

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Greenfield, Alloa, FK10 2AD, on THURSDAY 19 DECEMBER 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
Nikki Bridle, Director of Finance and Corporate Services
Garry Dallas, Director of Services to Communities
Stephen Crawford, Head of Facilities Management (From Item 8)
Stuart Crickmar, Head of Strategy and Customer Services
Alan Milliken, Assistant Head of Education
Julie Burnett, Senior Support Services Manager
Mac West, Roads and Transportation Manager
Jane Menzies, Assistant Head of Joint Social Services
Chris Sutton, Service Manager, Social Services
Brian Forbes, Customer Services Manager
Sharon Evenden, Manager, Early Years
Andrew Hunter, Senior Governance Officer
Marjorie Macfarlane, Sports Development Manager
David Thomson, Solicitor, Legal Services (Clerk to the Council)

Presentation - Customer Service Excellence Re-Accreditation

Before the start of business, the Provost presented Housing and community Safety and Community and Regulatory Services with their Customer Service Excellence Re-Accreditation.

CC.166 APOLOGIES

None.

CC.167 DECLARATIONS OF INTEREST

Councillor Holden declared a non-financial interest in Item 10 (Hospital Buses - Proposed Removal of H1 and H2 Services by NHS Forth Valley and Introduction of Demand Responsive Transport Service) as he is an employee of NHS Forth Valley. Councillor Holden advised that he would withdraw from the Chamber during this item.

CC.168 MINUTES OF MEETING: THURSDAY 24 OCTOBER 2013

The minutes of meeting of the Clackmannanshire Council held on 24 October 2013 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 24 October 2013 were agreed as a correct record and signed by the Provost.

CC.169 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 24 October 2013.

Housing, Health and Care Committee	29/10/13
Resources and Audit Sub Committee	30/10/13 & 10/12/13
Planning Committee	31/10/13 & 28/11/13
Regulatory Committee	31/10/13 & 17/12/13
Enterprise and Environment Committee	07/11/13
Local Review Body	12/11/13
Education, Sport and Leisure Committee	21/11/13
Resources and Audit Committee	05/12/13
Workforce Committee	09/12/13

CC.170 LEADER'S BRIEFING

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

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

CC.171 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report which sought Council approval of recommendations made by committees during the October/November 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 Planning Committee of 31st October 2013, in relation to the report entitled "Scheme of Delegation: Planning Applications for Local Developments":
 - to ratify the decision of the Committee to approve the amended Scheme of Delegation for Planning and Other Applications under Section 43A of the Town and Country Planning (Scotland) Act 1997, as contained in Appendix 1 of the report.
- (2) from the Enterprise and Environment Committee of 7th November 2013, in relation to the report entitled "Fleet Asset Management Plan"
 - to approve the Fleet Asset Management Plan 2013-2018.
- (3) from the Education, Sport and Leisure Committee of 21st November 2013, in relation to the report entitled "Leisure and Sport Strategy 2013-2015"
 - to approve the Leisure and Sport Strategy 2013-2015.
- (4) from the Resources and Audit Committee of 5th December 2013, in relation to the report entitled "Internal Audit and Fraud Progress Report"
 - to note the Internal Audit Review of Adult Care - Commissioning of Care and Corporate Appointees and invites the Housing, Health and Care Committee to ensure that the identified areas for improvement are actioned, reported and monitored to ensure their delivery;
 - to note that the Internal Audit Review of Schools PPP/PFI Contract Monitoring and invites the Education, Sport and Leisure Committee to ensure that the identified areas for improvement, relevant to each Committee, are actioned, reported and monitored to ensure their delivery; and
 - to note that the Internal Audit Reviews of Information management - Document Management and Business Continuity Planning and Disaster Recovery and invites all Service Committees to ensure that the identified areas for improvement, relevant to each Committee are actioned, reported and monitored to ensure their delivery.

Action

Chief Executive

CC.172 NOTICE OF AMENDMENTS TO COUNCIL STANDING ORDERS

The report gave notice to the Council of proposed changes to Standing orders.

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 to note that:

- a. amendments to Standing Orders will be submitted to the next Council Meeting for approval; and
- b. a briefing for all elected members will be arranged to take place prior to the next Council Meeting to review the proposed changes.

Action

Director of Finance and Corporate Services

CC.173 BUDGET STRATEGY UPDATE

The report maintained Council's regular update on the medium term financial outlook and indicative funding gap. The report also updated Council on the budget consultation activity which is underway and provides details of provisional officer savings proposals which form the basis of phase 2 consultation activity.

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 to:

1. note that it is anticipated that Clackmannanshire's individual financial settlement will be notified between 9 and 11 December and that a verbal update on the impact of the settlement has been provided at the Council meeting (paragraph 3.3).
2. note the revised indicative funding gap to 2017/18 of £25.7m (Exhibit 1) based on the assumptions set out in paragraph 4.2.
3. note the demand pressures approved by Directors' Group (Appendix A) and the impact of these on the revised indicative gap (paragraph 4.3 and 4.4)
4. note the Council's forecast outturn (Exhibit 2) as reported to the Resources and Audit Committee on the 5 December.
5. note the progress in the preparation of both HRA and capital budgets (paragraph 4.6 and 4.7).
6. note the officer savings proposals set out at Appendix B and the request for feedback through the ongoing consultation.

