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Kilncraigs, Greenside Street, Alloa, FK10 1EB (Tel.01259-450000)

Meeting of Clackmannanshire Council

Thursday 21 February 2019 at 9.30 am

Venue: Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB

Resources & Governance, Legal & Democracy Services, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB
Phone: 01259 452006/452004 E-mail: CCANDWGM@clacks.gov.uk Web: www.clacks.gov.uk

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Clackmannanshire Council

There are 32 Unitary Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

Details of all of our Council and Committee dates and agenda items are published on our website at www.clacks.gov.uk

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13 February 2019

A MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 21 February 2019 at 9.30 am.

NIKKI BRIDLE
Chief Executive

B U S I N E S S

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1. Apologies --

2. Declaration of Interests --
   Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Services Officer.

3. Confirm Minutes of Meetings (Copies herewith):

   a. Clackmannanshire Council – Thursday 20 December 2018 07
   b. Special Meeting of Clackmannanshire Council – Thursday 31 January 2019 15

4. Committee Meetings Convened Since the Previous Council Meeting on 20 December 2018 (For information only) --

   (i) Appointments Committees on 9 January and 19 February 2019
   (ii) People Committee on 17 January 2019
   (iii) Place Committee on 24 January 2019
   (iv) Planning Committee on 24 January 2019
   (v) Partnership and Performance Committee on 31 January 2019
   (vi) Regulatory Committee on 31 January 2019
   (vii) Licensing Board on 22 January 2019
   (viii) Audit Committee on 7 February 2019
   (ix) Special Meeting of the People Committee 19 February 2019
   (x) Special Meeting of the Place Committee 19 February 2019

5. Committee Recommendations Referred to Council – report by the Chief Executive (Copy herewith) 17

6. Housing Revenue Budget 2019/20, Housing Revenue Account Capital Programme 2019/20 and Mid Market Rent Considerations - report by Strategic Director, Place (Copy herewith) 21

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7. Housing Allocations Policy Review – report by Strategic Director, Place (Copy herewith) 53

8. Organisational Redesign: Update – report by Chief Executive (Copy herewith) 93

9. Stirling and Clackmannanshire City Region Deal Update – report by Strategic Director, Place (Copy herewith) 101

10. City Region Deal Governance – report by Monitoring Officer (Copy herewith) 107

11. Employee Voice – report by Strategic Director, Partnership & Performance (Copy herewith) 111

12. Local Code of Governance - report by Monitoring Officer (Copy herewith) 141

13. Polling Districts and Polling Places Review – Next Stage – report by Strategic Director, Partnership & Performance (Copy herewith) 145

14. Appointment of Depute Leader of Council Leader & Other Member Appointments – report by Chief Executive (Copy herewith) 161

15. Notice of Motion in terms of Standing Order 16.0 – Single Use Plastics - motion submitted by Councillor Darren Lee (Copy herewith) 165

16. Notice of Motion in terms of Standing Order 16.0 – Budget Approach – motion submitted by Councillor Ellen Forson (Copy herewith) 167

EXEMPT INFORMATION

It is considered that the undernoted report is treated as exempt from the Council's general policy of disclosure of all papers by virtue of Schedule 7A, Part 1, Paragraph 8 of the Local Government (Scotland) Act 1973. It is anticipated (although this is not certain) that the Council will resolve to exclude the press and public during consideration of this item.

17. Tron Court – report by Strategic Director, Place (Copy herewith) 169

Clackmannanshire Council – Councillors and Wards

Councillors		Wards		
Provost	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Darren Lee	1	Clackmannanshire West	CONS
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Les Sharp	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Vacancy		3	Clackmannanshire Central	
Councillor	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Mike Watson	3	Clackmannanshire Central	CONS
Councillor	Chris Dixon	4	Clackmannanshire South	CONS
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	SNP
Councillor	Graham Lindsay	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LAB
Councillor	Bill Mason	5	Clackmannanshire East	CONS

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

MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 20 DECEMBER 2018 at 9.30 am.

PRESENT

Provost Tina Murphy (In the Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Dave Clark
Councillor Kenneth Earle
Councillor Ellen Forson
Councillor Craig Holden
Councillor Darren Lee
Councillor Helen Lewis
Councillor Graham Lindsay
Councillor Kathleen Martin
Councillor Bill Mason
Councillor Les Sharp

IN ATTENDANCE

Nikki Bridle, Chief Executive
Garry Dallas, Strategic Director
Stuart Crickmar, Strategic Director
Celia Grey, Chief Social Work Officer
Paula Tovey, Chief Accountant (Interim)
Cherie Jarvie, Strategy and Performance Manager
Lindsay Thomson, Service Manager (Legal and Democracy) (Clerk to the Council)
Gillian White, Committee Services (Legal and Democracy)

***

Item 17 Additional Item - Urgent business - Tron Court (Exempt)
Under Standing Order 11.5, the Provost had previously accepted this item as urgent business to enable the Council to make a timely decision on capital spend. However, following discussion with all political groups, the Provost decided that the report previously circulated to members as urgent business, is removed from the Agenda. The Provost then deferred to Councillor Holden who advised that the political groups have discussed the item and agreed it should not be on the agenda. The Provost advised that this item of business will be brought back to Council as soon as possible.

***

CC.169 APOLOGIES

Apologies were received from Councillor George Matchett QPM, Councillor Chris Dixon, Councillor Phil Fairlie, Councillor Derek Stewart and Councillor Mike Watson.

CC.170 DECLARATIONS OF INTEREST

None.

CC.171 MINUTES OF MEETING OF CLACKMANNANSHIRE COUNCIL 25 OCTOBER 2018

The minutes of the meeting of the Clackmannanshire Council held on 25 October 2018 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 28 October 2018 were agreed as a correct record and signed by the Provost.

CC.172 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL MEETING ON 25 OCTOBER 2018

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 25 October 2018.

(i) Appointments Committees on 14 November and 11 December 2018
(ii) People Committee on 1 November 2018
(iii) Place Committee on 8 November 2018
(iv) Planning Committee on 8 November 2018
(v) Partnership and Performance Committee on 22 November 2018
(vi) Regulatory Committee on 22 November and 17 December 2018
(vii) Licensing Board on 13 November and 11 December 2018
(viii) Audit Committee on 6 December 2018
(ix) Local Review Body on 13 December and 18 December 2018

CC.173 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

The report, submitted by the Chief Executive, sought Council approval of recommendations which had been made by the Audit Committees of 11 October 2018 and 6 December 2018.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Bill Mason

Decision

The Council agreed:

1. from the **Audit Committee** of **11 October, 2018** in relation to the report entitled "*Audit Committee Forward Plan 2018/19"*

   (a) Endorses the forward plan as set out at Appendix 1 of the above report

2. from the **Audit Committee** of **6 December, 2018** in relation to the report entitled "*Local Government Pension Scheme – consultation on Scheme Structure"*

   (a) Ratifies the Committee's decision to agree the Falkirk Council Pension Fund response as set out at Appendix 1 of the above report.

Action
Chief Executive

CC.174 BUDGET STRATEGY UPDATE

The report, submitted by the Chief Accountant (Interim), maintained Council's regular update on the approved Budget Strategy. The report provided an update on the fiscal outlook; the 2019/20 Budget Challenge and an overview of the current financial position.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Helen Lewis.

Decision

The Council agreed to note:

1. The Fiscal Outlook update;

2. Revision of the budget gap 2019/20 – 2021/22

3. Budget Challenge update

4. That the forecast outturn to 31 March 2019 for the Council is currently an overspend of £0.653m (June 0.087m)

5. That the forecast outturn to 31 March 2019 for the Health and Social Care Partnership (H&SCP) is currently an overspend of £1.542m (June £1.485m).

CC.175 TREASURY MANAGEMENT UPDATE AT 30 SEPTEMBER 2018

The report, submitted by the Chief Accountant (Interim), presented an update of treasury management activity for the period to 30 September 2018.

Motion

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Helen Lewis.

Decision

Having challenged and commented on the report, the Council agreed to note the mid year review of the Council's Treasury Management activities.

CC.176 CORPORATE PLAN 2018/22

The report, submitted by the Strategic Director, Partnership and Performance, presented the Council's Corporate Plan 2018-22. The Plan, entitled *Be the FUTURE*, sets the vision, values and strategic direction for the Council over the next four years.

The report informed Council of the outcome of a public consultation on the draft and sought approval of a final Corporate Plan for the period 2018-22.

Motion

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

Moved by Councillor Ellen Forson. Seconded by Councillor Helen Lewis.

Decision

The Council agreed to:

1. Note the outcome of the consultation on the draft Corporate Plan; and

2. Adopt the plan attached at Appendix 1 of the report, *Be the FUTURE*, as its Corporate Plan for the period 2018-22.

Action
Strategic Director, Partnership and Performance

CC.177 PETITIONS POLICY

The report, submitted by the Monitoring Officer, Partnership and Performance, addressed the Council's motion to review the petitions policy which was agreed in October 2018.

Motion

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

Moved by Councillor Ellen Forson. Seconded by Councillor Helen Lewis.

Decision

The Council agreed:

1. That the petitions policy is revised in accordance with the report and as set out in Appendix 1; and

2. To note that work is ongoing to identify an online solution to accommodate petitions.

Action
Monitoring Officer, Partnership and Performance

CC.178 GOVERNANCE ARRANGEMENTS FOR COMMUNITY ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

The report, submitted by the Senior Manager, Partnership and Performance, sought agreement of the governance arrangements for applications and review/appeals for Community Asset Transfer requests made by a community transfer body under the Community Empowerment (Scotland) Act 2015.

Motion

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

Moved by Councillor Helen Lewis. Seconded by Councillor Donald Balsillie.

Decision

The Council agreed:

1. That decisions on applications for Community Asset Transfer (CAT) are made by the Place Committee;

2. To establish a Community Asset Transfer Review body to review and appeals or requests for review of any CAT requests;

3. To make consequential changes to the Scheme of Delegation and Standing Orders to reflect the decisions taken at 1 and 2 above which will be brought to Council for approval as part of the wider review of Standing Orders and Scheme of Delegation in February 2019; and

4. To note that the governance arrangements should also be able to accommodate the transfer of Housing Revenue Account (HRA) assets which may be the subject of a CAT request.

Action
Senior Manager, Partnership and Performance

CC.179 LOCAL GOVERNANCE REVIEW

The report, submitted by the Strategy and Performance Manager, provided the Council with an update on the Local Government Review jointly launched by COSLA and the Scottish Government in December 2017. The report set out the key activities taken forward under the review; the emerging themes and the expected next steps in early 2019.

Motion

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

Moved by Councillor Ellen Forson. Seconded by Councillor Helen Lewis.

Decision

Having commented on and challenged the report, the Council agreed to note the expected next steps of the review and agreed to a further paper being brought back on findings and recommendations from the review in early 2019.

Action
Strategy and Performance Manager

CC.180 CORPORATE PARENTING PLAN 2018-2021

The report, submitted by the Head of Social Services and Chief Social Work Officer, provided information on the Corporate Parenting responsibilities set out under Section 58 of the Children and Young People (Scotland) Act 2014..

Motion

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

Moved by Councillor Les Sharp. Seconded by Councillor Kathleen Martin.

Decision

The Council agreed to endorse the Corporate Parenting Plan 2018-2021 and as Corporate Parents, ensure the legislative duties are met.

Action
Head of Social Services/Chief Social Work Officer

CC.181 CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2017-2018

The report, submitted by the Head of Social Services and Chief Social Work Officer, provided an overview of the key priorities, challenges and achievements related to the delivery of the social work and social care services in Clackmannanshire in 2017-2018. The report also met the statutory requirement to report annually on Social Services complaints.

Motion

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

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

Decision

Having commented on and challenged the report, the Council agreed to note the report.

CC.182 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 – UNIVERSAL CREDIT

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Dave Clark.

Motion

"This Council recognises that Universal Credit has done harm to families in Clackmannanshire."

Moved by Councillor Dave Clark. Seconded by Councillor Kenneth Earle.

Voting

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 15 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Motion (10 votes)

Councillor Dave Clark
Councillor Kenneth Earle
Councillor Kathleen Martin
Councillor Helen Lewis
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Ellen Forson
Councillor Tina Murphy

Against the Motion (3 votes)

Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee

The motion was carried by 10 votes to 3.

Decision

On a division of 10 votes to 3, the Council agreed to recognise that Universal Credit has done harm to families in Clackmannanshire.

CC.183 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 – REVERSAL OF BUDGET DECISION RELEATING TO TERMS AND CONDITIONS

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Phil Fairlie.

Motion

"Following discussions between members of the Administration and trade unions, the Council agrees to reverse its decision of 8 March 2018 in recommendation 2.1.4 of the General Services Revenue and Capital budget 2018/19 in respect of the Schedule of Savings reference RGP02, described as "Changes in Terms and Conditions" and totalling savings of £415,000 over two financial years."

Moved by Councillor Craig Holden. Seconded by Councillor Dave Clark.

Voting

In terms of Standing Order 14.7, Councillor Ellen Forson asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 13 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Motion (10 votes)

Councillor Dave Clark
Councillor Kenneth Earle
Councillor Kathleen Martin
Councillor Helen Lewis
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Ellen Forson
Councillor Tina Murphy

Against the Motion (3 votes)

Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee

The motion was carried by 10 votes to 3.

Decision

On a division of 10 votes to 3, the Council agreed that following discussions between members of the Administration and trade unions, the Council agrees to reverse its decision of 8 March 2018 in recommendation 2.1.4 of the General Services Revenue and Capital budget 2018/19 in respect of the Schedule of Savings reference RGP02, described as "Changes in Terms and Conditions" and totalling savings of £415,000 over two financial years.

Action
Chief Executive

CC.184 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 – TENTH ANNIVERSARY OF CLACKMANNANSHIRE BRIDGE

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Les Sharp.

Motion

"That this Council recognises that 19th November 2018 marked the tenth anniversary of the opening of the Clackmannanshire Bridge.

