



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 8 FEBRUARY 2018 at 9.30 am.

PRESENT

Provost Tina Murphy (In the Chair)
Councillor Donald Balsillie
Councillor Dave Clark
Councillor Chris Dixon
Councillor Kenneth Earle
Councillor Phil Fairlie
Councillor Ellen Forson
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Kathleen Martin
Councillor Bill Mason
Councillor George Matchett, QPM
Councillor Les Sharp
Councillor Derek Stewart
Councillor Mike Watson

IN ATTENDANCE

Elaine McPherson, Chief Executive
Nikki Bridle, Depute Chief Executive
Garry Dallas, Executive Director
Stephen Coulter, Head of Resources and Governance
Celia Gray, Head of Social Services
Anne Pearson, Chief Education Officer
Chris Alliston, Service Manager (Human Resources)
Julie Hamilton, Development Services Manager
Lindsay Sim, Chief Accountant
Lindsay Thomson, Service Manager (Legal and Democracy) (Clerk to the Council)
Margaret Summers, Committee Services

Mr Gordon Smail, Assistant Director, Audit Scotland (Agenda Item 06)

CC.79 APOLOGIES

Apologies for absence were received from Councillor Martha Benny and Councillor Craig Holden.

CC.80 DECLARATIONS OF INTEREST

None

CC.81 MINUTES OF METINGS: CLACKMANNANSHIRE COUNCIL

(i) Minutes of Meeting: Clackmannanshire Council 12 December 2017

The minutes of the meeting of the Clackmannanshire Council held on 12 December 2017 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 12 December 2017 were agreed as a correct record and signed by the Provost.

It was noted that notice was given by Councillor Les Sharp at the meeting of the Council on 12 December 2017 under Standing Order 20.7 of the intention to bring to Council proposals to amend Standing Orders. It was confirmed that no substantive report concerning proposals to amend standing Orders was submitted to the meeting on 8 February 2018.

(ii) Minutes of Special Meeting: Clackmannanshire Council 18 January 2018

The minutes of the special meeting of the Clackmannanshire Council held on 18 January 2018 were submitted for approval.

Decision

The minutes of the special meeting of the Clackmannanshire Council held on 18 January 2018 were agreed as a correct record and signed by the Provost.

CC.82 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 12 DECEMBER 2017

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 12 December 2017.

- (i) Scrutiny Committee on 21/12/17
- (ii) Regulatory Committee on 16/01/18
- (iii) Audit and Finance Committee on 18/01/18
- (iv) Clackmannanshire Licensing Board on 23/01/18
- (v) Planning Committee on 25/01/17

CC.83 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

A report which sought Council approval of recommendations made by the Audit and Finance Committee on 16 November 2017 was submitted by the Chief Executive.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Phil Fairlie.

Decision

The Council agreed:

From the Audit and Finance Committee of 16 November 2017 in relation to the report entitled, "Council Financial Performance 2017/18 August Outturn"

- To approve the rephrasing of the current capital budget for Telecare and the use of the budget to support a new call system within Menstrie House.

Action

Chief Executive

CC.84 CLACKMANNANSHIRE COUNCIL BEST VALUE ASSURANCE REPORT

A report which introduced the formal presentation to Council of the recently published "Clackmannanshire Council Best Value Assurance Report" and the Accounts Commission's findings on that report was submitted by the Chief Executive. The Clackmannanshire Council Best Value Assurance Report was attached as Appendix 1, and the Accounts Commission's findings on that report were attached as Appendix 2.

The Council heard from Mr Gordon Smail, Assistant Director, Audit Scotland, and had opportunity to put questions to Mr Smail.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Ellen Forson.

Decision

Having commented and challenged as appropriate and having had opportunity for questions to the Assistant Director, Audit Scotland, the Council agreed :

- (i) To note the contents of the Best Value Assurance Report.
- (ii) To note and consider the findings of the Accounts Commission on that report.
- (iii) That an action plan is brought to the 8 March 2018 Council meeting to progress the recommendations contained in the Best Value Assurance Report.

Action

Chief Executive

CC.85 SOCIAL SERVICES REVIEW

A report which summarised the actions undertaken in an in-depth review of Children and Families Social Work was submitted by the Head of Social Services.

On 21 April 2016, the then Resources and Audit Committee agreed the scope, approach, resourcing and reporting arrangements for undertaking a social services scrutiny review.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Les Sharp.

Decision

Having commented and challenged as appropriate, the Council agreed to note the context of the report and the changes to the current caseload allocation system.

The Council also agreed the conclusion of the Scrutiny Review.

CC.86 LOCAL CODE OF GOVERNANCE

A report which sought approval of a revised Local Code of Governance and Internal Control Checklist was submitted by the Head of Resources and Governance.

The Head of Resources and Governance pointed out a typographical error in the Local Code of Governance on page 1 (page 80 of the agenda papers). Paragraph 3 to be amended to read, "Governance comprises the *arrangements* put in place to ensure that the intended outcomes for stakeholders are defined and achieved".

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Phil Fairlie.

Decision

The Council agreed:

- (i) To adopt the revised Local Code of Governance.
- (ii) The revised Internal Control Checklist and adopted it for the 2017-18 Annual Governance Statement process.

Action

Head of Resources and Governance

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 items of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 8, 9 and 1.

CC.87 SALE OF LAND AT ALLOA WEST BUSINESS PARK

A report which sought approval for the sale of land at Alloa West to facilitate the relocation and expansion of a local business was submitted by the Development Services Manager.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed unanimously to support the recommendations set out in the report

Action

Development Services Manager

The Provost adjourned the meeting for 10 minutes at this point in the proceedings (11.20 am)

When the meeting resumed at 11.30 am, fifteen (15) elected members remained present.

All of the Officers in attendance withdrew from the meeting at 11.20 am apart from the Human Resources Service Manager, the Chief Accountant and the Legal and Democracy Service Manager who remained in attendance for the following item of business.

CC.88 CHIEF OFFICER ESTABLISHMENT

A report which presented to Council a proposal in the context of the requirement to achieve required budget savings was submitted by the HR Service Manager, the Chief Accountant and the Legal and Democracy Service Manager.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Ellen Forson.

A counter motion was moved by Councillor Dave Clark and seconded by Councillor Kenneth Earle that Council does not agree the recommendations set out in the report..

Vote on the motion

In terms of Standing Order 14.7, Councillor Kenneth Earle asked for a roll call vote on the original motion. The Council agreed that a vote be taken by calling the roll and at this stage there were 15 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For the motion (10 votes)

Councillor Les Sharp
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Phil Fairlie
Councillor Graham Lindsay
Councillor Darren Lee
Councillor Mike Watson
Councillor Bill Mason
Councillor Chris Dixon
Provost Tina Murphy

Against the motion (5 votes)

Councillor Dave Clark
Councillor Kenneth Earle
Councillor George Matchett, QPM
Councillor Derek Stewart
Councillor Kathleen Martin

Decision

The motion was carried on a division of 10 votes to 5.

Accordingly, the Council agreed to support the recommendations set out in the report.

Action

HR Service Manager

Ends 11.45 am.