



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 24 OCTOBER 2013 at 10.00 am.

PRESENT

Provost Tina Murphy (In the Chair)
Councillor Donald Balsillie
Councillor Janet Cadenhead
Councillor Alastair Campbell
Councillor Archie Drummond
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Craig Holden
Councillor Kathleen Martin
Councillor George Matchett, QPM
Councillor Walter McAdam
Councillor Bobby McGill
Councillor Les Sharp
Councillor Jim Stalker
Councillor Derek Stewart
Councillor Graham Watt
Councillor Gary Womersley

IN ATTENDANCE

Elaine McPherson, Chief Executive
Stephen Crawford, Head of Facilities Management
Stuart Crickmar, Head of Strategy and Customer Services
Alan Milliken, Assistant Head of Education
Julie Burnett, Senior Support Services Manager
Julie Hamilton, Development Services Manager
Mac West, Roads and Transportation Manager
Liz Shaw, Chief Accountant
David Thomson, Solicitor, Legal Services (Clerk to the Council)

1. Presentation - Modern Apprentices - Business and Administration

Before the start of business, the Provost presented Ryan Douglas with his Level 2 Modern Apprenticeship Certification and Mark Paterson with his Level 3 Modern Apprenticeship Certification and congratulated them on their achievements

2. John Gillespie, Head of Community and Regulatory Services

On behalf of the Council, the Provost paid tribute to John Gillespie, Head of Community and Regulatory Services, who had recently passed away and extended condolences to his family and friends. The Chamber stood for a minute's silence in memory of John.

3. Intimation - Kirkin' of the Council Service

The Provost intimated that a Kirkin' of the Council Service will take place on Sunday 27 October 2013 at 11.00 am at Alva Baptist Church, Alva. The Provost reminded Members to be at the Church for 10.45 am.

CC.151 APOLOGIES

None.

CC.152 DECLARATIONS OF INTEREST

None.

CC.153 MINUTES OF MEETING: THURSDAY 15 AUGUST 2013

The minutes of meeting of the Clackmannanshire Council held on 15 August 2013 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 15 August 2013 were agreed as a correct record and signed by the Provost.

CC.154 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 15 AUGUST 2013

The Council agreed to note the committee meetings that have taken since the last Council meeting on 15 August 2013.

Housing, Health and Care Committee	22/08/13
Regulatory Committee	03/09/13
Enterprise and Environment Committee	05/09/13
Planning Committee	12/09/13
Education, Sport and Leisure Committee	19/09/13
Resources and Audit Committee	26/09/13
Local Review Body	10/10/13

CC.155 LEADER'S BRIEFING

A briefing report which informed elected members of a range of issues and activities and covered the period from the August to September 2013 was submitted by the Leader of the Council.

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

CC.156 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report which sought Council approval of recommendations made by committees during the August/September 2013 cycle of meetings was submitted by the Chief Executive.

Motion

That the Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

Decision

The Council agreed unanimously:

- (1) from the Resources and Audit Committee of 26 September 2013 in relation to the report entitled "External Audit Final Report to Members on the 2012/13 Audit":
 - to approve the final amended Accounts for 2012/13.

Action

Director of Finance and Corporate Services

CC.157 PROPOSED CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN, OPEN SPACE STRATEGY AND ASSOCIATED DOCUMENTS

A report which sought approval to publish the Proposed Plan for representation. The report described the process undertaken to date and what will happen once the Proposed Local Development Plan is agreed by Council.

The Development Services Manager advised that there are a number of typographical errors in the Proposed Plan. These would be rectified prior to the Plan going out to consultation.

Motion

That the Council agrees the recommendations set out in the report with the undernoted amendment as 2(d):

"That prior to the Council approving the Draft Clackmannanshire Local Development Plan for publication and consultation the draft plan be amended to the effect that the Housing Site proposal H48 South and East of Pool of Muckhart for 80 housing units be reduced to 35 units and that corresponding amendments be made to the text of the draft plan."

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

Amendment

"That prior to the Council approving the draft Clackmannanshire Local Development Plan for publication and consultation the draft Plan be amended to the effect that the Housing Site proposal H48 South and East of Pool of Muckhart for 80 housing units be reduced to 35 units and the site boundary be realigned accordingly and that corresponding amendment be made to the text of the draft Plan."

The reason for this amendment is that having regard to the size of Muckhart Village the proposal for 80 new units is unacceptably and disproportionately large and a reduction to 35 Units will ensure that the proposed increase in housing in the village of Muckhart is commensurate with the increase in housing requirement across Clackmannanshire as a whole.