Unique in its design and build, the bridge is actually outwith the boundaries of the County but through the efforts of Elected Members and Officers successfully campaigned to have the "Upper Forth Crossing" named the Clackmannanshire Bridge."

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

Decision

The Council agreed to recognise that 19th November 2018 marked the tenth anniversary of the opening of the Clackmannanshire Bridge.

Unique in its design and build, the bridge is actually outwith the boundaries of the County but through the efforts of Elected Members and Officers successfully campaigned to have the "Upper Forth Crossing" names the Clackmannanshire Bridge.

Councillor Sharp presented the Council with a framed photograph of the Clackmannanshire Bridge.

Ends: 11:40 am

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

MINUTES OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 31 JANUARY 2019 at 9.15 am.

PRESENT

Provost Tina Murphy (In the Chair)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Dave Clark
Councillor Ellen Forson
Councillor Craig Holden
Councillor Helen Lewis
Councillor Bill Mason
Councillor George Matchett QPM
Councillor Les Sharp
Councillor Mike Watson

IN ATTENDANCE

Nikki Bridle, Chief Executive
Chris Alliston, HR Service Manager
Lindsay Thomson, Senior Service Manager, Partnership & Performance
(Clerk to the Council)
Gillian White, Committee Services

CC.185 APOLOGIES

Apologies were received from Councillor Darren Lee, Councillor Phil Fairlie, Councillor Derek Stewart, Councillor Kenneth Earle, Councillor Graham Lindsay, Councillor Kathleen Martin and Councillor Chris Dixon.

CC.186 STRATEGIC DIRECTOR (PLACE) RECRUITMENT

The report, submitted by the HR Service Manager, sought Council agreement that an Appointments Committee be convened to take forward recruitment to the position of Strategic Director (Place).

Motion

That Council agrees the recommendations set out in the report and nominates: Councillor Ballsillie and Councillor Holden from the SNP Group; Councillor Benny from the Conservative Group; and Councillor Earle from the Labour Group.

Moved by Councillor Ellen Forson. Seconded by Councillor Dave Clark.

Decision

The Council:

1. Agreed that an Appointments Committee be set up;

2. Agreed that the Appointments Committee is politically balanced and be comprised of:

Political Party	Number	Members
SNP	2	Councillor Donald Balsillie Councillor Craig Holden
Conservative	1	Councillor Martha Benny
Labour	1	Councillor Kenneth Earle

3. Noted that the Chief Executive and HR Service Manager will support the Appointments Committee as professional advisers.

Action

HR Service Manager

Ends: 9.17 am

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 5

ON THE AGENDA

Report to: Clackmannanshire Council

Date of Meeting: 21 February 2019

Subject: Committee Recommendations Referred to Council

Report by: Chief Executive

1.0 Purpose

1.1. The purpose of this report is to seek Council approval of recommendations which have been made by the Partnership and Performance Committee of 31 January, 2019.

1.2. Under the Council's decision-making framework, Council has delegated certain matters to committees and has reserved certain powers. Included in the latter are the approval of main policies and strategies (Scheme of Delegation 3.2), the approval of budgets (Scheme of Delegation 3.19) and the spending of money not budgeted for (Scheme of Delegation 3.20).

1.3. Standing Order 8.4 requires that where a Committee passes a report to Council, the full Committee report shall not be included again on the Council agenda and that officers should prepare a brief report that refers to the relevant Committee report and recommendation(s).

2.0 Recommendations

2.1. It is recommended that Council:

1. from the **Partnership and Performance Committee** of **31 January, 2019** in relation to the report entitled "*Procurement Strategy"*

   (a) agrees to adopt the Procurement Strategy and notes that the Procurement Strategy will be subject to an annual review.

2.2. The minute and report relating to this item are available on the Council's website.

3.0 Sustainability Implications

3.1. N/A

4.0 Resource Implications

4.1. Financial Details

4.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☐

4.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

4.4. Staffing

5.0 Exempt Reports

5.1. Is this report exempt? No

6.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐
Our families; children and young people will have the best possible start in life ☐
Women and girls will be confident and aspirational, and achieve their full potential ☐
Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

7.0 Equalities Impact

7.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☐

8.0 Legality

8.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☐

9.0 Appendices

9.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None.

10.0 Background Papers

10.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes √ (please list the documents below) No ☐

a) Agenda, together with Minute of the Partnership and Performance Committee of 31 January, 2019.

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Nikki Bridle	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

THIS PAPER RELATES TO ITEM 6

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to:	**Clackmannanshire Council**
Date of Meeting:	**21 February 2019**
Subject:	**Housing Revenue Budget 2019/20, Housing Revenue Account Capital Programme 2019/20 and Mid Market Rent Considerations**
Report by:	**Strategic Director (Place)**

1.0 Purpose

1.1. This report presents the Housing Revenue budget and Housing Capital Programme for the financial year 2019/20 and highlights the key factors influencing the budget.

2.0 Recommendations

2.1 It is recommended that Council:

2.1.1. Approve the summary budget on income and expenditure based upon the approved HRA financial Business Plan, as set out in Appendix 1,

2.1.2. Approve an increased level for Council house rents of 2.2% for the financial year 2019/20, as set out in Appendix 6;

2.1.3. Approve the same level of increase be applied equally to lock-up garages, garage pitch-site rentals and associated tenancy charges, as set out in Appendix 6;

2.1.4. Approve the Housing (HRA) capital programme 2019/20 and indicative programmes for the next four years, as set out in Appendix 2;

2.1.5. Note that the HRA Capital Plan (Appendix 2) includes provision for the purchase of 8 properties from general fund to be brought into the HRA Account. This will be subject to decisions made by the Council on the General Fund Budget (paragraph 3.41);

2.1.6. Note that the service will carry out a review of the HRA financial plan to take into account recent feedback from tenants and ensure that a compliance statement with the 2014 HRA Guidance can be produced (paragraph 3.6);

2.1.7. Approve, subject to consultation and ministerial consent, that the management and responsibility relating to the Council's Gypsy Traveller Site (Westhaugh) is transferred to the HRA (paragraph 3.28);

2.1.8. Approve that Clackmannanshire Council will take over management and maintenance of the 42 National Housing Trust properties (paragraph 3.47);

2.1.9. Note the service is preparing a business case for purchase of the first phase of 28 NHT MMR properties in Coalsnaughton and will seek to continue to operate the properties for MMR until at least 2024 (paragraph 3.51);

2.1.10. Approve, subject to a Council General Service budget decision to implement charging for Garden Waste collection, that the HRA will fund this service for tenants who require a waste permit (subject to formal consultation, paragraph 3.27);

2.1.11. Note the progress the council is making in relation to the implementation of the Property Factors (Scotland) Act 2011(paragraph 3.45);

2.1.12. Approve the reinstatement of the budget for the cost of the Subscription for Scotland's Housing Network (SHN), details set out in (paragraph 3.55).

3.0 Considerations

3.1. The Housing Revenue Account (HRA) budget setting process is subject to statutory, regulatory and governance requirements. This report requests approval for the 2019/20 HRA Income and Expenditure revenue budget and rent levels, as defined within the Housing (Scotland) Act 1987.

3.2. The Scottish Housing Regulator is launching a formal consultation on their regulatory code during the first half of 2019. This will likely enhance the engagement and transparency with tenants and residents on costs and provision of services.

3.3. Rent Strategy & Proposed Increase

3.4. Clackmannanshire Council approved the objectives for the 2018/23 HRA Financial Business Plan in February 2018, which established a rental strategy of pegging the rent increase to CPI. At the point of the rent consultation, CPI was 2.3% (November 2018) and had dropped back from 2.4% (October 2018). As falls had been experienced in CPI during the year (e.g. August 2018 2.7%), and the agreement with tenants was for no above inflationary rent increases, a figure of 2.2% was chosen to be consulted upon with tenants to take into account any expected falls in inflation.

3.5. The results of the consultation are summarised in Appendix 3. The response rate was very low, however some common themes emerged from the actual

responses received and Social Media comments. We have identified improvements that should be made in terms of information to tenants on the management of the HRA funds (breakdown of spend), and communicating to them the difference between the General Services budget and HRA. Moreover, we have considered that it would be preferential to have clear separate consultation timing between when the HRA consults on the rents and when the Council consults on the General services budget as the public find it difficult to distinguish between the two areas.

3.6. The other key factor highlighted from the consultation is that some tenants have expressed affordability concerns. However, applying a 2.2% rent increase takes the average 52 week rent to £74.44 per week in 2019/2020. The National Living wage and National Minimum wage rates are due to increase from April 2019. A person working 37.5 hours on the National Living Wage will see a weekly increase in income of £14.25 from 01/04/2019. The weekly rent increase would equate to £1.60 or 11% of their increased weekly income and would therefore be considered to be within the limits of affordability.

3.7. It is understood that the Scottish Government will be seeking views on affordability of rent setting and the impact on child poverty. The Association of Local Authority Chief Housing Officers is due to receive a presentation on an affordability model which will look at rents in the context of the micro-economic climate. The anticipated results of this analysis for Clackmannanshire could mean, for example, that the Council will have to give active consideration to a more robust rent differential model to that which is currently in place – i.e. charging more for larger properties than the current negligible difference. Clackmannanshire tenants and residents have indicated that they would welcome further work on rent modelling, taking due consideration of the local inequalities and the socio-economic statistics for the area.

3.8. The current business plan is largely predicated on paying down the HRA debt as quickly as possible to avoid burdening future tenants. A different approach of balancing and managing debt levels and capital spend throughout the programme could mean less pressure on the short term rent increase requirement. Whilst it's recommended that the inflationary rent increases are applied this year, given concerns over affordability, slippage on the capital programme, the proposed re-structure, and the fact that inflation is higher than the model allowed for, an earlier review of the financial business plan will be beneficial. This review will allow current and future tenants concerns to be addressed.

3.9. Current Rental and Arrears Performance

3.10. The following table presents a snapshot of current arrears performance at the end of Quarter 3, and highlights to members the impact of Universal Credit. Staff continue to work with tenants and DWP to minimise the adverse impact that Universal Credit can have, and ensure that rent collection is maximised and appropriate benefits are in place to maximise tenants' incomes.

3.11. Of note is that the significant staffing resource and focus on income maximisation has, at the end of quarter 3, started to lead to a slight reduction in the average arrears of tenants in receipt of UC. This will continue to be monitored and the Place Committee updated on the year end position, but results could be reflective of the introduction of the Scottish UC flexibilities starting to positively benefit rent collection and arrears performance.

	2016/17	2017/18	2018/19 (to January 7th)	change
total arrears	£655,464	£ 789,143	£896,318.92	£107,176
average per case	£520	£571	£623.74	£53
total number of UC cases in arrears at year end	108	611	852	241
total arrears at year end	£83,031	£455,914	£568,712	£112,798
average arrears per case	£710	£747	£ 668	-£79
non UC claimants in arrears	1153	772	710	-62
total non-UC arrears	£572,433	£333,229	£343,770	£10,541
average arrears per case	£496	£432	£484.18	£52
No of UC claimants at year end	117	697	936	239
% in arrears	92%	88%	91%	

3.12. HRA Expenditure 2019/2020

3.13. **The Revenue Expenditure is estimated at £14.7M**

3.14. The budget for re-active repairs and maintenance to tenants has been set at the level required to meet historical service demand. There has been significant capital investment in improving stock condition in recent years, however a number of factors can lead to a need for repair works.

3.15. Under the budget headings of reactive repairs and maintenance, void property refurbishment, gas servicing and private contractors, a total budget of £5m will be required for 2019/20 (Appendix 1). The vast majority of this cost (£3.5m) is attributed directly to reactive repairs and void property refurbishment, the remaining total (£1.5m) is allocated to external contractor sub-contracting, gas servicing and social work adaptations.

3.16. The vast majority of repairs, maintenance and void property works are undertaken by the Council's own direct labour organisation currently working within the housing service and based at Kelliebank.

3.17. Allocated appointments for repairs have provided tenants with improved levels of service delivery and a planned improvement to a new housing business management system (incorporating repairs) will provide for a streamlined, robust and modern repairs system moving forward. Budget for replacement cloud based system has been provided for in the proposed revenue budget.

3.18. There has been a conscious effort to implement the policy change made to carry out emergency repairs within eight hours, rather than four. By reallocating resources the target can be comfortably met, still providing a high standard of emergency service whilst contributing to and allowing performance improvement in other areas. The average time taken to complete non-emergency repairs is now just over four days, and almost 98% of jobs are carried out “right first time”.

3.19. Satisfaction with the repairs service is high. Of the tenants who were asked about their views on repairs carried out in the year, 100% were satisfied.

3.20. Our gas servicing regime continues to maintain 100% compliance, achieving required servicing in each and every council house each year.

3.21. Void property refurbishment costs on average around £3,800 per property, largely due to a higher standard of re-decoration and refurbishment undertaken in void properties. These works are tenant led, and have resulted in an increase in tenant satisfaction and a reduction in refusals.

3.22. At the end of December the percentage of tenancies being refused continues to be low at 33%. This is the result of ensuring that we are getting better information from applicants before we make them an offer, and also due to the high standard of accommodation they are being offered. The percentage of tenants who are satisfied with the standard of their new home also continues to be high at 97%, based on 100% completion rate of new tenants surveyed.

3.23. Void and Allocation Performance

	15/16	16/17	17/18	**18/19 as at 31.12.18**
Average length of time to re-let properties in the last year (excludes new build and OTS purchases)	40 days	36 days	55 days	**35 days**
% of rent due lost through properties being empty during the last year	1.10%	0.61%	1.45%	
Number of empty properties at year end	**66**	**68**	**31**	**47**
Percentage of tenancy offers refused during the year	**46%**	**46%**	**35%**	**33%**
% of tenants who moved in within the last 12 months satisfied with their home.	**83%**	**94%**	**97%**	**97%**

3.24. As can be seen from the above table, we have improved performance in terms of re-let time compared with 2017/18. This has started to provide benefits for the Council's General Fund, by minimising time in temporary accommodation and the use of Bed & Breakfast. At the time of writing, the Council was only making use of two B&B places, compared with the budget and trend for ten placements per night. This is the lowest usage of B&B that the Council has recorded. The use of B&B is expensive for the Council as the weekly housing benefit payment only effectively covers one night out of seven. The difference in cost is covered by the Revenue Services Rent Rebates budget, which makes forecasting for that budget a difficult challenge. It is therefore positive that the joint work between the Housing, Repairs and Revenues Teams to minimise time in temporary accommodation, match applicants to suitable homes, and set up tenancies to succeed (with appropriate Scottish Welfare Fund assistance), is delivering significant corporate benefits for the Council.

