



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 12 APRIL 2018 at 9.30 am.

PRESENT

Provost Tina Murphy (In the Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Dave Clark
Councillor Chris Dixon
Councillor Kenneth Earle
Councillor Phil Fairlie
Councillor Ellen Forson
Councillor Craig Holden
Councillor Darren Lee
Councillor Helen Lewis
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
Stephen Coulter, Head of Resources and Governance
Celia Gray, Head of Social Services
Anne Pearson, Chief Education Officer
Lindsay Sim, Chief Accountant
Chris Alliston, Service Manager (Human Resources)
Julie Hamilton, Development Services Manager
Lesley Baillie, Strategy and Performance Adviser
Debbie Carter, City Deal Programme Manager
Richard Thomson, Community Justice Policy Co-ordinator
Lindsay Thomson, Service Manager (Legal and Democracy) (Clerk to the Council)
Gillian White, Committee Services (Legal and Democracy)

The Provost, on behalf of the Council, offered congratulations to the Alloa swimmer, Duncan Scott, who had won several medals while participating in the Commonwealth Games in Australia.

CC.100 APOLOGIES

None.

CC.101 DECLARATIONS OF INTEREST

None.

**CC.102 MINUTES OF MEETING OF CLACKMANNANSHIRE COUNCIL
12 APRIL 2018**

The minutes of the meeting of the Clackmannanshire Council held on 12 April 2018 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 12 April 2018 were agreed as a correct record and signed by the Provost.

**CC.103 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL
MEETING ON 8 MARCH 2018**

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 8 March 2018.

- (i) Audit and Finance Committee on 15/03/18
- (ii) Planning Committee on 22/03/18
- (iii) Clackmannanshire Licensing Board on 27/03/18

**CC.104 APPOINTMENT OF COUNCIL LEADER AND OTHER MEMBER
APPOINTMENTS**

The report, submitted by the Chief Executive, advised Council of the resignation of Councillor Les Sharp as Council Leader and invited Council to appoint a new Leader; advised Council of other resignations from member positions and invited Council to appoint to those vacancies; invited Council to amend its spokespersons; and advised Council of various member resignations from outside bodies and invited Council to appoint to those vacancies.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie.

Decision

The Council agreed to:

- a. Note that Councillor Les Sharp has resigned as Council Leader;
- b. Note that Councillor Ellen Forson has resigned as Depute Leader with effect from 12 April 2018;
- c. Appoint Councillor Ellen Forson as the new Council Leader (Moved by Councillor Les Sharp. Seconded by Councillor Craig Holden)
- d. Appoint Councillor Phil Fairlie as the new Depute Council Leader (Moved by Councillor Ellen Forson. Seconded by Councillor Craig Holden)
- e. Note that Councillor Ellen Forson has resigned as Health and Social Services Spokesperson with effect from 12 April 2018;
- f. Appoint Councillor Les Sharp to the post of Spokesperson for Health and Social Services (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie)

- g. Note that Councillor Phil Fairlie has resigned as Partnership and Third Sector spokesperson with effect from 12 April 2018;
- h. Appoint Councillor Helen Lewis to the post of Spokesperson for Partnership and Third Sector (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie);
- i. Create a new spokesperson role of Audit and Finance (replacing the Chair of Audit and Finance post in terms of special responsibility allowance);
- j. Appoint Councillor Phil Fairlie to the post of Spokesperson for Audit and Finance (Moved by Councillor Ellen Forson. Seconded by Councillor Craig Holden)
- k. Appoint Councillor Helen Lewis to the vacancy on the Scrutiny Committee left by the resignation of former Councillor Archie Drummond (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie);
- l. Appoint Councillor Helen Lewis to the vacancy on the Licensing Board left by the resignation of former Councillor Archie Drummond (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie);
- m. Appoint Councillor Helen Lewis to the vacancy on the Planning Committee left by the resignation of former Councillor Archie Drummond (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie)
- n. Note that Councillor Ellen Forson has resigned as the Council's representative on the Board of NHS Forth Valley with effect from 12 April 2018;
- o. To appoint the Spokesperson of Health and Social Services (Councillor Les Sharp) as the Council's representative on the Board of NHS Forth Valley (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie);
- p. Note that Councillor Ellen Forson has resigned as a member of the Integration Joint board with effect from 12 April 2018;
- q. Appoint Councillor Les Sharp as a member of the Integration Joint Board (noting that Councillor Sharp will also fill the post of vice-chair of the Integration Joint board) (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie);
- r. Note the resignation of Councillor Derek Stewart from the Clackmannanshire and Stirling Environmental Trust and that no replacement member is required as the organisation has reduced its request for representatives from three to two;
- s. Note that Councillor Phil Fairlie has resigned as Council representative on the Board of SEStran;
- t. Appoint Councillor Donald Balsillie as the Council's representative on the Board of SEStran (Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie);
- u. Note the appointment of Councillor Donald Balsillie as the Council's representative on the Falkirk Pension's board. Councillor Balsillie replaced Councillor Drummond at the Council Meeting held on 9 November 2017;
- v. Note the resignation of Councillor Les Sharp as the Council's representative on the Scotland Excel Committee; and
- w. Appoint Councillor Phil Fairlie as the Council's representative on the Scotland Excel Committee (Moved by Councillor Ellen Forson. Seconded by Councillor Craig Holden).

Action

Chief Executive

CC.105 COUNCIL DECISION-MAKING FRAMEWORK

The report, submitted by the Chief Executive, put to Council proposals for an amended decision-making framework in the context of wider organisational redesign.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie.