Moved by Councillor Alastair Campbell. Seconded by Councillor Kathleen Martin.

Voting on the Amendment

In terms of Standing Order 14.7, Councillor Alastair Campbell 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 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the amendment (9 votes)

Councillor George Matchett, QPM
Councillor Jim Stalker
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Kathleen Martin
Councillor Kenneth Earle
Councillor Graham Watt
Councillor Derek Stewart
Councillor Alastair Campbell

Against the amendment (9 votes)

Councillor Archie Drummond
Councillor Craig Holden
Councillor Walter McAdam, MBE
Councillor Les Sharp
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Gary Womersley
Provost Tina Murphy

On a division of 9 votes to 9, the amendment was defeated on the casting vote of Provost Tina Murphy.

Voting on the Motion incorporating the proposed amendment by the addition of 2(d)

In terms of Standing Order 14.7, 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 18 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the motion (17 votes)

Councillor Archie Drummond
Councillor Craig Holden
Councillor Walter McAdam, MBE
Councillor Les Sharp
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Gary Womersley
Provost Tina Murphy
Councillor George Matchett, QPM
Councillor Jim Stalker
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Kathleen Martin
Councillor Kenneth Earle
Councillor Graham Watt
Councillor Derek Stewart

Against the amendment (0 votes)

Abstain from voting (1 vote)

Councillor Alastair Campbell

Decision

On a division of 17 votes to 0 with 1 abstention, the Council agreed:

- a. (Subject to d), to approve the Proposed Local Development Plan and accompanying documents to be published for an 8 week period for representations;
- b. To approve the Open Space Strategy and Muckhart Conservation Area Appraisal to be published for an 8 week period for consultation;
- c. To approve the Environmental Reports on the Local Development Plan and Open Space Strategy to be published for an 8 week period for consultation; and
- d. That prior to the Council approving the Draft Clackmannanshire Local Development Plan for publication and consultation the draft plan be amended to the effect that the Housing Site proposal H48 South and East of Pool of Muckhart for 80 housing units be reduced to 35 units and that corresponding amendments be made to the text of the draft plan.

Action

Director of Services to Communities

CC.158 BUDGET STRATEGY UPDATE

A report which refreshed the Council's Budget Strategy and maintained Council's regular update on the medium term financial outlook and indicative funding gap was submitted by the Director of Finance and Corporate Services. The report also updated Council on the budget consultation activity which is underway.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

Amendment

"2.7 - that Council defer approval of proposed additional capital spend on Kilncraigs and Speirs Centre until meeting of 19th December 2013 to allow paper to be brought to Council. Purpose of paper to be background, details and proper scrutiny of this increased capital spend."

Moved by Councillor Janet Cadenhead. Seconded by Councillor Bobby McGill.

The Provost confirmed the Clerk's advice that as the amendment from Councillor Cadenhead is a procedural motion, the matter would proceed straight to the vote.

Councillor Bobby McGill challenged the Provost's decision under Standing Order 10.5 and ask that the Provost's decision be put the vote.

Voting on the Provost's Decision

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

For the Provost's Decision (9 votes)

Councillor Archie Drummond
Councillor Craig Holden
Councillor Walter McAdam, MBE
Councillor Les Sharp
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Gary Womersley
Provost Tina Murphy

Against the Provost's Decision (9 votes)

Councillor George Matchett, QPM
Councillor Jim Stalker
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Kathleen Martin
Councillor Kenneth Earle
Councillor Graham Watt
Councillor Derek Stewart
Councillor Alastair Campbell

On a division of 9 votes to 9, the decision of the Provost was carried on the casting vote of Provost Tina Murphy. Accordingly, the matter was then put to the vote:

Voting on the amendment to defer recommendation 2.7

For the amendment (9 votes)

Councillor George Matchett, QPM
Councillor Jim Stalker
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Kathleen Martin
Councillor Kenneth Earle
Councillor Graham Watt
Councillor Derek Stewart
Councillor Alastair Campbell

Against the amendment (9 votes)

Councillor Archie Drummond
Councillor Craig Holden
Councillor Walter McAdam, MBE
Councillor Les Sharp
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Gary Womersley
Provost Tina Murphy

On a division of 9 votes to 9, the amendment to defer recommendation 2.7 was defeated on the casting vote of Provost Tina Murphy.

