THIS PAPER RELATES TO
ITEM 3(c)
ON THE AGENDA

Clackmannanshire Council

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MINUTE OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, on FRIDAY 6 JANUARY 2012 at 9.30 am.

The Special Meeting was called in terms of Clackmannanshire Council's Standing Order 6.4, the Chief Executive having received a Notice signed by Councillors Womersley, English, Balsillie, Hamilton, Murphy, Paterson and McAdam.

PRESENT

Councillor Derek Stewart, In the Chair (Items 1-2)
Councillor Tina Murphy, In the Chair (Item 3 onwards)
Councillor Donald Balsillie
Councillor John Biggam
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Eddie Carrick
Councillor Kenneth Earle
Councillor Mark English
Councillor Irene Hamilton
Councillor Craig Holden
Councillor George Matchett, QPM
Councillor Walter McAdam, MBE
Councillor Bobby McGill
Councillor Harry McLaren
Councillor Reverend Sam Ovens
Councillor Janis Paterson
Councillor Gary Womersley

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Director of Finance and Corporate Services
Garry Dallas, Director of Services to Communities
David Thomson, Solicitor, Legal Services (Clerk to the Council)

CC.100 APOLOGIES

None

CC.101 DECLARATIONS OF INTEREST

None

CC.102 NOTICE OF MOTION FOR REMOVAL OF PROVOST, DEPUTE PROVOST, LEADER AND DEPUTE LEADER, ETC

The request for the Special Meeting, duly signed by Councillors Womersley, English, Balsillie, Hamilton, Murphy, Paterson and McAdam, requested that in terms of Standing Order 6.5, the stated business of the said Special Meeting is to be:

(i) Seek to remove the Provost, Depute Provost, Leader and Depute Leader of the Council.

(ii) Seek to remove the Convener and Depute Convener of the Planning, Regulatory, Workforce and Petitions Committees and that of the Local Review Body.

(iii) Seek to remove the current Portfolio Holders of the Inclusion, Regeneration and Partnership Portfolios.

(iv) Carry out such other business as is necessarily inherent, incidental or ancillary to such removals of office/portfolios, including but not limited to appointment of replacements and any other matters as if as the "First Council Meeting After an Election", to include both mandatory and discretionary items of business.

CC.103 REMOVAL AND APPOINTMENTS

(a) Removal and Appointment of the Provost

It was confirmed that it was in order for Provost Derek Stewart to remain in the Chair during consideration of this item.

Motion

That the Council agrees that in terms of Standing Order 2.4, that the Provost be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

In terms of Standing Order 14.7, Councillor Gary Womersley asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 18 elected members present who were eligible to vote. On the roll being called the members present voted as follows:

For the Motion (9)
Councillor Gary Womersley
Councillor Mark English
Councillor Donald Balsillie
Councillor Janis Paterson
Councillor Irene Hamilton
Councillor Tina Murphy
Councillor Walter McAdam
Councillor Craig Holden
Councillor Eddie Carrick

Against the Motion (7)
Councillor Harry McLaren
Councillor Kenneth Earle
Councillor Janet Cadenhead
Councillor Bobby McGill
Councillor Reverend Sam Ovens

Councillor George Matchett
Councillor Derek Stewart

Abstain (Not Voting) (2)
Councillor John Biggam
Councillor Alastair Campbell

There were 9 votes for the motion, 7 votes against and 2 abstentions.

Decision

The motion was carried by 9 votes to 7 with 2 members not voting and accordingly the Council agreed that the Provost be removed from office.

As the motion to remove the Provost was successful, the Chief Executive took the Chair at this point in the proceedings and called for nominations for the election of Provost.

Motion

That Councillor Tina Murphy be nominated as Provost of Clackmannanshire Council.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	7 votes
Not Voting	2

Decision

On a division of 9 votes to 7 with 2 abstentions, the Council agreed to elected Councillor Tina Murphy as Provost of Clackmannanshire Council.

The Chief Executive declared Councillor Murphy duly elected as Provost of the Clackmannanshire Council.