7. note the request for feedback on the potential equalities impacts of individual proposals (Appendix B).
8. note the range of consultation activity which has taken place since October (Paragraph 5.1) and the current phase of activity which commenced on the 16th December which focuses on specific officer savings proposals for 2014/15 (paragraphs 5.3-5.5).
9. note ongoing consultation and engagement with Trade Union representatives (paragraph 5.7).

Action

Director of Finance and Corporate Services

CC.174 POLLING DISTRICT AND POLLING PLACE REVIEW 2013

The report brought to Council the outcome of the consultation on the polling districts and polling places within the Clackmannanshire area which took place between the 1st October and 1st November 2013.

Motion

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

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

Amendment 1

1. Insert the following words at the beginning of recommendation 2.1a):
 "Subject to recommendation 2.1b),";
2. Add new recommendation 2.1b) as follows:
 "Delete the entry in Appendix 1 relating to Tullibody and substitute for it the following 2 entries:
 - a. Proposed Polling Place - St Serf's Church Hall, Menstrie Road, Tullibody; Polling District - OC110; Comments : Polling Place to incorporate the existing district of OC110 and the area to the north of Alloa Road currently in OC115"; and
 - b. Proposed Polling Place - Tullibody Civic Centre, Abercromby Place, Tullibody; Polling District - OC120; Comments - Polling place to incorporate the area to the south of Alloa Road currently part of OC115. In addition to serve the voters of the existing OC120 and OC125"; and
3. Renumber the existing recommendation 2.1b) as recommendation 2.1.c).

Moved by Councillor Les Sharp. Seconded by Councillor George Matchett QPM.

Voting on Amendment 1

For the Amendment	17 votes
Against Amendment	0 votes
Abstain from Voting	1 vote

The amendment was carried by 17 votes to 0 with 1 abstention.

Amendment 2

"Add as 2.1.c)

Add new recommendation 2.1.c): Delete the current entry under Comments for Devonvale Hall, Moss Road, Tillicoultry and substitute the following words; "No change to current arrangements";

and

Add the following entry: Proposes Polling Place - Ben Cleuch Centre, Park Street, Tillicoultry; Polling District - OC237; Comments - Discontinue the use of Tillicoultry Community Centre.

4. Renumber the existing recommendations 2.1.b) as recommendation 2.1.d)"

Moved by Councillor Bobby McGill. Seconded by Councillor Graham Watt.

Voting on Amendment 2

In terms of Standing Order 14.7, Councillor Bobby McGill 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, Amendment 2 was defeated on the casting vote of Provost Tina Murphy.

Voting on the Motion

In terms of Standing Order 14.7, Councillor Bobby McGill 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 (18 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
Councillor Alastair Campbell

Decision

The Council agreed unanimously:

- a. (Subject to b) to approve the polling districts and places set out in Appendix 1 to the report;
- b. To delete the entry in Appendix 1 relating to Tullibody and substitute for it the following 2 entries:

Proposed Polling Place - St Serf's Church Hall, Menstrie Road, Tullibody; Polling District - OC110; Comments : Polling Place to incorporate the existing district of OC110 and the area to the north of Alloa Road currently in OC115"; and

Proposed Polling Place - Tullibody Civic Centre, Abercromby Place, Tullibody; Polling District - OC120; Comments - Polling place to incorporate the area to the south of Alloa Road currently part of OC115. In addition to serve the voters of the existing OC120 and OC125";

- c. to delegate to the Chief Executive (further to consultation with elected members in the affected Ward) to approve any changes to the scheme which may become necessary before the next formal review.

Action

Director of Finance and Corporate Services

Councillor Holden declared a non-financial interest in the following item (Item 10 - Hospital Buses - Proposed Removal of H1 and H2 Services by NHS Forth Valley and Introduction of Demand Responsive Transport Service) as he is an employee of NHS Forth Valley. Councillor Holden withdrew from the Chamber for the duration of this item.

**CC.175 HOSPITAL BUSES - PROPOSED REMOVAL OF H1 AND H2 SERVICES
BY NHS FORTH VALLEY AND INTRODUCTION OF DEMAND
RESPONSIVE TRANSPORT SERVICE**

The report updated the Council on developments regarding proposals NHS Forth Valley (NHS FV) put forward in October 2013 to replace the current H1 and H2 bus services between Clackmannanshire and Forth Valley Royal Hospital (FVRH) at Larbert with a Demand Responsive Transport (DRT) Service.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council unanimously agreed:

- a. to note the latest position as set out in the report;
- b. to instruct the Chief Executive to write to NHS FV setting out the Council's views on the latest position;
- c. to reaffirm its previous decisions as set out at paragraph 3.2 of the report;
- d. to support the principle that NHS FV should provide more health services locally in Clackmannanshire to reduce the need for people to travel to FVRH;
- e. to use all its avenues open to it to hold NHS FV to account in respect of its commitments to ensure public transport access between Clackmannanshire and FVRH;
- f. that the Council Leader will write to NHS FV Board Members setting out the Council's position;
- g. to instruct the Chief Executive to write to Falkirk Council outlining concerns about potential alterations to the existing S75 Agreement; and
- h. to welcome the intervention of the Scottish Government to host a meeting to seek to reach a resolution to the matter.