Voting on the Motion

In terms of Standing Order 14.7, Councillor Janet Cadenhead 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 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Motion (10)

Councillor Archie Drummond
Councillor Alastair Campbell
Councillor Craig Holden
Councillor Walter McAdam, MBE
Councillor Les Sharp
Councillor Ellen Forson
Councillor Irene Hamilton
Councillor Donald Balsillie
Councillor Gary Womersley
Provost Tina Murphy

Against the Motion (0)

Abstain from Voting (8)

Councillor George Matchett, QPM
Councillor Jim Stalker
Councillor Bobby McGill
Councillor Janet Cadenhead
Councillor Kathleen Martin
Councillor Kenneth Earle
Councillor Graham Watt
Councillor Derek Stewart

Decision

On a division of 10 votes to 0 with 8 abstentions, the Council agreed to:

1. note the challenging financial outlook that faces the Scottish Public Sector over the coming years (Exhibit 1 within the Report).
2. note the Scottish Government's specified commitments and the potential adjustment to local government funding if these were not delivered (Paragraph 3.6 of the Report).
3. note the introduction of the Agreement on Joint Working introduced as part of the Draft Budget announcement (paragraph 3.10 of the Report).
4. note that details of Clackmannanshire's individual settlement will be received by mid December 2013 (paragraph 3.11 of the Report).
5. note the revised indicative funding gap to 2017/18 of £25m (Exhibit 2 within the Report) based on the assumptions set out in paragraph 4.2 of the Report.
6. note the Council's forecast outturn (Exhibit 3 within the Report) and the need for ongoing and robust scrutiny of mitigating action (paragraph 4.5 of the Report).
7. approve an additional £350k capital expenditure to complete the refurbishment works at the Speirs Centre (£100K) and Kilncraigs (£250k) (paragraph 4.8 of the Report).
8. approve £100k capital expenditure to fund the implementation of the Autism Unit at Alva Primary School (paragraph 4.9 of the Report)
9. note the programmed works at Lornhill Academy in respect of the installation of floodlighting (paragraph 4.10 of the Report).
10. note the proposed consultation approach and process (section 5 of the Report).
11. note progress with Budget Challenge discussions and the planned all elected member briefing scheduled for the 6 November 2013 (paragraph 5.5 of the Report).

Action

Director of Finance and Corporate Services

In line with Standing Order 10.25, the meeting adjourned at 12.10 pm.

When the meeting resumed at 12.40 pm, eighteen (18) members remained present.

CC.159 MAKING CLACKMANNANSHIRE BETTER - UPDATE

A report which provided an update on the establishment, development and implementation of Making Clackmannanshire Better (MCB), the Council's business transformation programme was submitted by the Head of Strategy and Customer Services.

Motion

That Council notes the information set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

Decision

The Council agreed to note:

- a. progress made since the last update report; and
- b. the planned activity in the coming months.

CC.160 PEOPLE STRATEGY 2013-17

A report which presented the People Strategy for the period 2013-17 was submitted by the Head of Strategy and Customer Services and Senior Support Services Manager.

Motion

That Council approves the People Strategy 2013-17.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

Decision

The Council agreed unanimously to approve the People Strategy 2013-17.

Action

Head of Strategy and Customer Services

CC.161 CORPORATE COMMUNICATION AND MARKETING STRATEGY 2013-2017

A report which sought approval for the Corporate Communication and Marketing Strategy 2013-17 was submitted by the Head of Strategy and Customer Services.

Motion

That Council approves the Corporate Communications and Marketing Strategy 2013-17.

Moved by Councillor Gary Womersley. Seconded by Councillor Craig Holden.

Decision

The Council agreed unanimously to approve the Corporate Communications and Marketing Strategy 2013-17.

Action

Head of Strategy and Customer Services

**CC.162 HOSPITAL BUSES - PROPOSED REMOVAL OF H1 AND H2 SERVICES
BY NHS FORTH VALLEY AND INTRODUCTION OF DEMAND
RESPONSIBLE TRANSPORT SERVICE**

A report which advised members formally of proposals NHS Forth Valley have put forward to replace the current H1 and H2 bus services between Clackmannanshire Council and Forth Valley Royal was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Bobby McGill.