Provost Murphy then took the chair for the remainder of the meeting.

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The Council agreed to adjourn at this point in the proceedings (10.10 am).

Eighteen (18) members were present when the meeting resumed at 10.20 am.

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(b) Removal and Appointment of the Depute Provost

Motion

That the Council agrees that in terms of Standing Order 2.4, that the Depute Provost be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	7 votes
Not Voting	2

Decision

On a division of 9 votes to 7 with 2 abstentions, the Council agreed that Councillor Harry McLaren be removed as Depute Provost.

Motion

That Councillor Janis Paterson be nominated as Depute Provost of Clackmannanshire Council.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed to elected Councillor Janis Paterson as Depute Provost of Clackmannanshire Council.

(c) Removal and Appointment of the Leader of the Council

Motion

That the Council agrees that in terms of Standing Order 2.4, that the Leader of the Council be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	8 votes
Against the motion	7 votes
Not Voting	3

Decision

On a division of 8 votes to 7 with 3 abstentions, the Council agreed that Councillor Reverend Sam Ovens be removed as Leader of the Council.

Motion

That Councillor Gary Womersley be nominated as the Leader of Clackmannanshire Council.

Moved by Councillor Mark English. Seconded by Councillor Irene Hamilton.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed to elect Councillor Gary Womersley as Leader of Clackmannanshire Council.

(d) Removal and Appointment of the Depute Leader of the Council

Motion

That the Council agrees that in terms of Standing Order 2.4, that the Depute Leader of the Council be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Janis Paterson.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	7 votes
Not Voting	2

Decision

On a division of 9 votes to 7 with 2 abstentions, the Council agreed that Councillor Bobby McGill be removed as Depute Leader of the Council.

Motion

That Councillor Mark English be nominated as the Depute Leader of Clackmannanshire Council.

Moved by Councillor Gary Womersley. Seconded by Councillor Janis Paterson.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed to elect Councillor Mark English as Depute Leader of Clackmannanshire Council.

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Procedural Motion

In terms of Standing Order 11.5, Councillor Gary Womersley proposed 2 items of urgent business to be considered at the conclusion of this meeting:

(1) Removal and appointment of Portfolio Holders for Regeneration, Partnership and Inclusion; removal and appointment of the Council's representative on NHS Forth Valley Health Board and representation on Central Scotland Police Joint Board.

(2) In terms of Standing Order 20.7, an indication that a proposal to amend Standing Orders, and in particular for the creation of a second post of Depute Provost, be brought to the next full meeting of the Council;

Provost Tina Murphy agreed to accept these items onto the agenda due to reasons of special circumstances in terms of a new Administration having been established and, therefore, a change of political control. The Provost considered it appropriate that these matters are considered as a matter of urgency.

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CC.104 REMOVAL AND APPOINTMENT OF COMMITTEE CONVENERS AND DEPUTE CONVENERS

Councillor Gary Womersley proposed that the items 4 (a)-(d) (f) and (i) be withdrawn from the agenda:

(a) Removal and appointment of the Convener of the Planning Committee
(b) Removal and appointment of the Depute Convener of the Planning Committee
(c) Removal and appointment of the Convener of the Regulatory Committee
(d) Removal and appointment of the Depute Convener of the Regulatory Committee
(f) Removal and appointment of the Depute Convener of the Workforce Committee
(i) Removal and appointment of the Chair of the Local Review Body

(e) Removal and Appointment of the Convener of the Workforce Committee

Motion

That the Council agrees that in terms of Standing Order 2.4, the current Convener of the Workforce Committee be removed from office and that Councillor Janis Paterson be appointed as the Convener of the Workforce Committee.

That Council does not seek to remove the Depute Convener of the Workforce Committee.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	7 votes
Against the motion	7 votes
Not Voting	4

Decision

In terms of Standing Order 2.7, as the motion to remove the Convener of the Workforce Committee was not carried by a simple majority, Councillor Derek Stewart remains in post as Convener of the Workforce Committee.