3.25. Unfortunately the Council was recently made aware that our preferred voids energy supplier has gone into administration. This could impact on our void turnaround time, and cost the Service in delays and energy provision during the void period.

3.26. HRA Other Expenses

3.27. The Council consulted upon the introduction of charges for the collection of garden waste (brown bin). If the Council decides to implement this proposal during 2019/20, it is proposed to hold formal consultation with tenants in accordance with the 2001 Act, and seek their views as to whether the HRA budget would pay for garden waste permits for those tenants who require to make use of the service. An illustrative budget amount has been provided in the HRA Budget for an expected portion of tenants who may require a permit. The final details of such a scheme are still being developed, however the Housing Service will ensure that if tenants approve the charge it will be covered by their account, Tenants who want to make use of the garden waste scheme will not be disadvantaged.

3.28. In 2016 the Scottish Government introduced minimum standards for Gypsy Traveller Sites across Scotland. Clackmannanshire Council was one of a few to achieve these standards as approved by the Housing Regulator. However the site does require capital investment and ongoing management and maintenance to ensure that it continues to meet the regulatory standards. A number of councils have approached the Scottish Government with a proposal to transfer these sites to their HRA, and the minister has given consent where appropriate consultation with the community and tenants can be evidenced. It is therefore recommended that this work is progressed to seek ministerial consent during 2019/20. At present the site runs at a loss to the General Fund. As the HRA would be acquiring the land asset, it is understood that some Local Authorities have agreed the HRA and GF would share the operating loss for a period of time. It is anticipated that the Place

Committee will be updated on the consultation and works to determine the value and cost of the transfer.

3.29. Supervision and Management

3.30. The supervision and management charge centres upon the direct cost of mainly front line Housing staff in the delivery of day-to-day services for tenants and collection of rent. It also includes indirect costs mostly charged as overheads to the HRA. Work to review charges to the HRA by other services such as IT, HR, Legal etc. has recently taken place. Updates where appropriate have been built in to both the HRA and the General Services Budgets, however some work on the charges may take longer to fully finalise an appropriate position. For example, this includes a review as to whether the Council reconsiders establishing the repairs service with its own budget and business plan to enable greater transparency and cost effectiveness. Moreover, the service is currently going through a re-structure, and costing budgets may need to be adjusted to take this into account. The budget for Supervision and Management has been set at £3.7M. Subject to Council approval the service will be reviewing its financial business plan. Charges applied to the HRA will continue to be reviewed alongside this process, in order for the Council to produce a compliance statement on meeting the requirements of the 2014 HRA Guidance issued by the Scottish Government.

3.31. HRA Income 2019/20

3.32. The projected base rental charges and other income are estimated at £21.3m.

3.33. This means that £4.9m is budgeted and available to transfer to the capital Investment fund for tenant priorities.

3.34. Capital programme Plan 2019 – 23

3.35. An update for members on the HRA capital spend and slippage to the end of Q3 is attached as Appendix 4.

3.36. Key investment priorities over the short to medium term continue to be external building fabric such as roof replacement & external wall upgrade, central heating upgrade and window replacement. This will enable us to achieve the Scottish Government's new Energy Efficiency Standard for Social Housing (EESSH) by the 31st of May 2020. Furthermore existing priorities also focus on common area enhancement such as security to close areas including lighting, controlled accesses and fencing replacement. Investment within these areas will sustain the councils excellent SHQS record and our currently favourable EESSH position.

3.37. The Central Heating Programme was cut to £100K pa in the approved business plan. However it is proposed that this is increased to £325K in 2019/20 to attempt to address previous tenant refusals and ensure that the council achieves the Energy Efficiency Standard for Social Housing in May 2020. This will build on the previous momentum with every tenant now being offered a heating enhancement within a 15 year cycle. Great progress has

been made in terms of Energy Efficiency and addressing Fuel Poverty since 2011 through the central heating upgrade programme, replacing heating with SEDBUK "A" RATED boilers, providing gas to previous non-gas areas, and also our non traditional house upgrade programme enhancing and improving our non-traditional stock across the Housing Portfolio. We have now programmed 160 homes for heating upgrade in 2019/20 and moving forward, a programme of 125 homes each year over the following 4 years. This will further consolidate our position.

3.38. The 20 year rolling kitchen replacement programme has gained momentum this year, with a dedicated team formed within the Kelliebank depot utilising our own trade staff. We are on track to replace 250 kitchens this year. Key performance indicators for this contract have been excellent, with customer satisfaction at 96.1% “very satisfied”. The kitchen specification was developed in consultation with the Clackmannanshire Tenants Federation.

3.39. In January 2019 a four year contract for Safe Electrical Testing and Remedial Upgrades was awarded. This will entail carrying out periodical electrical safety checks to all out properties on a 5 year cyclical programme. Previously this was carried out at 10 year intervals or at every change of tenancy. Following a change in the Electrical regulations, there is now a requirement for this to be carried out more frequently and we have developed a 5 year cyclical testing programme. Furthermore, there is now a requirement for Heat Detection and hardwired smoke detection within our tenancies and this will be captured through both our kitchen replacement and electrical testing programmes. The council have been carrying out enhancements since 2012 installing hardwired alarms through our rewire and testing works.

3.40. Housing Services commenced a rolling stock condition programme in 2017 surveying the externals of 500 and the internals of 150 properties per year. Surveys are carried out assessing against SHQS criteria. To date these have been very beneficial in assisting our HRA Capital Planning and have already captured key essential works, such as fire separation within loft spaces and urgent upgrades to communal shared accesses to Victorian tenement blocks in Tullibody Road, Alloa. Moving forward it is recommended that the council set aside at least £250k pa for essential structural upgrade works. This is an uplift from the Business Plan assumption of £100K pa.

3.41. The proposed Capital programme also includes the purchase of 8 General Fund properties to transfer to the HRA, which will enable the council to maximise the use of the available affordable housing supply grant and ensure a capital receipt for the council.

3.42. The Housing Service has added an allowance for lock-up sites and areas, starting with £100K in 2019/20 rising to £150K in the following two financial years. This could allow the demolition, redevelopment and/or landscaping of these areas, where appropriate. In anticipation of ministerial consent being given to transfer the travelling person’s site to the HRA, an allowance for upgrade works has also been provided, allowing the site to continue to meet regulatory standards. The budget to adapt properties, allowing tenants to

remain in their home, has been doubled from £50K to £100K pa in response to increased demand from Social Services.

3.43. A significant update on Capital Works progression is provided at Appendix 4.

3.44. Property Factoring and Owner Engagement

3.45. Given the works required to Common Areas and building fabric, the process for owner engagement requires streamlining. A working group has been established to review this, as common works presents a real risk in terms of roof and fabric upgrades on our stock in mixed tenure estates. Upgrades to common areas such as door entry works and common area enhancement are also affected. This has delayed crucial works and is a risk to the Council's SHQS position. The working group is aiming to report back to Committee or Council before the recess with recommendations to take this matter forward. One of the suggestions currently being considered is that the Council, in mixed tenure blocks where we have an interest, would act as the Factor for the building for all external and common repairs. This would involve significant engagement with the owners in these blocks, the potential establishment of a sinking fund/float, and charging owners a management fee in accordance with the 2011 Act. The benefit to owners would mean that blocks in common ownership with the Council would have all necessary upgrades and reactive maintenance carried out in line with Council policy. This should protect the owner's asset investment and could make their properties more marketable in the future.

3.46. Management and Maintenance of NHT MMR Properties

3.47. In December 2011, Elected Members agreed to participate in phase one of the National Housing Trust (NHT) initiative to provide 28 properties for Mid Market Rent (MMR) in Coalsnaughton. In June 2015, an extension of a further 14 MMR properties was approved by the Housing, Health and Care Committee.

3.48. On completion of phase 1 the developer, Hadden Construction, procured Ochil View Housing Association to carry out the management and maintenance responsibilities on the 28 properties. In June 2018, they took the additional 14 properties completed in phase 2 and currently manage and maintain all 42 properties in the development. Ochil View have tabled their intention to terminate their management agreement from 30 April 2019.

3.49. It is proposed that the Council take over the management and maintenance responsibilities from 1st May 2019. The fee for carrying out the management is set at £87.24 per unit per month which raises annual income of £43,968,96. This will require the Council to register as a private landlord as the tenants will be under private tenancy agreements. In the short term, this can be managed with existing resources. In the medium term it is proposed that staffing resource will be explored to manage this service and additional works required for factoring, and this will be considered as part of the restructuring of the service.

3.50. The 28 properties completed in phase 1 of the NHT initiative are nearing 5 years old and the developer has intimated that they wish to trigger an exit strategy from this phase of the initiative. The NHT model states that the developer can opt to sell the properties after a minimum of 5 years but before 10 years. The properties are owned by an Limited Liability Partnership (LLP), of which the council is a member along with Hadden Construction and Scottish Futures Trust (SFT), which operates an arms length body under the National Housing Trust initiative (NHT). The service is preparing a business case for the purchase of the first phase of 28 NHT MMR properties in Coalsnaughton and will seek to continue to operate the properties for MMR until at least 2024.

3.51. Scotland's Housing Network (SHN)

3.52. SHN was set up in 1995 as a consortium of Local Authority and Housing Association landlords, who work together to drive up performance and deliver services such as cost and performance benchmarking, self-assessment assistance and good practice exchange. Clackmannanshire Council was a founding member and up until recently, provided treasury management for the group. Clackmannanshire Council is the only local authority landlord who is not a member. This has been to our recent detriment and, given the upcoming changes to the regulatory framework, membership will allow us to use tools created by the SHN to meet these requirements without placing a strain on the limited staffing resource available.

3.53. An example of the type of benchmarking comparison data supplied by the SHN to their membership has been shared in Members rooms. This details some strong performance by the Council, most notably in respect of low debt per house, lower than average cost of supervision and management and significantly lower cost of repairs and maintenance, highlighting the significant investment in our stock. However, the Council's pool interest rate is one of the highest at 5% with only Edinburgh tenants paying higher costs for borrowing at 5.1% than Clacks residents.

3.54. Re-joining the group is seen as essential, especially with reduced resource capacity to ensure that good practice can be shared and learned from and enable committee to have access to robust and sound benchmarking data.

3.55. Therefore it is recommended that Council approve to reverse the decision made at the Special Council meeting in February 2015 and enable the Council to re-join the organisation. The current cost of the core local authority membership is £9k plus VAT.

4.0 Capital Investment and prudential borrowing

4.1. The HRA financial plan approved Feb 2018 had a reduced reliance upon borrowing. Investment in our stock is therefore focused on capital financed from current revenue (CFCR) and on limited borrowing. The HRA will have an in year projected surplus of around £5.5m in 2018/19, added to an existing reserve of £2.5m recorded at the end of 2017/18. The expected capital

programme in 2018/19 is projected at £5.2m, which means that the HRA will have £2.8m in reserves (£1.6m uncommitted), with no borrowing this financial year.

4.2. Subject to the financial plan review the reserves will be taken back to back to 4% of rental income in 2019/20 (£787k), thus meaning the council will use £7m of CFCR and £1.7m borrowing to fund next years capital investment in the housing stock.

4.3. The HRA Debt from stock acquisition, new build, initial loan notes and stock investment is currently £23.7m. Clackmannanshire Housing finances have been well managed resulting in the debt per house being the 2nd lowest of all local authority landlords. The balance of debt, rent levels and investment will be examined as part of the review of the HRA financial business plan.

5.0 Sustainability Implications

5.1. The sustainability implications of this report are comprehensively positive in terms of community participation, the local economy, energy efficiency, the environment, asset management and human resource.

6.0 Resource Implications

6.1. Financial Details

6.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. ☑

6.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

6.4. Staffing

6.5. Staffing requirements will require to be updated in line with progression of the Councils directorate restructure. Additional staffing is expected to replace the tenant liaison lead in line with regulator and Scottish government reporting requirements. Staffing resource will be required to manage the property factoring service and mid market rental management, these opportunities on the HRA may allow displaced GF staff an opportunity to be successfully redeployed within the council.