Action

Chief Executive

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

Councillor McGill withdrew from the meeting during the break.

When the meeting resumed at 12.40 pm, seventeen (17) members remained present.

CC.176 MAKING CLACKMANNANSHIRE BETTER - UPDATE

The report maintained the Council's regular update on the establishment, development and implementation of Making Clackmannanshire Better (MCB), the Council's business transformation programme.

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.177 EARLY YEARS COLLABORATIVE

The report brought Council up to date with the Council's and Clackmannanshire Alliance's involvement in the Early Years Collaborative (EYC) which was launched in January 2012.

Motion

That Council notes the information set out in the report.

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

Decision

The Council agreed unanimously to note the Council's and the Alliance's engagement in the Early Years Collaborative and the positive impact of that engagement to date.

Action

Chief Executive

CC.178 INFORMATION, LIBRARIES AND LEARNING STRATEGY 2013-2017

The report presented the Information, Libraries and Learning Strategy for approval. The strategy covers the 4 year period from 2013 to 2017.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed unanimously to:

- a. approve the Information, Libraries and Learning Strategy 2013-2017 set out in Appendix 1; and
- b. agree that progress is monitored annually thereafter by the Education, Sport and Leisure Committee.

Action

Head of Strategy and Customer Services

CC.179 HEALTH AND CARE INTEGRATION - PARTNERSHIP ARRANGEMENTS

The Public Bodies (Joint Working) (Scotland) Bill 2013 was introduced to Parliament on 28 May 2013 with the purpose of legislating for the integration of certain care and health services. The report sought Council approval that any future arrangements for health and care integration in this context can be undertaken on a joint basis with Stirling Council given the two councils have shared social services.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Les Sharp.

Decision

The Council agreed unanimously to :

- a. agree that future arrangements for integrating health and care services made under the pending legislation can be undertaken jointly with Stirling Council; and
- b. note that the Chief Executive will send a statement of intent to the Scottish Government Ministers that in the context of the pending legislation Clackmannanshire and Stirling Councils plan to form a single partnership with NHS Forth Valley.

Action

Chief Executive

Councillor Matchett QPM withdrew from the meeting prior to the next item of business.

CC.180 CHILD CARE SERVICES REDESIGN

The report presented to Council proposals for the redesign of Child Care Services. The proposals set out in the Appendix to the report outlined the vision for taking the shared service forward in a phased way over the next three years.

Councillor Watt and Councillor Campbell withdrew from the meeting during this item.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Les Sharp.

Decision

The Council unanimously agreed to:

- a. the proposals for redesign of Child Care Services set out in the Appendix; and
- b. note the objectives outlined which will be progressed on a phased basis over the next three years.

Action

Head of Social Services

EXEMPT INFORMATION

The Council resolved in terms of Section 50(A) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 9.

CC.181 PROVISION OF CARE AT HOME SERVICE FOR OLDER PEOPLE AND PEOPLE UNDER 65 WITH A PHYSICAL DISABILITY

The report provided summary details of the competitive tender process for the provision of Care at Home Services for older people and people under the age of 65 with a disability living in Clackmannanshire and Stirling.

Motion 1

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Les Sharp.

Following a lengthy debate, Councillor Womersley called for an adjournment. The Provost agreed to an adjournment and the meeting adjourned at 2.50 pm.

Councillor McAdam MBE withdrew from the meeting during the adjournment.

The meeting resumed at 3.10 pm with 13 members present.

Motion 2

Councillor Womersley withdrew his earlier Motion 1 and moved that the report is deferred.

Seconded by Councillor Holden.

Decision

The Council unanimously agreed to defer the report.

Action

Head of Social Services

EXEMPT INFORMATION

The Council resolved in terms of Section 50(A) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 9.

CC.182 2013-17 CENTRAL HEATING REPLACEMENT IN COUNCIL HOUSES

The purpose of the report was to approve the award of a contract to carry out the 2013-17 Central Heating Replacement in Council Houses.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Gary Womersley. Seconded by Councillor Les Sharp.

Decision

The Council unanimously agreed to approve the award of the contract in the sum of £3,798,250.75 for the 2013-17 Central Heating Replacement in Council Houses to British Gas Social Housing Limited trading as PH Jones part of Scottish Gas.

Action

Head of Facilities Management

Councillor Stewart passed on his best wishes to the Head of Facilities Management, Stephen Crawford, on his forthcoming move to Perth and Kinross Council and thanked him for his work with Clackmannanshire Council. Councillor Womersley and the Provost also added their best wishes. Mr Crawford thanked everyone for their best wishes and commended and thanked all his staff within Facilities Management.

ENDS 3.45 pm