(f) Convener and Depute Convener of the Petitions Committee

As the Petitions Committee had only recently been established, Council had not yet appointed a Convener and Depute Convener of the Petitions Committee.

Motion I

That Councillor Donald Balsillie be appointed as Convener of the Petitions Committee.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0, Councillor Donald Balsillie was appointed as the Convener of the Petitions Committee.

Motion 2

That Councillor Walter McAdam be appointed as Depute Convener of the Petitions Committee.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0, Councillor Walter McAdam, MBE, was appointed as the Depute Convener of the Petitions Committee.

CC.105 POLITICAL PORTFOLIOS: REMOVAL AND APPOINTMENT OF PORTFOLIO HOLDERS

(a) Removal and Appointment of the Portfolio Holder for Regeneration

Motion

That the Council agrees that the Portfolio Holder for Regeneration be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	7 votes
Not Voting	2

Decision

On a division of 9 votes to 7 with 2 abstentions, the Council agreed that Councillor Janet Cadenhead be removed from office as the Portfolio Holder for Regeneration.

Motion

That Councillor Irene Hamilton be nominated as the Portfolio Holder for Regeneration.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed to elect Councillor Irene Hamilton as the Portfolio Holder for Regeneration.

(b) Removal and Appointment of the Portfolio Holder for Partnership

Motion

That the Council agrees that the Portfolio Holder for Partnership be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	7 votes
Not Voting	2

Decision

On a division of 9 votes to 7 with 2 abstentions, the Council agreed that Councillor Kenneth Earle be removed from office as the Portfolio Holder for Partnership.

Motion

That Councillor Craig Holden be nominated as the Portfolio Holder for Partnership.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed to elect Councillor Craig Holden as the Portfolio Holder for Partnership

(c) Removal and Appointment of the Portfolio Holder for Inclusion

Motion

That the Council agrees that the Portfolio Holder for Inclusion be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed that Councillor George Matchett, QPM, be removed from office as the Portfolio Holder for Inclusion.

Motion

That Councillor Mark English be nominated as the Portfolio Holder for Inclusion.

Moved by Councillor Gary Womersley. Seconded by Councillor Janis Paterson.

Voting

The vote on the motion was as follows:

For the motion	9 votes
Against the motion	0 votes
Not Voting	9

Decision

On a division of 9 votes to 0 with 9 abstentions, the Council agreed to elect Councillor Mark English as the Portfolio Holder for Inclusion.

CC.106 HEALTH BOARD: NHS FORTH VALLEY - REMOVAL AND APPOINTMENT

Motion 1

That the Council's representative on the NHS Forth Valley Health Board be removed from office.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Voting

The vote on the motion was as follows:

For the motion	8 votes
Against the motion	7 votes
Not Voting	3

Decision

On a division of 8 votes to 7 with 3 abstentions, the Council agreed that Councillor Reverend Sam Ovens be removed from office as the Council's representative on the NHS Forth Valley Health Board.

Motion 2

That Councillor Walter McAdam, MBE, be nominated as the Council's representative on the NHS Forth Valley Health Board.

Voting

The vote on the motion was as follows:

For the motion	8 votes
Against the motion	0 votes
Not Voting	10

Decision

On a division of 8 votes to 0 with 10 abstentions, the Council agreed that Councillor Walter McAdam be appointed as the Council's representative on the NHS Forth Valley Health Board.

CC.107 CENTRAL SCOTLAND POLICE JOINT BOARD REPRESENTATIVES

Motion

That Councillors George Matchett, QPM, and Craig Holden continue as Board Members on the Central Scotland Police Joint Board, subject to Councillors Matchett and Holden agreeing.

Moved by Councillor Gary Womersley. Seconded by Councillor Mark English.

Decision

Councillor Craig Holden agreed to continue as a Board Member on Central Scotland Police Joint Board.

Councillor George Matchett, QPM, to consult with Labour Group members and to feedback.

ENDS 10.35 am