7.0 Exempt Reports

7.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box☒)

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all ☐

Our families, children and young people will have the best possible start in life ☑

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☑

(2) **Council Policies** (Please detail)

The Housing Revenue Account Financial Business Plan 2018 – 2023

9.0 Equalities Impact

9.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☑ No ☐

10.0 Legality

10.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

11.0 Appendices

Appendix 1 – HRA Revenue Budget Summary 2019/20
Appendix 2 – HRA Capital Programme 2019-2024
Appendix 3 – Rent Consultation responses
Appendix 4 – Housing Investment Team Performance Update 2018/19 Quarter 3 - HRA Capital Programme & SHQS
Appendix 5 – Local Authority Weekly Rent Levels in Scotland
Appendix 6 – Proposed Rent Increase Illustration 2019/20

Additional Information - HRA Analysis (Copies provided to Members)

12.0 Background Papers

12.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

Yes ☐ No ☒

(please list the documents below)

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Garry Dallas	Strategic Director (Place)	[redacted]
Lindsay Sim	Chief Finance Officer	[redacted]
Lindsay Thomson	Senior Service Manager Partnership and Performance	[redacted]

Appendix 1

HRA Revenue Budget Summary 2019/20

	2018/19 Annual Budget	December '18 Forecast	2019/ 20 Budget
REPAIRS & MAINTENANCE			
Private Contractors	£302,000	£179,782	£316,000
General Maintenance	£7,140,000	£7,185,3622	£7,729,916
	£7,442,000	**£7,365,144**	**£8,045,916**
SUPERVISION & MANAGEMENT			
Employee Related Expenditure	£2,395,000	£1,900,569	£2,210,478
Premises, Transport, Supplies & Services	£166,000	£139,029	£160,506
3rd Party Payments	£93,000	£103,590	£86,440
IT Replacement	-	-	£150,000
Central Support	£1,099,000	£1,099,000	£1,099,000
Democratic Core	£105,000	£105,000	£105,000
	£3,858,000	**£3,347,188**	**£3,811,424**
Capital Financing Costs			
Interest Payments	£1,164,000	£1,359,000	£0
Loans Fund Expenses	£30,000	£25,000	£0
Principal Repayments	£1,562,000	£1,487,000	£0
	£2,756,000	**£2,871,000**	**£2,871,000**
OTHER EXPENSES			
Provision for Bad Debt	£500,000	£500,000	£500,000
Void Rent Loss	£488,000	£448,800	£450,000
Property Insurance	£203,000	£171,335	£203,000
Community Engagement		£36,456	£127,420
Council Tax & Stair Lighting	£29,000	£19,970	£20,000
Garden Aid Scheme + Land Maintenance Special Uplifts Brown Bins Pest Control	£379,000	£270,000	£393,480
	£1,599,000	**£1,446,561**	**£1,693,900**
TOTAL EXPENDITURE	**£15,655,000**	**£15,029,893**	**£16,422,240**
INCOME			
Rents/Interest on Revenue Balances	-£19,216,000	-£19,124,717	-£19,666,488
Factoring Income			-£24,000
Income from Charges	-£1,607,000	-£1,452,672	-£1,625,518
TOTAL INCOME	**-£20,823,000**	**-£20,577,389**	**-£21,316,066**
NET EXPENDITURE/CFCR CONTRIBUTION	**-£5,168,000**	**-£5,547,496**	**-£4,893,766**

HRA Capital Programme 2019 - 2024					
Year	2019/20*	20120/21	2021/22	2022/23	2023/24
Project	£000	£000	£000	£000	£000
Structural Works	250	250	250	250	250
Damp Proof Course and Rot Works	100	100	100	100	100
Roof/Rainwater/External Walls	1,500	1,000	1,000	1,000	1,000
Windows	1,960	1,360	1,360	1,360	1,360
Full/ Efficient Central Heating	325	250	250	250	250
Alva Weir Multicon	750	0	0	0	0
Kitchen Renewal	750	750	750	750	750
Bathroom Renewal	50	50	50	50	50
Safe Electrical Systems	1,000	1,000	1,000	1,000	1,000
External Works: Fencing, Gates Paths	125	125	125	125	125
Secure Door Entry Systems (4 year replacement project)	196	145	145	145	145
Disabled Adaptation Conversions	100	100	100	100	100
Construction Design Management	20	20	20	20	20
Off the Shelf Purchase	700	700	700	-	-
Lock Up Strategy	100	100	100	100	100
Tenant Community Improvement Fund	366	200	200	200	200
Westhaugh Travelling Site Alva	75	75	75	75	75
Misc Conversions & Adaptations	150	150	150	150	150
IT Equipment	64	0	0	0	0
IT Infrastructure/Clacks IT	20	20	20	20	20
HRA Roads & Footpaths Improvements	100	100	100	100	100
Total Capital Programme	**8,701**	**6,545**	**6,545**	**5,745**	**5,745**

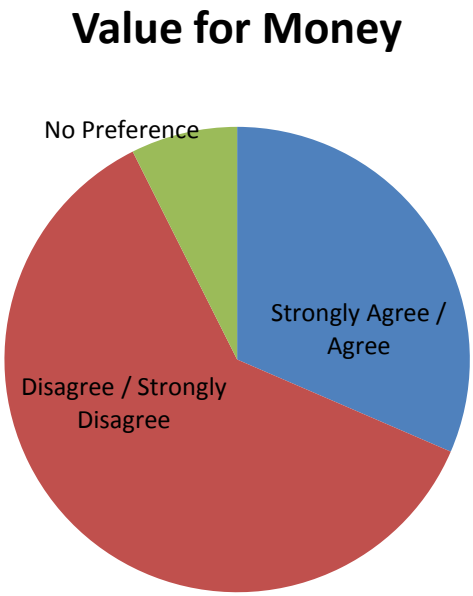
- 2019/20 includes carry forward of £2.132M from 2018/19. Main areas for carry forward include Roof Replacement, Window Programme, Alva Weir Multicon project, and Community Improvement Fund.

Rent Increase Consultation 2019/20

The following details the results of the consultation published on Citizen Space in relation to the Rent Increase Consultation 2019/20, which was open from 20th December 2018 to 20th January 2019.

54 responses were received, a summary of the responses is detailed below:

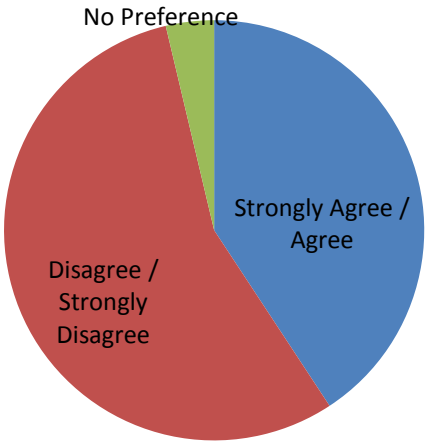
In order to continue investment in council housing, a rent increase of 2.2% is proposed for 2019/20.
This increase is below the current rate of inflation which is 2.3% (November CPI). We currently charge rent over 48 weeks. On average, this means an increase of £1.74 per week over 48 weeks. Do you think the rent you pay represents good value for money?



	Strongly Agree	Agree	Disagree	Strongly Disagree	No Preference
Value for Money	7	10	17	16	4
	12.96%	18.52%	31.48%	29.63%	7.41%

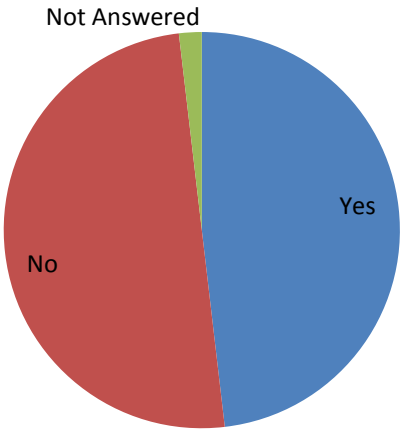
It is important that we take account of what current and prospective tenants and other customers are likely to be able to afford.
Do you think the rent charged by Clackmannanshire Council is affordable?

Affordable Rent



	Strongly Agree	Agree	Disagree	Strongly Disagree	No Preference
Affordable Rent	8	14	22	8	2
	14.81%	25.93%	40.74%	14.81%	3.70%

Currently, we charge rent over 48 weeks with 4 charge free weeks during the year. If rent is charged over 52 weeks, this would result in a lower weekly rent charge.
Would you like the council to explore the possibility of paying your rent over 52 weeks or monthly?



	Yes	No	Not Answered	%Yes	%No
52 Weeks	26	27	1	49.06%	50.94%

Housing Investment Team Performance Update 2018/19
Quarter 3 - HRA Capital Programme & SHQS

Completed Works to 31st December 2018

Project	Number of Houses Completed
Window Replacement Programme	237
Bathroom Replacements - PCU	5
Kitchen Replacement – PCU	181
Disabled Bathroom Adaptations	57
Front Door Replacements	86
Central Heating Upgrades	61
Safe Electrical Tests & Upgrades	39 Full tests 5 rewires
Roof Replacements	133
Roughcast /Cladding Replacement	27
Roof and Render	4
Secure Door Entry Upgrades	4 replacements 12 alterations 16 in progress as at January 2019.
Fencing Replacements	156
Asbestos Testing	63
Asbestos Removal Works	108
Stock Condition Surveys	484 External 124 Internal
Completed Damp/ Rot Works	56
"Off the Shelf" Refurbishments to SHQS	9
Structural Works	4 Properties
External Thermal Wall Upgrade / Energy Efficiency Programme	57 Council Properties 48 Private Properties
Demolition – Print Works @ Clackmannan	Complete

Programme Update to Quarter 3

Window Replacement Programme

Sidey and PCU completed a total of 237 window replacements in the following areas;

- Alloa
- Clackmannan
- Dollar
- Fishcross
- Forestmill
- Sauchie
- Tillicoultry
- Tullibody

Progress from 2015 to December 2018 was excellent with very good consistent customer satisfaction returns, with a satisfaction rate of 90.55%. Installs are currently suspended until April due to contractor staffing issues. The contractor has committed via the Scottish Procurement Alliance (SPA) that the installs not completed this financial year will be progressed during 2019/20.

The window replacement programme is a key factor in our energy efficiency plan to achieve the EESSH standard by 2020, due to the high energy efficient specification of the glass.

The window programme was short listed at the Scottish Procurement Alliance Awards 2018 for the most sustainable project in social housing, finishing runner up.

The proposed budget includes £600k carry forward from 2018/19 into 2019/20.

Fencing Programme

Our fencing contractor A&B Reid has completed 156 properties in Coalsnaughton, Clackmannan, Alloa and Tillicoultry.

Across the Housing Service, we are working closely to ensure that all properties have appropriate fencing and that areas of sub-standard fencing are identified for the coming financial year. We have begun consulting colleagues in Housing to ensure that the budget is utilised within priority areas for 2019/20. The program will focus on defective fencing in Stoneyacre and Hareburn Road in Tillicoultry next year.

Our fencing programme has been a great success tackling long standing problems within gardens and common areas for our customers. Better value is being achieved carrying this out on a programmed basis through a fixed long term contract arrangement.

Damp/Rot Management

Our Contractor M.A.B has completed 56 jobs at the end of Q3, all of which were related to rising dampness and condensation related issues. The majority of works consisted of thermal boarding, ventilation upgrade and DPC injections.

Having a specialist contractor and placing expertise at the front end of our processes delivers the best value and service for both our customers and the council. There has been an annual saving ranging between £100-£150k through having a dedicated term contract arrangement addressing any acute damp or rot issues that become apparent through our maintenance inspections.

The contract is fixed over a 4 year period and this allows the council to accurately budget and programme key works.

Kitchen Replacement Programme

New kitchens were installed in 181 properties up to Q3 end.

The Clackmannanshire Tenants and Residents Federation were contacted and carried out a joint inspection to view the completed pilot kitchens. Feedback was extremely positive in terms of the overall specification and kitchen layout plans. The kitchens have also been a great success with tenants in terms of the high standard of specification fitted.

This year is the first year of our rolling kitchen replacement programme, which will schedule kitchen replacements on a rolling 20 year cycle. This is key work for our joinery trades at Kelliebank, and KPI's show 96.1% customer satisfaction.

Through close partnership working with the Void Team we anticipate that we will exceed the initial expected figure of 200 kitchens completed in this financial year, whilst maintaining budget spend.

External Wall Insulation Programme & Energy Efficiency Upgrade

Work carried out under this programme consists of the installation of EWI and associated loft insulation measures to help improve energy efficiency. The programme for 2018/19 has been completed, with all properties being fully signed off in early November 2018.

These properties are of non-traditional construction and are located in Clackmannan, Hawkhill in Alloa, Fairfield in Sauchie, Church Grove in Tillicoultry and Ochilview in Alva.

This phase of work completes our upgrade programme to all our non-traditional build housing stock which makes these homes more energy efficient, delivers savings for our customers, increases the longevity of the housing asset and improves the overall aesthetics of our estates.

The remaining non-traditional build housing stock properties still to be enhanced are in Alva - Westercroft, and the Weir Multicon homes. Following Council approval, structural assessments are currently being undertaken to assess whether the solution proposed and approved by the Council is feasible. If the solution approved by Council is not feasible the service will report back to committee at that stage for further consideration.

Disabled Adaptations

The overall average time has lowered to 28 days (from what) for both minor and major adaptations undertaken by the Council. Both design and installation are carried out "in house" with Patricia Fraser completing the design layout drawings and working closely with Senior Housing Officer Jim Laird in the delivery of this service.

Tenants continue to be very satisfied with the works carried out, returning their customer questionnaires with 9 & 10 scores and positive comments.

57 adaptations have been completed to date this year.

Stock Conditions Survey Programme

The stock condition surveys have been reviewed to ensure we are gaining key information for repairs/maintenance to domestic properties. This information is invaluable as it allows for further planning and remediation issues to be caught in a timely manner, while demonstrating good practice and satisfying our commitment to the Scottish Housing Regulator.

Carrying out an internal rolling stock conditions programme avoids the cost of employing external consultants. It allows the Council to review its domestic stock, and has highlighted two unforeseen structural problems that would have been severe risk to members of the public if not dealt with.

This added value allows us to foresee problems, react before risk occurs, and is key in moving forward for our HRA Capital Planning and for our returns to the Scottish Housing Regulator.

Roof & Render Upgrade

Roof and external wall render upgrade works are ongoing within the following areas–

- Bowmar Alloa
- Fir Park & Jamieson Gardens in Tillicoultry

External roof upgrade uses high quality roof cladding materials, and the scope of works for roofing upgrade allows for the renewal of rainwater goods with rainwater gutter protection brushes installed in areas of heavy tree coverage, reducing future maintenance dependency. On-going maintenance is reduced further with installation of uPVC eaves, soffit and fascia boards to replace the previous timber finish.

External wall render upgrades utilises the latest in polymer wall render technology, ensuring improved breathability of the underlying structures. Aluminium oversill installations, bargeboard/fascia renewal and lintel and sill remedial/replacement works are all encompassed within the scope of works as and when required.

Upgrade works have provided not only an aesthetically pleasing finish to some of our most tired and aged stock, but also protects the integrity of the underlying building structure, prolonging the lifespan of the domestic housing stock.

A new contract has been agreed with Ailsa Builders (Coatbridge) for the next 3 years. Unfortunately, due to additional procurement requirements, this contract was delayed and started in January 2019. This contract will allow the council to programme works over the next 3 financial years in an area which is a key priority in terms of the Capital Investment Programme moving forward.

