

That Council notes and reviews the Annual Report on 2010/11 Treasury Management activities for Clackmannanshire Council

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

## **Decision**

The Council agreed unanimously to note and review the Annual Report on 2010/11 Treasury Management activities for Clackmannanshire Council.

- In line with Standing Order 10.24, the Provost adjourned the meeting at this point in the proceedings (11.20 am). The meeting resumed at 11.30 am; there were 15 members present at this point.

## **CC.48 AMENDMENTS TO COUNCIL STANDING ORDERS (PETITIONS AND MULTIPLE AMENDMENTS)**

A report submitted by the Head of Strategy and Customer Services asked Council to note the progress in reviewing Standing Orders in relation to the handling of petitions and multiple amendments.

At its meeting on 30 June 2011, Council approved a number of amendments to Standing Orders and noted that further information on how other local authorities deal with petitions and multiple amendments would be sourced and that a report would come forward to this meeting on the matter.

### **Motion**

That Council agrees the recommendations set out in the report.

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

### **Decision**

The Council agreed unanimously:

- to note that background information on how other authorities handle petitions and multiple amendments has been sourced.
- that a briefing for all elected members takes place to review the background information in a Clackmannanshire context
- to note, as required under Standing Order 21.7, that any potential changes to Standing Orders will be brought before the next meeting of the Council.

### **Action**

Head of Strategy and Customer Services

## **CC.49 REVIEW OF CLACKMANNANSHIRE COUNCIL CORPORATE HEALTH AND SAFETY POLICY STATEMENT**

A report submitted by the Health and Safety Adviser provided the Council with the recently reviewed Council Corporate Health and Safety Policy statement for consideration and authorisation.

The audit of Health and Safety Management within the Council (completed November 2009) recommended that the Corporate Health and Safety Policy Statement be formally approved by senior management and by Council. The legal requirement for organisations (with five or more employees) to compile a written Health and Safety policy is detailed in the Health and Safety at Work etc Act 1974 section 2(3).

### **Motion**

That Council notes the information set out in the policy and authorises it for distribution to all staff.

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

### **Decision**

The Council agreed unanimously to note the information set out in the policy and to authorise it for distribution to all staff.

### **Action**

Head of Strategy and Customer Services

- Councillor Balsillie returned to the meeting at this point in the proceedings (11.35 am). There were 16 members present at this point.

## **CC.50 CLACKMANNANSHIRE LOCAL PLAN 1ST ALTERATION (HOUSING LAND) FINALISED PLAN - CONSIDERATION OF THE EXAMINATION REPORT AND PLAN ADOPTION**

A report submitted by the Head of Community and Regulatory Services summarised the Examination Report into the unresolved objections to the Clackmannanshire Local Plan 1st Alteration Finalised Plan (Housing Land), and sought agreement to incorporate those findings into the Alteration in order that it can be adopted by the Council.

The Examination Report was prepared by a Reporter from the Directorate of Planning and Environmental Appeals and appointed by Scottish Ministers. The Reporter's recommendations are generally binding on the Council with only a limited number of grounds on which a planning authority may decline to make modifications, none of which apply to this Plan.

### **Motion**

That Council agrees the recommendations set out in the report.

Moved by councillor Eddie Carrick. Seconded by Councillor Alastair Campbell.

### **Decision**

The Council agreed unanimously to:

- implement the Reporter's recommendations contained in their report and amend the Local Plan Alteration accordingly (Appendix 1 of the report).
- proceed to adopt the Local Plan Alteration after the amendments have been made.

### **Action**

Director of Services to Communities

### **Declarations of Interest**

Councillors Craig Holden and Janet Cadenhead declared an interest in the following item of business and withdrew from the Council Chamber during consideration of, and voting on, the proposed acquisition of the former health centre site at Marshall, Alloa.

Councillor Craig Holden declared an interest as an employee of NHS Forth Valley and Councillor Janet Cadenhead as a member of Forth Valley NHS Board.

## **CC.51 PROPOSED ACQUISITION OF FORMER HEALTH CENTRE SITE, MARSHILL, ALLOA**

A report submitted by the Head of Facilities Management sought approval of terms to acquire an area of ground comprising the site of the former Health Centre at Marshall, Alloa.