Decision

The Council agreed:

- a. The proposals for an amended decision-making framework as set out in the report;
- b. To note that consequential changes will be made to Standing Orders and the Scheme of Delegation (notice of changes to Standing Orders having been given at the last Council meeting in March 2018);
- c. The composition of each of the People, Place and Performance Committees as set out in the report;
- d. That the convenors and vice convenors of those committees should come from the Administration Group;
- e. That the convenors and vice convenors from that Group should be the members set out in paragraph 3.7 of the report, namely:

People Committee

Convenor – Councillor Graham Lindsay

Vice-Convenor – Councillor Les Sharp

Place Committee

Convenor – Councillor Craig Holden

Vice-Convenor – Councillor Donald Balsillie

Performance Committee

Convenor – Councillor Phil Fairlie

Vice-Convenor – Councillor Helen Lewis

- f. To appoint a further two members of the Administration as members of those committees;
- g. To appoint four members from other political groups to those committees; and
- h. The cycle of meetings set out in the appendix to the report.

Councillor Clark advised that the Labour Group will provide details of member appointments to the People, Place and Performance Committees at a later point.

Action

Chief Executive

CC.106 FINANCIAL REGULATIONS

The report, submitted by the Head of Resources and Governance, sought approval of the revised Financial Regulations.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Phil Fairlie. Seconded by Councillor Helen Lewis.

Decision

The Council agreed to adopt the revised Financial Regulations.

Action

Head of Resources and Governance

CC.107 SCHEME OF ESTABLISHMENT OF COMMUNITY COUNCILS

The report, submitted by the Head of Strategy and Customer Services, set out the outcome of the third stage of consultation on the content of a proposed new Scheme for the Establishment of Community Councils.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Phil Fairlie. Seconded by Councillor Helen Lewis.

Decision

The Council agreed to:

1. Note the summary of final representations on the proposed Scheme attached as Appendix 1 to the report;
2. Approve for adoption the proposed new Scheme for the Establishment of Community Councils attached as Appendix 2 to this report; and
3. Note the timetable for introduction of the new Scheme, including the scheduling of the next review, attached as Appendix 3 to the report.

Action

Head of Strategy and Customer Services

CC.108 CLACKMANNANSHIRE COMMUNITY JUSTICE OUTCOMES IMPROVEMENT PLAN 2018/2023

The report, submitted by the Head of Social Services, presented Clackmannanshire's Community Justice Improvement Plan 2018/23 for approval. The plan will replace the transitional single year Community Justice Plan 2017/18.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Les Sharp. Seconded by Councillor Graham Lindsay.

Decision

The Council agreed to approve the Community Justice Improvement Plan for 2018/23, which will be published on the Council's website.

Action

Head of Social Services

CC.109 CONSERVATION AREA APPRAISALS – CLACKMANNANSHIRE LOCAL DEVELOPMENT PLAN UPDATE

The report, submitted by the Executive Director, sought approval of the Finalised Conservation Area Appraisals (CAA) for Alloa Glebe, Tillicoultry, Clackmannan, Kennet and Dollar, prepared under the current LDP and also provided an update on the commencement of the Local Development Plan (LDP) Review.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Ellen Forson.

Decision

The Council agreed to approve the Finalised Conservation Area Appraisal documents, including the proposed alterations to the Conservation Area boundaries at Alloa Glebe, Tillicoultry and Dollar (copies of which had been provided to Members in the Group rooms along with the consultation documents received).

Action

Executive Director

CC.110 CITY REGION DEAL: HEADS OF TERMS AGREEMENT

The report, submitted by the Executive Director, advised that negotiations have been taking place with both UK and Scottish Governments to reach a Heads of Terms Agreement on a City Region Deal for Stirling and Clackmannanshire. This is approaching its conclusion and it is anticipated that an offer will shortly be forthcoming, which Clackmannanshire council must be in a position to accept or reject within a short period after the offer is made.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Phil Fairlie.

Decision

The Council agreed to delegate authority to the Chief Executive, in consultation with Group Leaders, to accept the offer of a Heads of Terms Agreement for a City Region Deal for Stirling and Clackmannanshire, in so far as its content relates to Clackmannanshire.

Action

Executive Director

The Provost adjourned the meeting for 10 minutes at this point in the proceedings (11.10 am)

When the meeting resumed at 11.20 am, eighteen (18) elected members remained present.

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, Paragraphs 8 and 12.

Standing Order 17.1 advises that no motion that tries to alter or withdraw a council or committee decision (or has that effect) will be considered or passed for at least six months from the date of the original decision. However, the Provost advised that as she was satisfied that circumstances had changed in a relevant way, in that it related to urgent remedial works, to support people on low income and to resolve the issue of use of defective material, she agreed to set aside Standing Order 17.1 to allow the Council to take a decision on the report.

CC.111 BOWMAR COMMUNITY ENERGY SAVINGS PROGRAMME

The report, submitted by Councillor Craig Holden, informed elected members of the defective workmanship associated with the Bowmar Community Energy Savings Programme, obtain approval for the funding and commissioning of remedial works to owner occupied homes and secure a review of the contractual arrangements.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Donald Balsillie.

Councillor Clark requested an adjournment. The Provost agreed to adjourn the meeting for 5 minutes at this point in the proceedings (11.49 am)

When the meeting resumed at 11.52 am, eighteen (18) elected members remained present.

Decision

The Council agreed the recommendations as set out in the report.

Action

Councillor Craig Holden

Ends: 12.12 pm