The proposed budget includes £500k carry forward from 2018/19 into 2019/20.

Secure Door Entry Programme / CCTV

SPIE Scotshield are now in term 3 of the current framework agreement and have completed 4 replacement secure door entry upgrades to date, with a further 16 in progress. It has also been necessary to alter some existing entry systems to increase the security, i.e. installing additional magnets to the doors in Maple Court, Alloa and The Orchard and Newmills, Tullibody.

We are in the process of programming replacement systems in Westercroft, Alva.

Secure doors have been designed to ensure a high level of security and durability. The doors have achieved PAS 23/24 at a UKAS accredited test centre and achieve the Secure By Design criteria which is the preferred police security standard.

Safe Electrical Testing and Upgrade

There has been no electrical contractor since February 2017 when the previous contract finished. Procurement of a replacement contract commenced immediately and a replacement four year contract with AC Gold (Stirling) has been agreed and was signed off in December 2018.

The electrical rewire programme is dictated by the results from electrical testing. Due to the existing condition of the electrics many of our properties are able to meet the modern standards with a partial upgrade as opposed to a full electrical rewire. This provides significant savings within our Safe Electrical programme and allows the council to upgrade properties with hardwired smoke detection when testing is being carried out.

Off The Shelf Purchases

To date, nine off the shelf properties have been progressed at a total cost of £915K (£629K Council investment and £403K Scottish Government grant funding.) The Strategic Housing Investment Plan (SHIP) supports the purchase of up to twenty properties a year, subject to budget. The focus continues to be on purchasing properties to meet demand pressure being felt in the allocations process.

The remaining budget for 2018/19 of £120K is forecast to be fully spent on the purchase of properties from the general fund, so also maximises the grant allocation from the Scottish Government, meaning the Council is drawing down around £0.5M of Government grant subsidy in 2018/19. The refurbishment budget of £98K is expected to spend around £18K with a carry forward of £80K into next year.

Structural Works

Tullibody Road –

Seven properties in Tullibody Road were inspected as part of the Stock Condition Surveys and were found to have a severely defective staircase at the rear. The properties were built over 100 years ago and as a result many modern techniques of building construction had not been applied.

The stairs posed a severe health and safety risk and were in a state of partial collapse.

The project to renew the stairs saw the Council team renewing foundations, demolishing old staircases, and reinstating stairs and concrete plates. There was also extensive metal work done to ensure future viability of the properties. This is being successfully carried out while sustaining our tenants in their homes, avoiding decant during the winter months.

Asbestos Removals & Tests

Asbestos testing and removal is on-going throughout the county as and when required and in line with both re-active and planned maintenance works programmes.

The council have term contracts with fully licensed asbestos contractors who undertake these works on our behalf.

Multi Trade Contract 2018/19

A Multi Trade Contract has been agreed with MAB (Grangemouth) to undertake works to both the domestic and non domestic stock portfolio, infilling the current gaps in service delivery in the maintenance and refurbishment of the housing stock and other Council assets. Work being carried out includes:

- Provision to undertake the building of extensions;
- Maintenance of housing stock;
- Voids maintenance;
- Refurbishment of newly purchased stock to meet Scottish Housing Quality Standards;
- Fill gaps in current service delivery such as brick laying , builder work , stone masonry trades, blacksmith;
- Full scale refurbishments;
- Conversion of Housing assets and other Council assets to meet DDA;
- Scope and capacity to undertake maintenance of council stock and other council assets in periods of peak demand to sustain suitable levels of service;
- Maintenance of Public Buildings.

Central Heating Upgrade

Good progress has been made within our central heating programme with the new Central Heating Contract 2017-19 with PH Jones (part of the British Gas group) . To date a total of 61 homes have been upgraded and our central heating replacement programme is on schedule.

This phase is predominantly boiler upgrade only due to longer life expectancy of existing heating pipes and radiators. Tenant access for the programme continues to be very good.

The central heating programme is also key to our overall strategy in meeting the EEESH standard set out by the Scottish Government by May 2020.

Overall Scottish Housing Quality Standard Position

Using the charter methodology for assessment of SHQS, the council is currently **97.65%** compliant. Reported failures and abeyances are as follows:

Failures

- **Free From Disrepair** - A total of 8 properties fail the SHQS Section B "Free from Disrepair" criteria as at the 31st of December 2018

  These are 6 flats in Alloa Town centre, which are failing as more than 20% of the wall fabric is defective. Council properties are in a minority

ownership within these blocks and agreement needs to be sought with owners in order to agree a programme of works. The other two properties failed due to structural failures to an access walkway within Tullibody Road. Works are currently underway to upgrade this and will be completed by the 31st of January 2019.

- **Health Safe and Secure –** A total of 48 properties are currently failing due to defective secure door entry systems to common flat entrances within Tillicoultry High Street and Westercroft in Alva.

Abeyances Reported to the Scottish Government

These are reported to the Scottish Housing Regulator where it has not been possible to carry out planned upgrades due to tenant refusals and failure to gain agreement from sharing private owners.

- **Kitchen Replacements** – 4 kitchens due to physical size and layout

- **Secure Door Entry Replacements** – There are 55 Council properties within 31 shared common blocks that require a secure door entry upgrade. This work has not been completed due to the failure to secure agreements with owners, with often the council in minority ownership. A new secure door entry and common area upgrade contract has been agreed and once again the council will attempt to secure agreement and programme failures. We have engaged with owners previously, and given the cost of works there will continue to be challenges to secure agreements to allow work to procced.

Energy Efficiency Standard for Social Housing (EESSH) - Progress

The Energy Efficiency Standard for Social Housing (EESSH) was launched by the Scottish Government in March 2014. This is a new energy efficiency rating for all Social Housing to be achieved by May 2020, and aims to encourage landlords to improve the energy efficiency of their housing stock. This is an enhancement of the previous Scottish Housing Quality Standard element 35.

As at May 2018 Clackmannanshire Council was 71.69 % compliant with the EESSH standard. This was reported to the Scottish Housing Regulator. Good progress has been made during the year with a further External Wall Insulation programme tackling non-traditionally built homes (Cruden) within Clackmannan, Sauchie, Alva, Tillicoultry and Alloa, along with our window and heating replacement programme. Current failures are mainly due to our remaining non-traditionally built housing stock awaiting upgrade within Alva, previous central heating refusals within our programme, coal and electrically central heated properties, and housing with older heating systems replaced prior to 2006.

To December 2018 we have surveyed 72% of the domestic stock, which has achieved a pass rate of 74%. When compared to other councils we are

ahead of the curve in terms of inspections and pass rate. This will improve significantly with work being carried out before the 2020 Scottish Government EESH deadline such as heating replacement.

Energy Performance Surveys like Stock Condition assessments are now being carried out "in House" by Project Support Officer Gill Millar. This avoids the need for external contractors to carry out this work, and allows the service greater capacity to programme Energy Assessments and target gaps in current stock knowledge moving forward. This has been a success and will allow the council to programme future heating upgrades targeting poorer performing stock.

Roads & Footpaths

2018/19

Street lighting is currently being enhanced and upgraded at Schawpark Avenue in Sauchie. The associated footpaths which are maintained by the HRA will be included in this project, which will allow works to be carried out in one continuous operation. This will serve to avoid patching in and around the lighting improvements, and deliver best value in terms of cost and benefit to the residents. These areas will then be at an adoptable standard in line with Council policy.

Moving forward next year we have identified areas in Tillicoultry such as Hareburn Road and Jamieson Gardens, again enhancing the footways on the HRA along with lighting improvement work.

Pictures of Completed Works – Gallery

Kitchen Replacement

Fencing at Clackmannan

Roof and Render Upgrades – Tillicoultry

Secure Door Entry – Sauchie

Before:

Local Authority Weekly Rent Levels in Scotland*

Landlord Name	2016/2017	2017/18	Increase	Change
Scottish Avg	74.43	76.23	1.80	2.4%
Aberdeen City Council	73.65	73.67	0.02	0.0%
Renfrewshire Council	75.49	75.58	0.09	0.1%
West Lothian Council	69.76	69.86	0.10	0.1%
Stirling Council	63.92	64.08	0.16	0.3%
Perth & Kinross Council	65.97	66.31	0.34	0.5%
Dundee City Council	72.38	73.16	0.78	1.1%
Highland Council	74.33	75.20	0.87	1.2%
Angus Council	63.70	64.64	0.94	1.5%
Orkney Islands Council	74.38	75.55	1.17	1.6%
City of Edinburgh Council	97.51	99.10	1.59	1.6%
Clackmannanshire Council	69.62	71.02	1.40	2.0%
Shetland Islands Council	74.84	76.43	1.59	2.1%
South Ayrshire Council	71.10	72.62	1.52	2.1%
East Dunbartonshire Council	70.58	72.37	1.79	2.5%
South Lanarkshire Council	63.17	64.78	1.61	2.5%
West Dunbartonshire Council	74.87	76.82	1.95	2.6%
Fife Council	67.75	69.62	1.87	2.8%
North Ayrshire Council	66.56	68.49	1.93	2.9%
North Lanarkshire Council	59.37	61.16	1.79	3.0%
East Ayrshire Council	68.67	70.89	2.22	3.2%
Falkirk Council	61.87	64.11	2.24	3.6%
Aberdeenshire Council	73.02	75.91	2.89	4.0%
Moray Council	55.06	57.38	2.32	4.2%
Midlothian Council	66.87	69.83	2.96	4.4%
East Renfrewshire Council	69.47	73.01	3.54	5.1%
East Lothian Council	59.37	62.47	3.10	5.2%

Out of the 26 local authorities listed, Clackmannanshire Council is placed at position 14 in relation to average weekly rent charged.

*These figures have been taken from the ARC data published by the Scottish Housing Regulator, who use a formula for calculation which may lead to variances from publish rental figures, but provide a like-for-like figure for comparison with other Local Authorities.

Rent Cost for Houses with effect from 1 April 2019

	£	£	£
	Rental Charge 2018/19	**Increase**	**Revised Charge 2019/20**
1 Apartment	75.40	1.66	77.06
2 Apartment	77.23	1.70	78.93
3 Apartment	79.10	1.74	80.84
4 Apartment	80.69	1.78	82.47
5 Apartment	82.70	1.82	84.52
6 Apartment	84.72	1.86	86.58

Rent Cost for Flats with effect from 1 April 2019

1 Apartment	74.02	1.63	75.65
2 Apartment	75.78	1.67	77.45
3 Apartment	77.67	1.71	79.38
4 Apartment	79.35	1.75	81.10
5 Apartment	81.33	1.79	83.12

Average Rent (48 Weeks)	£80.65
Average Rent (52 Weeks)	£74.44

Rent Cost for Lock-ups with effect from 9 April 2018

Lock-ups		**Increase £**	**Weekly £**
Lock-up Rent	7.49	0.16	7.65
Lock-up with VAT	8.99	0.19	9.18

Garage Pitch Site Annual Cost £86.86 (£104.23 VAT)

The rent charge-free weeks for 2019-20 will be the weeks commencing:

29th July 2019
5th August 2019
23rd December 2019
30th December 2019

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 7

ON THE AGENDA

Report to:	**Clackmannanshire Council**
Date of Meeting:	**21 February 2019**
Subject:	**Housing Allocations Policy Review**
Report by:	**Strategic Director (Place)**

1.0 Purpose

1.1. The Council's Housing Allocations Policy has been reviewed to ensure that it complies with legislative requirements. The policy needs to be in line with local priorities, make best use of housing in the area, prevent homelessness, and achieve sustainable housing options for people who need accommodation.

1.2. The proposed changes to the policy were finalised following a consultation exercise. Local Housing Associations, partner agencies and the public were invited to give comments on the proposals.

2.0 Recommendations

2.1 It is recommended that Council approve the finalised Allocations Policy

3.0 Background

3.1. The Council's Allocations policy must comply with statutory responsibilities set out in the Housing (Scotland) act 1987 as amended.

3.2. Social Landlords have a statutory duty to consult with tenants and applicants on the waiting list when reviewing the Allocations Policy

3.3. The Allocations Policy must also meet the outcomes of the Scottish Social Housing Charter, relevant to allocations. These are Housing Options, Access to Housing, Tenancy Sustainment and Equalities.

4.0 Proposed changes to the Policy

4.1. The proposed changes to the policy are as follows:

- Award points to applicants who are under-occupying their current accommodation.

- o Take ownership of property into account when assessing an applicants housing need.

- o Suspend applicants if they have not maintained their tenancy to an acceptable standard

- o Exceptional circumstances cases will remain as they currently are with a tiered approach to these.

- o Award insecurity points to private tenants in financial hardship.

4.2. Under-occupation

4.2.1. The Housing (2014) Act has introduced a requirement for Social Landlords to include under-occupation as a reasonable preference category. The proposal is to award applicants living in these circumstances 4 points and place them in band 3.

4.2.2. If the tenants are living in properties that are urgently required they are placed in band 1 until a suitable offer is available for them. Examples would be applicants who are under-occupying large family properties, and people who are living in adapted properties who no longer require the adaptations.

4.3. Tenancy Conditions

4.3.1. When a tenant is about to be made an offer of a transfer of housing, they are visited in their home prior to the offer. If the tenants property has been poorly maintained or they have damaged their property, it is proposed that they are suspended until their property has been improved to an acceptable standard.

4.3.2. As part of the waiting list review we aim to visit all of our current tenants who have a housing need, those in Band 1, 2 and 3. If the property is poorly maintained or damaged we will suspend them from the waiting list until this has been resolved.

4.3.3. Each case will be considered on individual circumstances, for example a tenant may not be able to maintain the property due to heath/mobility or care needs. Suspending such an applicant may not lead to the property being improved to an acceptable standard.

4.4. Exceptional Cases

4.4.1. If there are rare occasions where an applicants case is very unusual and they are in urgent need of housing, the appropriate Senior Service Manager is authorised to make a decision to offer the household a direct let.

4.4.2. Consideration of any direct lets will be made in consultation with the Director of Place (or equivalent) and Governance Officer.