The principle of the acquisition was agreed by Council on 30 June 2011 as part of the Vacant/Surplus Council Land and Buildings Sales and Acquisition Strategy. Acquisition of the site will facilitate enlargement of the Council's strategic property asset at Marshall for future development and investment purposes. This was a priority within the approved Alloa Town Centre Strategy.

### **Motion**

That Council approves the purchase of 1.56 acres at Marshall from the NHS for the sum of £300,000.

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

### **Decision**

The Council agreed unanimously to:

- approve the purchase of 1.56 acres at Marshall, Alloa, from the NHS for the sum of £300,000

### **Action**

Head of Facilities Management

- Councillor Craig Holden and Councillor Janet Cadenhead returned to the meeting at this point in the proceedings (11.56 am)

## **CC.52 CHIEF SOCIAL WORK OFFICER REPORT**

A report submitted by the Chief Social Work Officer updated Council on the key duties undertaken by the Chief Social Work Officer over the past year and outlined key developments for Social Work Services over the coming year.

In addition, the report highlighted significant changes which are impacting on Social Work. The responsibilities for the Chief Social Work Officer include Child Care, Criminal Justice and Adult Care Services. The duties require an overview of internal and external social work service delivery and include statutory decisions, professional advice, monitoring and support.

### **Motion**

That Council notes the information set out in the report.

Moved by Councillor Janet Cadenhead. Seconded by Councillor Kenneth Earle.

### **Decision**

The Council agreed unanimously to note the information set out in the report.

- Councillor George Matchett, QPM, withdrew from the meeting at this point in the proceedings (12.15 pm).

## **CC.53 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16: PROPOSED CHANGES TO THE HOUSING BENEFIT SYSTEM**

A notice of motion in terms of Standing Order 16 was submitted by Councillor Tina Murphy. The notice was signed by Councillors Murphy, Womersley, Paterson, Balsillie, English and McAdam.

## **Motion**

That Council writes to the Westminster Government expressing our concerns with the proposed changes to the Housing Benefit system and the effect that such changes will have on our tenants and also on the income derived from said benefits to Council.

Also, that part of the proposed changes would contravene the Scottish Secure Tenancy Agreement. That we believe that such changes will give rise to debt and increase levels of the homeless.

Moved by Councillor Tina Murphy. Seconded by Councillor Gary Womersley.

## **Amendment**

Addendum - That Council calls upon the Scottish Government to honour its Manifesto commitment to provide financial support for the building and delivery of 6,000 social houses per year over the life time of the current Parliament.

Moved by Councillor Reverend Sam Ovens. Seconded by Councillor Bobby McGill.

In terms of Standing Order 10.23, the Provost adjourned the meeting at this point in the proceedings (12.35 pm) to allow members opportunity to consider the amendment. The meeting resumed at 12.40 pm. There were 14 members present when the meeting resumed; Councillor Alastair Campbell withdrew from the meeting during the adjournment.

## **Voting**

There were 7 votes for the amendment and 7 votes against the amendment.

## **Decision**

In terms of Standing Order 14.4, the amendment was carried on the casting vote of the Provost, and accordingly the Council agreed the motion as amended:

- To write to the Westminster Government expressing Council's concerns with the proposed changes to the Housing Benefit system and the effect that such changes will have on its tenants and also on the income derived from said benefits to Council. Also, that part of the proposed changes would contravene the Scottish Secure Tenancy Agreement. That we believe that such changes will give rise to debt and increase levels of the homeless.
- To call upon the Scottish Government to honour its Manifesto commitment to provide financial support for the building and delivery of 6,000 social houses per year over the life time of the current Parliament.

## **Action**

### **Chief Executive**

As this was the last meeting of the Clackmannanshire Council that the Chief Executive would attend before taking up a new post, the Provost passed on personal congratulations and, on behalf of the Council, thanked Angela Leitch and wished her every success in her new post as Chief Executive of East Lothian Council.

On behalf of the political groups, Councillors Rev Ovens, Womersley, Holden, Biggam, Cadenhead and Balsillie also wished the Chief Executive well in her new post.

The Chief Executive thanked the Council and paid tribute to the management team.

ENDS 1.05 pm