Decision

The Council agreed unanimously to:

- a. note the proposal by NHS Forth Valley to replace existing bus services H1 and H2 and to amend the existing Travel Plan in which the commitment to these services is contained;
- b. note the proposal which was put forward by Council officers in 2012 which, had it been accepted by NHS Forth Valley, would have offered improved public transport access between Clackmannanshire and FVRH and secured significant savings for both organisations (potentially £953,545 over 5 years for NHS Forth Valley and £28,355 over an equivalent period for the Council);
- c. note the representations which the Chief Executive and Leader have made to the Chief Executive and Chair of NHS Forth Valley over the last six months in respect of the importance of access between Clackmannanshire and the hospital in Larbert;
- d. agree that the Council will support proposals which would improve overall access between Clackmannanshire and the hospital but will not support any proposals which will lead to any diminution of overall access;
- e. ask the Council Leader to write again to the Chair of NHS Forth Valley and the Scottish Government Minister for Health to reinforce the concerns in Clackmannanshire about the prospect of any diminution in access between the county and the hospital in Larbert which may result as consequence of a change in NHS Forth Valley's commitment to the Travel Plan which was agreed in 2010; and
- f. note that officers will continue to work in partnership with officers of NHS Forth Valley and other relevant organisations on transport proposals which will not diminish overall access.

Action

Director of Services to Communities

Councillor George Matchett QPM withdrew from the meeting at this point in the proceedings.

CC.163 STATUTORY GAELIC LANGUAGE PLAN

The report advised Council that official notification has been received from Bord Na Gaidhlig to prepare a statutory Gaelic Language Plan (GLP) under the framework of the Gaelic Language (Scotland) Act 2005.

Motion

That Council notes the information in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Ellen Forson.

Decision

The Council agreed unanimously to note:

- a. that the Council has received formal notification of the requirement to prepare a Gaelic Language Plan; and
- b. that officers will be meeting with representatives of Bord Na Gaidhlig in the coming weeks to discuss the high level aims which have been set out for the Council in that notification.

Action

Chief Executive

CC.164 NEXT GENERATION BROADBAND

The report updated Council on progress in the Scottish Government's Digital infrastructure Programme and to inform Council of the levels of Next Generation Broadband coverage which will be achieved in Clackmannanshire.

Motion

That Council notes the information in the report.

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

Decision

The Council agreed unanimously to note that the Council's capital investment of £300k in the Next Generation Broadband Programme is anticipated to take overall fibre coverage in Clackmannanshire to over 99% of premises.

Action

Director of Finance and Corporate Services

Councillor Walter McAdam MBE withdrew from the meeting at this point in the proceedings.

The provost advised that Items 15 and 16 had been withdrawn from the Agenda. They have been replaced with the undernoted Motion from Councillor McGill and Councillor Forson.

**CC.165 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 -
POTENTIAL PARTNERSHIP WORKING WITH FOOD BANKS AND
OTHER VOLUNTARY ORGANISATIONS TO SUPPORT VULNERABLE
PEOPLE ACCROSS CLACKMANNANSHIRE**

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Bobby McGill and Councillor Ellen Forson.

Motion

1. That following a series of reports on the impacts of the recession and welfare reform on communities in Clackmannanshire, the Council notes with concern the ongoing impact of welfare reform on communities and families across Clackmannanshire and the challenges this brings; agrees to explore the potential for enhanced partnership working with local food banks and other voluntary organisation to support vulnerable people and families in Clackmannanshire - for example by providing meals to children who ordinarily receive free school meals during the school holidays; that this exploration should include the consideration of potential funding streams (such as Big Lottery funding) which might support any development of food banks or other relevant organisations in supporting vulnerable families.
2. Agrees in principle to support and enable the provision of Lunch Clubs for all children who are in need during the period of the school summer holidays commencing in 2014.

These Lunch Clubs should utilise local groups, such as Tullibody Healthy Living Initiative Limited; Coalsnaughton Regeneration Group, local Church Groups etc., with relevant accommodation to help serve the children during this period if agreement can be reached with them to do so.

3. Remits this matter to the Chief Executive to instruct such officers as she deems appropriate to develop a draft potential scheme for the purpose of implementing the above proposal which should include the following elements:
 - a. identification of suitable venues by liaising with local groups
 - b. to seek agreement of such groups on making available their premises on such days and times that may be required.
 - c. to seek involvement with such groups with preparing and serving such meals to relevant children.
 - d. provision of healthy and nutritious food such as soup, sandwiches, fruit etc.
 - e. to provide indications of costs required for this service
 - f. and to include such other requirements that will be necessary or appropriate to provide a workable lunch club scheme.
4. The Chief Executive shall report back to the Council with a draft lunch club scheme for approval/consideration of Council not later than the Council meeting of 14th March 2014.

Decision

The Council agreed unanimously to support the motion.

Action

Chief Executive

ENDS 2.40 pm