4.4.3. Direct lets should be rare occurrences, the Director of Place (or equivalent) will be accountable for decisions, and the process is subject to regular audit.

4.5. Financial Hardship

4.5.1. If a tenant in a private let has a change of circumstances and they can no longer afford their rent, they may make a homeless application if they are threatened with homelessness. In an effort to prevent homelessness it is proposed that when people in these circumstances present, the Housing Options Team will carry out a financial assessment. If the rent costs are unaffordable, they can be awarded insecurity points and placed in a general housing needs band. This will not affect their statutory right to make a homeless application. If it is in the best interest for the applicant to make a homeless application, the Housing Options Officer will give them the appropriate advice.

5.0 Sustainability Implications

5.1. There are no sustainability implications.

6.0 Resource Implications

Financial Details

6.1. There are no funding implications from this report that will not be met from within existing resources.

6.2. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

6.3. Staffing

The implementation of the Allocations Policy will involve a comprehensive review of the waiting list. This will have an impact on resources in the Tenancy Management and Housing Options Team's.

7.0 Exempt Reports

7.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

8.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all. ☒

Our families; children and young people will have the best possible start in life ☒

Women and girls will be confident and aspirational, and achieve their full potential. ☐

Our communities will be resilient and empowered so they can thrive and flourish. ☐

(2) **Council Policies** (Please detail)

9.0 Equalities Impact

9.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☒ No ☐

10.0 Legality

10.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

11.0 Appendices

11.1. Please list any appendices attached to this report.

Appendix 1 Allocations Policy

12.0 Background Papers

Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered). Yes ☒)

Allocations Policy briefing Note
Consultation Summary
Equalities Impact Assessment

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
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Housing Allocations Policy

Clackmannanshire Council

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If you would like this information translated, please call 01259 450000 and we will arrange for translation, or bring this booklet to the Council offices and ask at reception.

The Council offices are located at Kilncraigs, Greenside Street, Alloa FK10 1EB.

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اگر آپ ان معلومات کا ترجمہ چاہتے ہیں تو برائے مہربانی 01259 450000 پر ٹیلیفون کریں تو ہم ترجمے کا انتظام کر دیں گے۔ یا آپ اس کتابچے کو کلن کریگز (Kilncraigs) میں کونسل کے دفاتر میں لا سکتے ہیں اور استقبالیہ (ریسیپشن) پر درخواست کر سکتے ہیں۔

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1.0 Introduction

1.1. It is important to remember that applying for housing does not mean you will receive an offer of housing.

1.2. More people apply for housing than the Council has properties that become available. To try to allocate these properties fairly, the Council maintains a housing list, and allocates housing to people on this list in accordance with the points awarded as set out in this policy. We will also give advice on alternatives to council housing that could meet your needs.

2.0 Aims and objectives

2.1. The aims and objectives of the policy are that it:

- Is fair and equitable.
- Is consistent and transparent.
- Meets legislative requirements and good practice.
- Houses those most in need.
- Prevents Homelessness.
- Extends choice for applicants.
- Makes best use of Council Housing Stock.
- Reflects the objectives of the Clackmannanshire Housing Strategy.

3.0 Applying for a house

3.1. We accept applications from anyone[1], aged 16 years and over. To apply for housing you must complete an application form, whether you are a new applicant or an existing tenant.

3.2. You can apply online at:

https://www.clacks.gov.uk/council/forms/housing/commonhousingregistrationform/

or contact us to receive a copy of the application form.

3.3. There is a separate policy for "mutual exchanges" which allows you to apply to swap your home with another tenant of the Council or a

[1] Sole or joint applicants who are subject to immigration control in terms of section 118 of the Immigration and Asylum Act 1999 are not eligible for admission to the Council waiting list. European Economic Area nationals are only eligible for admission to the lists if they have the right to reside in the UK – for further details see Appendix 1.

registered social landlord (RSL), or any other Local Authority within the UK.

4.0 Common Housing Register

4.1. We operate a Common Housing Register. This means that you only need to fill in one application form to be considered for properties provided by other registered social landlords (housing associations) in the area, Paragon Housing Association and Ochil View Housing Association.

4.2. Each of these landlords will then consider your application in accordance with its own policy.

5.0 Housing information and advice

5.1. We provide a Housing Options service. This means that if you ask for advice our staff will meet with you to discuss all options to help you to find a new home as quickly as possible. The best option for you may not be a council house.

5.2. A key aim of our housing options service is to prevent homelessness. Applicants will be given advice on homelessness as part of a housing options assessment, including how to make a statutory homeless application.

5.3. Please note that the term "homeless" covers a wide category of housing need and does not mean "*without a home"*. People who have accommodation can be considered homeless if, for example, they are at risk of domestic abuse, cannot afford their current accommodation, or their home is not suitable for their needs. Anyone concerned about their housing circumstances should ask for a housing options assessment.

6.0 Your housing choices

6.1. We want to make sure that we match you with a property that is suitable for you. We will support you in making your housing choices in terms of where you are thinking of living and what type of housing you need.

6.2. We will only offer you a home that meets your preferences. When you apply it is important that you set out your preferences clearly so we do not offer you a property that you do not want.

6.3. We will tell you honestly what your chances are of being offered housing. This will be based on the current demand on the housing list and stock turnover information. E.g. If an applicant is requesting a 3 bedroom house in Tullibody, we can advise on the number of 3 bedroom houses let over the past 3 years. We can advise how many

other applicants are requesting this property type and we can advise on other registered social landlords that have 3 bedroom houses in this area.

Lettings areas (the place you want to live)

6.4. There are seven main areas as shown in the table below.

LETTINGS AREAS					
1	ALLOA				
2	SAUCHIE	FISHCROSS			
3	CLACKMANNAN	KENNET	FORESTMILL		
4	TULLIBODY	CAMBUS			
5	TILLICOULTRY	COALSNAUGHTON	DEVONSIDE	DOLLAR	MUCKHART
6	ALVA	MENSTRIE			
7	BOWMAR				

6.5. It is very important that you state on your application form only the places you want to live. In addition, if there are areas or particular streets that you do not wish to be considered for we ask that you state this clearly on the application preference form.

6.6. You must tell us as soon as possible if you wish to change your area choices. You can do this at any time.

Size/Type of housing

6.7. In assessing the size of property that you may be offered, Clackmannanshire Council has adopted the occupancy standards set out in the Welfare Reform Act 2012.

6.8. We will therefore allocate one bedroom for:

- each couple living as part of a household.
- each person who is not a child (aged 16 and over) living as part of the household.
- two children of the same sex (under 16).
- two children who are under 10 (regardless of gender).
- any other child.
- a carer (or group of carers) providing overnight care.

6.9. Depending on availability and circumstances, the Council may allocate a property of a different size to the above.

6.10. Whilst the Council owns a range of properties, only 20% of those that become empty each year are houses. This means that applicants are likely to wait longer for a house as 67.5% of the properties which become available are flatted dwellings. The remaining 12.5% of properties which become available are bungalows.

6.11. There are some properties that have been specially designed or adapted to meet the needs of people with mobility or accessibility issues. Priority will be given to applicants who have been assessed as requiring this property type.

6.12. You will be asked about any particular needs you may have when you apply. The assessment of need will identify the most appropriate house type for you. Due to the lack of ground floor properties, where these become available priority will normally be given to applicants who have an assessed need for ground floor accommodation.

6.13. The law states that we should always make adapted properties available to those who can make use of the adaptations. If there is no such person occupying the property then the Council may look to find other suitable accommodation for the occupants. This would then allow us to use the property for an applicant with particular needs.

7.0 Allocations

7.1. The law states that we give reasonable preference to homeless people, households who are overcrowded, large families, those living in unsatisfactory housing conditions, those living in a property which is below tolerable standard property, and those living in properties that are too large for them. **Appendix 2** sets out the details of what the legislation and guidance is on these reasonable preference categories.

Bands and Points

The housing list is managed using bands and points. This means that when you apply for housing, we will put your application into one of four bands and we will give you the highest number of points based on your housing need.

Bands

Bands	Groups
Band 1	• Applicants requiring to move because of demolition, closing orders or regeneration initiatives. • Current Council tenants who by moving will release social rented housing which is urgently needed for other applicants with high needs, for example properties with adaptations. • Looked after young people and those leaving residential care. The Council's Corporate Parenting Protocol ensures the appropriate supports are in place and realistic housing choices have been made.

	• Ex forces personnel and their families who are returning to their local area. In line with the Scottish Government's commitment to ex-services people, and in accordance with the Armed Forces Community Covenant, Clackmannanshire Council will ensure that ex-service personnel returning to this area are not disadvantaged • Serious Offenders where there may be public safety issues. • Direct Lets - The Council may in very limited circumstances choose to make a direct offer of housing to an applicant. In these rare situations applicants may be made a direct offer of housing through powers delegated to the appropriate Senior Service Manager. Consideration of any direct lets will be made in consultation with the Director of Place (or equivalent) and Governance Officer. In these cases we will offer the first suitable home that becomes available. If this offer is refused we will then deal with the application in line with the normal policy.
Band 2	• Applicants assessed as statutory homeless.
Band 3	• Applicants living in insecure accommodation • Applicants experiencing financial hardship • Applicants in overcrowded accommodation • Applicants with health / care points • Applicants living in a property that is assessed as being below tolerable condition. • Applicants with under occupation points
Band 4	• Applicants who are assessed as adequately housed with no recognised housing need.

Applicants in bands 2 and 3 are placed in points order. These applicants are also awarded time in need points (see section 7.5). Applicants in bands 1 and 4 are placed in order of date of application.

7.2. We look at reasonable preference in terms of total lets across the housing stock and throughout the year, not for each individual let. This allows us to appropriately match the property to the applicant and create sustainable tenancies, at the same time as meeting the requirement to give reasonable priority to the key groups. The aim is to balance the needs of our communities, as well as meeting the needs of those applying for housing.

7.3. Therefore, if a property become vacant that matches the needs and preferences of an applicant on Band 1 the property will be offered to them.

7.4. If however a property is adapted, ground floor, or in any other way suited for applicants with particular needs, the property will be allocated to an applicant who most needs that adaptation/property type / location.

7.5. Points awarded for those in bands 2 and 3 are detailed in the table below. (Applicants can only be awarded one set of points, where two sets apply we will award the highest).

Type of Need	Band 2	Points
Statutory Homelessness within the meaning of Part II of the Housing (Scotland) Act 1987	All applicants assessed as homeless are placed in this band	14 points

Type of Need	Band 3	Points
Insecure Accommodation	Households without their own self-contained accommodation e.g. living with friends or relatives. Households served with a Notice to Quit from their landlord. Insecurity points may also be awarded to applicants who are assessed as being in financial hardship and unable to meet the cost of rent for their property in the private sector.	8 points
Under Occupation	Living in a property with 1 or more additional bedrooms	4 points in total
Overcrowding	Households with insufficient bedrooms for their household size.	

	2 or more bedrooms short, or 4 or more persons who have to share one bedroom (severe overcrowding)	12 points
	1 bedroom short (moderate overcrowding)	6 points

Type of Need	Comments / Band	Points
Health/Mobility/Care	Severe	14 points
	Moderate	6 points
Points can be awarded if an applicant or a member of their household has health, mobility or care needs which will benefit from a move to alternative accommodation. Where the medical condition is not helped by a move, or can be met by alterations to the current property or by additional services, no points will be awarded. Where more than one member of the household has health/mobility/care needs points are only awarded for the person with the greatest need. <u>Severe health/care award</u> A severe award will be made where the applicant cannot reasonably be expected to occupy their current (or most recent) permanent accommodation as a result of their circumstances. Examples include: • The person cannot be discharged from hospital to their current home • The person has severely restricted independence but would not have if in suitable accommodation. <u>Moderate health care award</u> A moderate award will be made where the applicant requires to move from their current accommodation but can continue to occupy this accommodation for a further limited period.		

Type of Need	Band 3	Points
Lacking Amenities/Poor Condition	lacking amenities/disrepair - serious	12 points
	lacking amenities/disrepair - moderate	6 points

Applicants will be awarded 12 points for lacking amenities or poor condition of accommodation if:

- they are living in housing which is below the tolerable standard,
- they are living in housing where the property lacks any *one* of the basic amenities (including evidence of lead piping)

and/or

- they are living in housing where one of the primary building elements is in serious disrepair (walls, internal floors, foundations, roofs).

Applicants will be awarded 6 points for poor condition of the accommodation if:

- they are living in housing below the tolerable standard where two or more of the secondary building elements are in serious disrepair (roof covering, chimneys, guttering/downpipes, windows and/or doors)

and/or

- there is penetrative or rising dampness.

People living in accommodation which is below the tolerable standard are also eligible to apply as statutorily homeless. Further information about basic amenities and the below tolerable standards can be found at **Appendix 3**.

Time in Need		
Applicants in Bands 2 and 3 are also awarded points reflecting the time they have had a housing need as assessed by the Council. These are referred to as 'time in need' points and the maximum points that can be accrued are 4 points.	3 or more years	4 points
	2 years	3 points
	1 Year	2 points
	6 months	1 point

8.0 What is not considered in assessing housing needs

8.1. We will not take account of any of the following when we allocate our housing:

- Whether you live in the area you want housing in
- The length of time you have lived in the area
- Any debts that are not related to your current or former tenancy
- Any debts you have already paid
- Debts relating to your tenancy if
  - They are less than one-twelfth of the yearly amount of rent you pay; or
  - You have already arranged a repayment plan, kept to it for at least 13 weeks, and you are still keeping to the repayment plan
- You and your family's income
- Your age, as long as you are over the age of 16 and the home you want to move to has not been specifically designed or adapted for people with particular needs.

9.0 Dealing with your application

9.1. We will always provide applicants with advice about their best option if they are assessed as having more than one type of need.

9.2. Applicants will receive the points only for the highest assessed need. This means for example that an applicant who is moderately overcrowded but is assessed as having a severe health need for accommodation will be awarded only the severe health points.

9.3. A change of circumstances will require the application to be reassessed which may alter the points awarded or a change in band.

9.4. The applicant(s) is/are required to provide details of any tenancy that they have held during the last three years. Current and former tenancies will be checked for conduct and related debts. This may involve a visit to the applicant's home. In the case of current council tenants the visit will include checks to ensure that tenancy conditions are being adhered to and the property is in a satisfactory condition – See Section 15 suspension

9.5. We will take into account any reliable evidence of previous anti social behaviour, evictions or other unsatisfactory conduct of a tenancy when considering applicants for the allocation of housing.

9.6. For some applicants the information provided in the application form and any checks we carry out, e.g. a visit to the applicant, will be sufficient to assess needs. For some there will be a need to undertake further assessment. Depending on the individual circumstances this may involve requests for additional information or interviews with specialist staff.

9.7. All Council tenants who apply are also encouraged to register on our online Mutual Exchange system to increase their opportunities for a move.

9.8. A summary guide to the housing application assessment process is set out at **Appendix 4.**

10.0 Housing offers

10.1. Once identified, the applicant with the highest priority will be offered the property.

10.2. The house will be let either as a Scottish Secure Tenancy (SST) or a Short Scottish Secure Tenancy (SSST). The majority of our tenancies are SST's, and Appendix 5 sets out the details of when we may offer a SSST.

10.3. On occasion there may be properties that are classed as low demand and we will letter applicants on the waiting list inviting them to attend an open viewing. The letter will advise applicants to make contact with us if they are not interested in attending the viewing so we can fully review their application. If the applicant fails to make contact then their application will be cancelled, however if they contact us within 6 months we will reopen the application.

Refusals of offers

10.4. You must make sure that your application form reflects your wishes. It is also important that you inform us of any changes in your circumstances or preferences (of area to be housed, or type of house) so that we only make an offer that meets your needs and matches what you want.

10.5. Homeless applicants who refuse one offer will have their homelessness priority removed as the Council will have discharged its duty to them in terms of the homelessness legislation. If they are living in temporary accommodation provided by the Council they will have to leave this.

10.6. You have the right to request a review against this decision. The request should be made in writing, **within 21 days** of you being notified of the decision, to your Homeless Case Officer who will then pass it to the appropriate Senior Officer for consideration. If you require advice or assistance with this you can contact Clackmannanshire Citizens Advice Bureau, Glebe Hall, Burgh Mews, Alloa, FK10 1HS or seek independent legal advice.

11.0 Choice based letting

11.1. In certain circumstances a form of choice based letting will be used to allocate properties. The details of properties available for letting will be advertised setting out the size of household that will be considered, any special features or requirements, (e.g. adaptations to the property) and the Band or category of need that will be given priority. Applicants will be required to express an interest in properties advertised which match

their requirements and when bids are received, we will offer the property to the most suitable applicant with the highest number of points.

12.0 Nominations

12.1. From time to time we are able to nominate applicants from our list to be housed with one of our partner Registered Social Landlords (housing associations). Nominations must satisfy the relevant landlord's allocations policy.

13.0 Local Lettings Initiative

13.1. In exceptional circumstances the Council may agree a Local Lettings Initiative for a particular area. A Local Lettings Initiative will require specific approval by Council Committee and will only be agreed where all the following conditions are satisfied:

13.1.1. There is clear evidence, independently verified, that the current allocations policy is exacerbating identified problems within the community concerned. This would require clear, robust and verified evidence from a number of sources of the need for a Local Lettings Initiative
13.1.2. The Local Lettings Initiative demonstrates clearly how the revised policy will address these problems
13.1.3. Outcomes for the Local Lettings Initiative are quantified and given a specific time frame
13.1.4. A monitoring and reporting framework is in place to provide ongoing information on the effectiveness of the Initiative.

13.2. Local Lettings Initiatives must be consistent with the principles and objectives of the overall Council allocations policy, relevant legislation and guidance and performance standards. They are also subject to the same principles of scope and flexibility relevant to the allocations policy, eligibility criteria and eligibility for house types/size.

13.3. Any Local Lettings Initiative will be reviewed after an agreed period.

14.0 Review of housing list

14.1. Information submitted by applicants will be reviewed on an annual basis. This review of applications is taken to ensure that the housing list consists only of those actively interested in housing.

14.2. We will write to applicants asking for confirmation that you wish to remain on the list. We will also ask applicants to notify us of any change to their housing circumstances. If we do not hear from applicants within 28 days we will send a reminder letter. If applicants do not reply to the reminder letter within 7 days the application will be removed from the list.

14.3. Applicants removed from the list in these circumstances will be re-instated without penalty if they contact the Council within 6 months of the second reminder being issued. After this period a new application will be required.

15.0 Suspending applications

15.1. In some clearly defined circumstances we will exercise the right to suspend an application for active consideration of an allocation. In doing so it will act in line with legislation and associated guidance. We will confirm to you in writing the reasons for the suspension, your right of appeal, and how and when your suspension will be reviewed.

15.2. We will only suspend your application from active consideration for housing in the following circumstances:

- If you owe more than one month's rent to the Council or a former landlord, and have not agreed and kept to a repayment plan for 13 weeks.

- If you or any member of your household has been evicted for anti social behaviour, has a current ASBO (Anti Social Behaviour Order) or are waiting for a court decision on eviction or an ASBO. Anti social behaviour includes violence, verbal abuse, harassment, vandalism, noise disturbance, arson, carrying an offensive weapon, or using or selling illegal drugs.

- If you have had a 'Notice of Proceedings for Recovery of Possession' served on you because you have broken the conditions of your tenancy.

- When a transfer applicant applies an inspection of the house and private garden area (if applicable) will be carried out. If there are any outstanding repairs, cleanliness, or condition issues that are their responsibility, as described in the Scottish Secure Tenancy Agreement, the Council will inform them in writing and the applicant must complete these before any offer is made.

15.3. If we do suspend your application you will be notified in writing and if we think that we need to, or if we think it is appropriate, we will help you to keep to the conditions of your current tenancy. This may involve arranging support for you.

15.4. Where appropriate we will work in partnership with others to share information to assist in the decision making regarding suspensions. We will consider each case on an individual basis.

15.5. In cases of anti social behaviour, if you can show that an appropriate support package is in place and that you are working with others to

improve your behaviour and change your actions, or you think that there are valid reasons to confirm that your behaviour and actions have changed and we are satisfied that the anti social behaviour is unlikely to recur, we will review your application for active consideration for housing.

15.6. Applicants who are offered a tenancy within 3 years of an eviction for anti social behaviour, or applicants and/or any person who will be part of their household who is the subject of an ASBO, will be offered a Short Scottish Secure Tenancy. Appendix 5 sets out the details of when we may offer a SSST.

16.0 Cancelling applications

16.1. We will only cancel Housing Applications in the following circumstances:

- The applicant has requested removal from the register.
- The applicant has died and there is no joint applicant.
- The applicant fails to respond to a periodic review of the Housing Register.
- The applicant fails to respond to a 28 day letter requesting contact.
- The applicant has been rehoused.

17.0 Provision of false information

17.1. If false information has led to the allocation of a tenancy the Council may take legal action to recover the tenancy.

17.2. If an applicant has knowingly provided false or misleading information their application will be suspended until it has been re-assessed with the correct details.

18.0 Access to personal information and files

18.1. The Council will act in line with the Data Protection Act 2018 and the Freedom of Information (Scotland) Act 2002 regarding application information. All information provided by applicants will be held in confidence and will not be released beyond the terms of registration under the Data Protection Act without the express permission of the applicant. Applicants will be asked to sign a mandate in the application form to allow the Council to share any information, although applicants have the right not to do so. All applicants have the right, subject to certain conditions and exemptions, to receive a copy of all information and data held in relation to their application for housing.

19.0 Equal opportunities

19.1. Clackmannanshire Council believes that equality of opportunity should be a guiding principle in all of its activities. The Council is actively

working towards the elimination of policies and procedures which discriminate. It is opposed to any form of discriminatory practices on grounds including gender; marital status; religious belief; disability; race; ethnic origin; colour; nationality; political belief; sexual orientation; socio-economic status and age. Anyone with a grievance or complaint that contravenes Equal Opportunities legislation and guidelines can make a complaint in line with the Council's complaints procedures.

20.0 Appeals procedures

20.1. Discharge of Duty – Homeless Applicants
Homeless applicants who refuse a reasonable offer of accommodation have a statutory right of appeal against a discharge of duty. This has to be submitted in writing (this includes email) within 21 days, with reasons for this, to the responsible Senior Housing Officer. A written response will be provided within 10 working days.

20.2. Other Appeals
These are related to suspensions from the waiting list which include rent arrears, former tenant arrears, , and condition of current tenancy. These should be submitted in writing (this includes email) to the responsible Senior Housing Officer. A written response will be provided within 10 working days.

21.0 Monitoring and reporting

21.1. The Council is clear about the importance of monitoring the performance of its allocations policy to ensure in particular that:

- The outcomes are in accordance with the stated objectives
- Those searching for housing are satisfied with the service they receive
- The policy and priorities take account of changing needs within the local community and of any changes in the Council's supply.

21.2. The outcomes of this policy will be recorded and monitored in accordance with the Scottish Social Housing Charter.

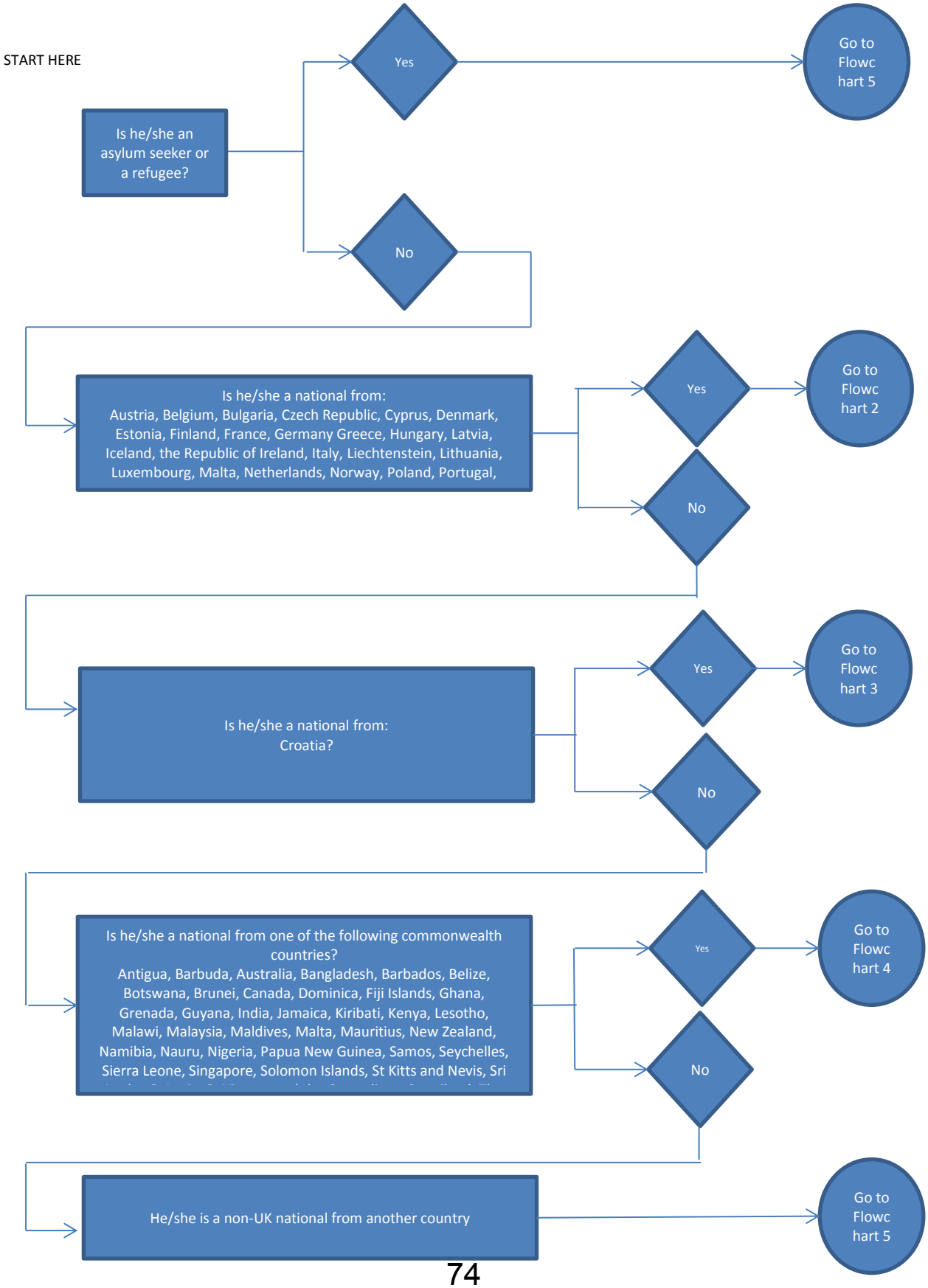
21.3. The Council will ensure that all aspects of the allocations policy, processes and procedures are regularly reviewed to assess decision making, accurate data entry and validation and monitoring of lets by both the Housing Service and its partners.

21.4. All applicants and tenants have the right to make a complaint using the Council's Complaints Procedure – details can be found online at https://www.clacks.gov.uk/council/commentsandcomplaints/.

Appendix 1

Flowchart One:

Rights of non-UK nationals to housing and assistance with homelessness



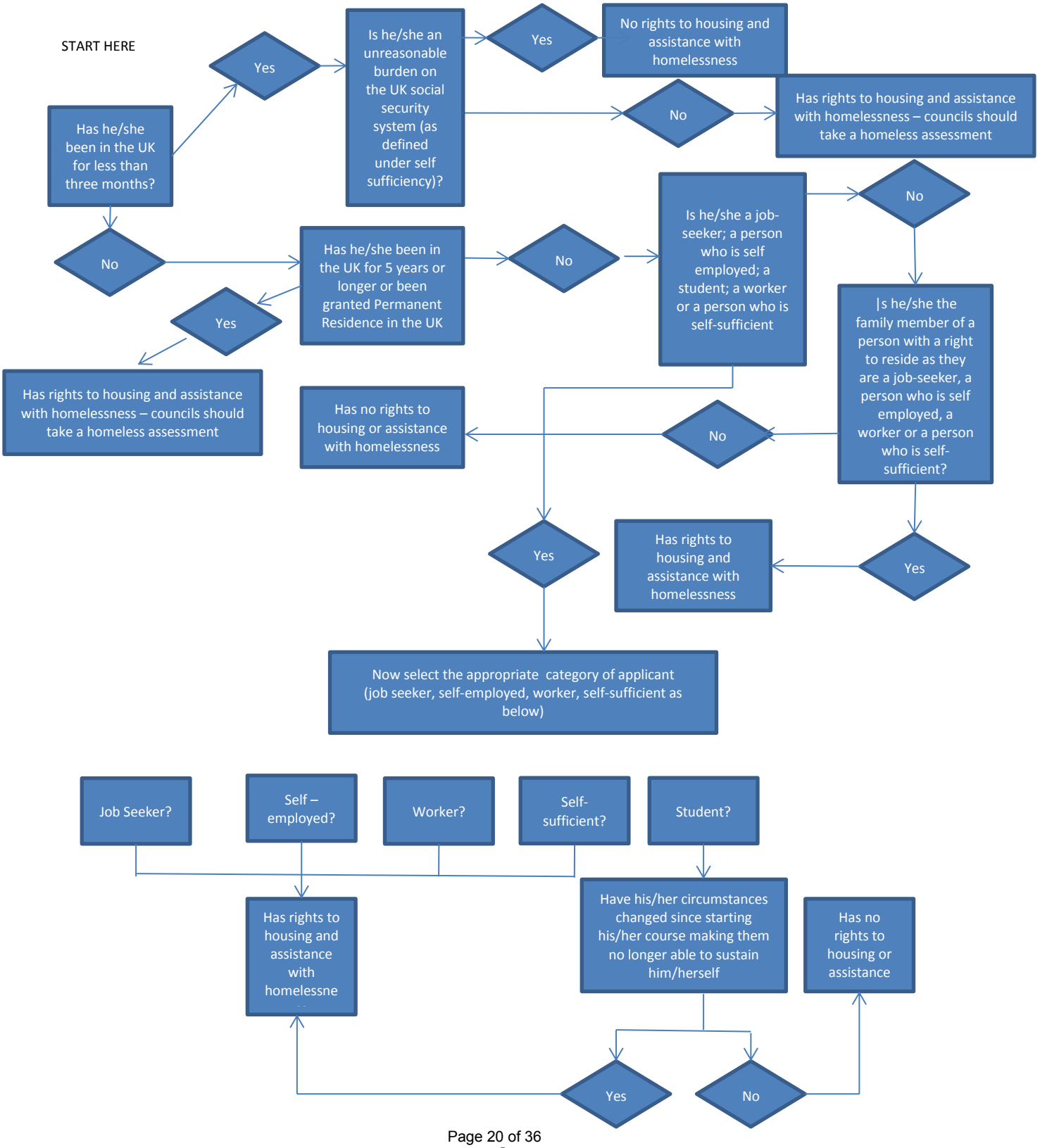
Flowchart One definitions

Asylum seeker: An asylum seeker is someone who has lodged an application for international protection under the United Nations 1951 Refugee Convention or Article 3 of the European Convention of Human Rights, and is awaiting a decision from the (UK) Government

Refugee: A refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country…' (United Nations 1951 Refugee Convention).

Flowchart Two:

Nationals from particular EEA countries and Switzerland Austria, Belgium, Bulgaria, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, the Republic of Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and Switzerland



Flowchart Two definitions

Worker: A person performing work which is 'effective and genuine' and not on such a small scale as to be purely 'marginal and ancillary'. Work does not have to be full-time or permanent, and it does not have to provide a sufficient income for the subsistence of the worker. In order for work to be 'Effective' there must be some sort of employment relationship – although not necessarily a formal contract.

Job-Seeker: Someone who is looking for work who has never worked in the UK or someone who has lost her/his status as, for example, a worker or self employed person but is now signing on.

Self-employed: Someone with their own business and is engaging in “genuine and effective” self-employed activity. There is no exact definition of this and people do not need to earn enough money to be completely self-sufficient. There are a range of ways that an individual can prove this status for example tax returns, companies house registration, contract for the letting of premises etc.

Self sufficient: having sufficient resources so as not to become an unreasonable burden on the social assistance system of the UK. “Social assistance” means income related benefits, i.e. income support, income-based jobseeker’s allowance, employment support allowance (income-related), housing benefit, council tax benefit, or state pension credit. There are no strict evidential standards for this but should be considered on a case-by-case basis.

Student: In order to obtain the right to reside, EEA students must enrol in a course of study, have comprehensive medical insurance (this is provided by NHS cover) and declare that they are able to meet their living costs while studying at the time of signing.

Permanent residence: can be proved in a number of ways including tenancy agreements, employment contracts or letters from utilities companies.

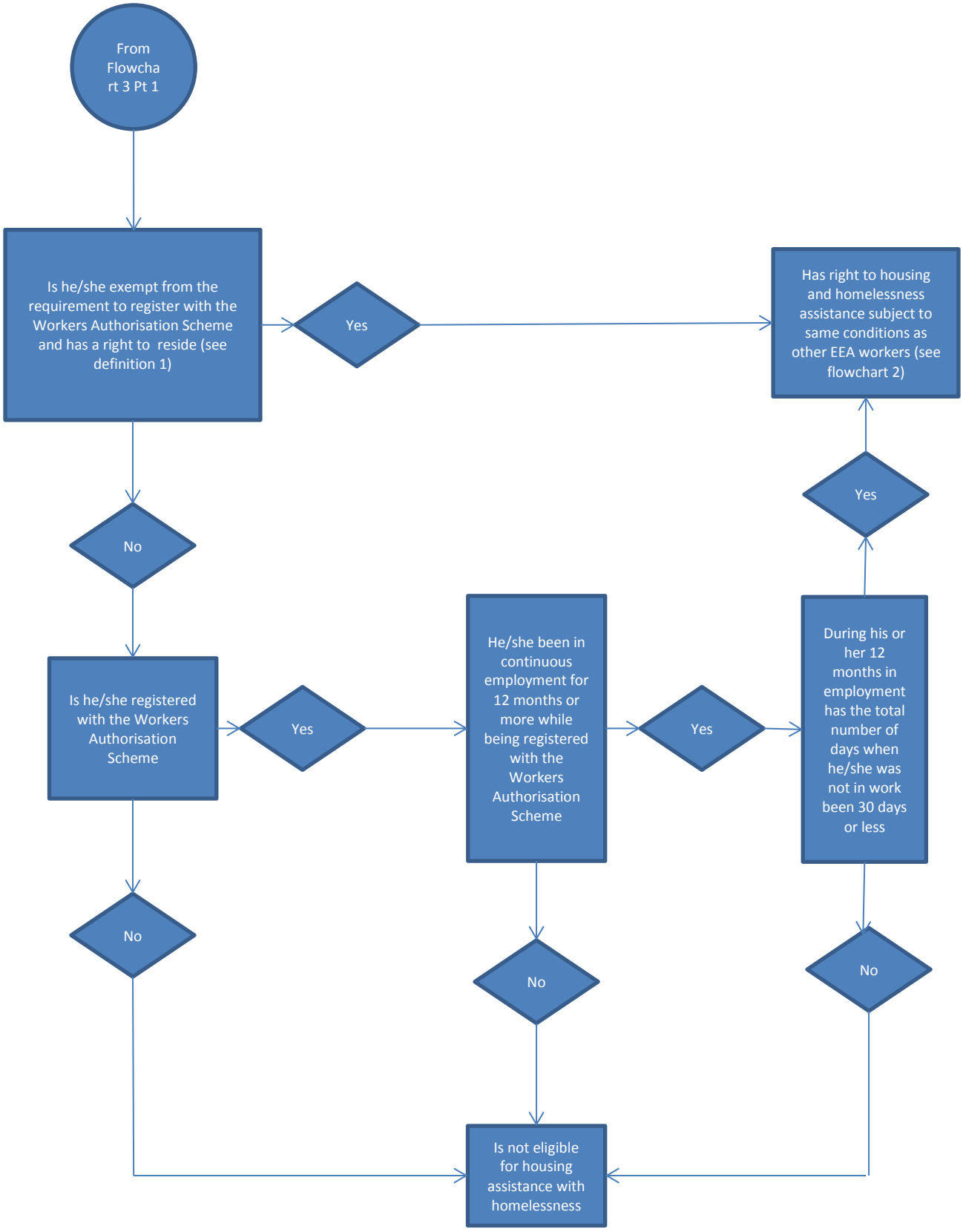
Flowchart Three (Part 1)

Nationals from Croatia
(NB: restrictions on Croatian nationals working in the UK may be removed from 31st December 2018)

START HERE

Flowchart Three: (Part 2)

Workers' Authorisation Scheme
Nationals from Croatia



Flowchart Three definitions

The following Croatian Nationals are exempt from the requirement for authorised work:

- people who have already completed 12 months lawful employment in the UK on or after 30th June 2013

- Anyone who gained leave to remain in the UK before 30th June 2013 with no employment restrictions (for example those with Indefinite Leave to Remain, refugee status, or Discretionary Leave to Remain)

- people who are married to a UK national or a person settled in the UK

- family members of EEA nationals (including Bulgarians, Romanians and Croatians who have full EEA rights or are authorised to work).

Flowchart Four

Nationals from the following Commonwealth Countries:
Antigua, Barbuda, Australia, Bangladesh, Barbados, Belize, Botswana, Brunel, Cameroon, Canada, Dominica, Fiji Islands, Ghana, Grenada, Guyana, India, Jamaica, Kiribati, Kenya, Lesotho, Malawi, Malaysia, Maldives, Malta, Mauritius, New Zealand, Namibia, Nauru, Nigeria, Papua New Guinea, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, St Kitts and Nevis, Sri Lanka, St Lucia, St Vincent and the Grenadines, Swaziland, The Bahamas, The Gambia, Tonga, Trinidad and Tobago, Tuvalu, Uganda, United Republic of Tanzania, Vanuatu, Zambia and Zimbabwe

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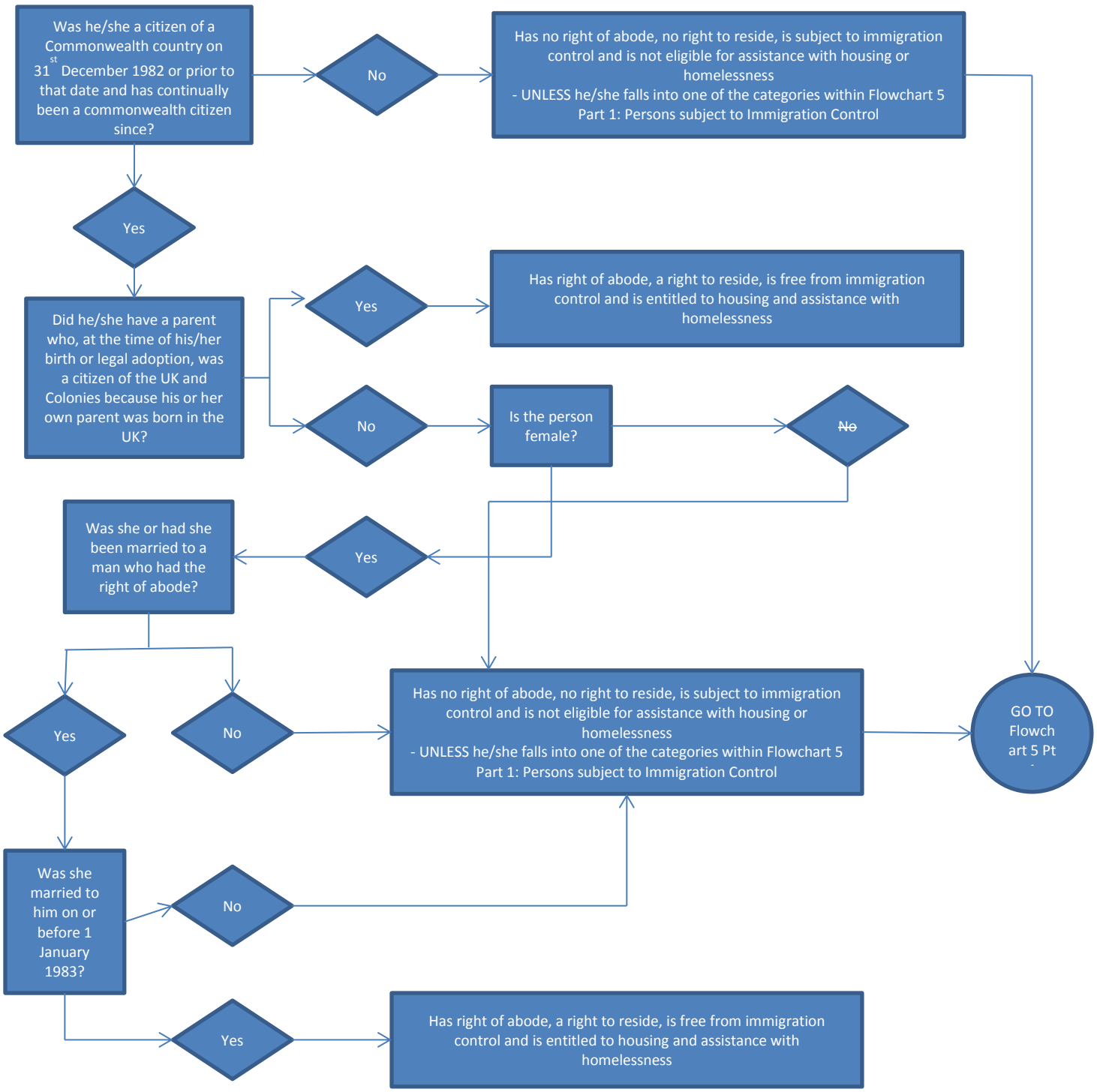
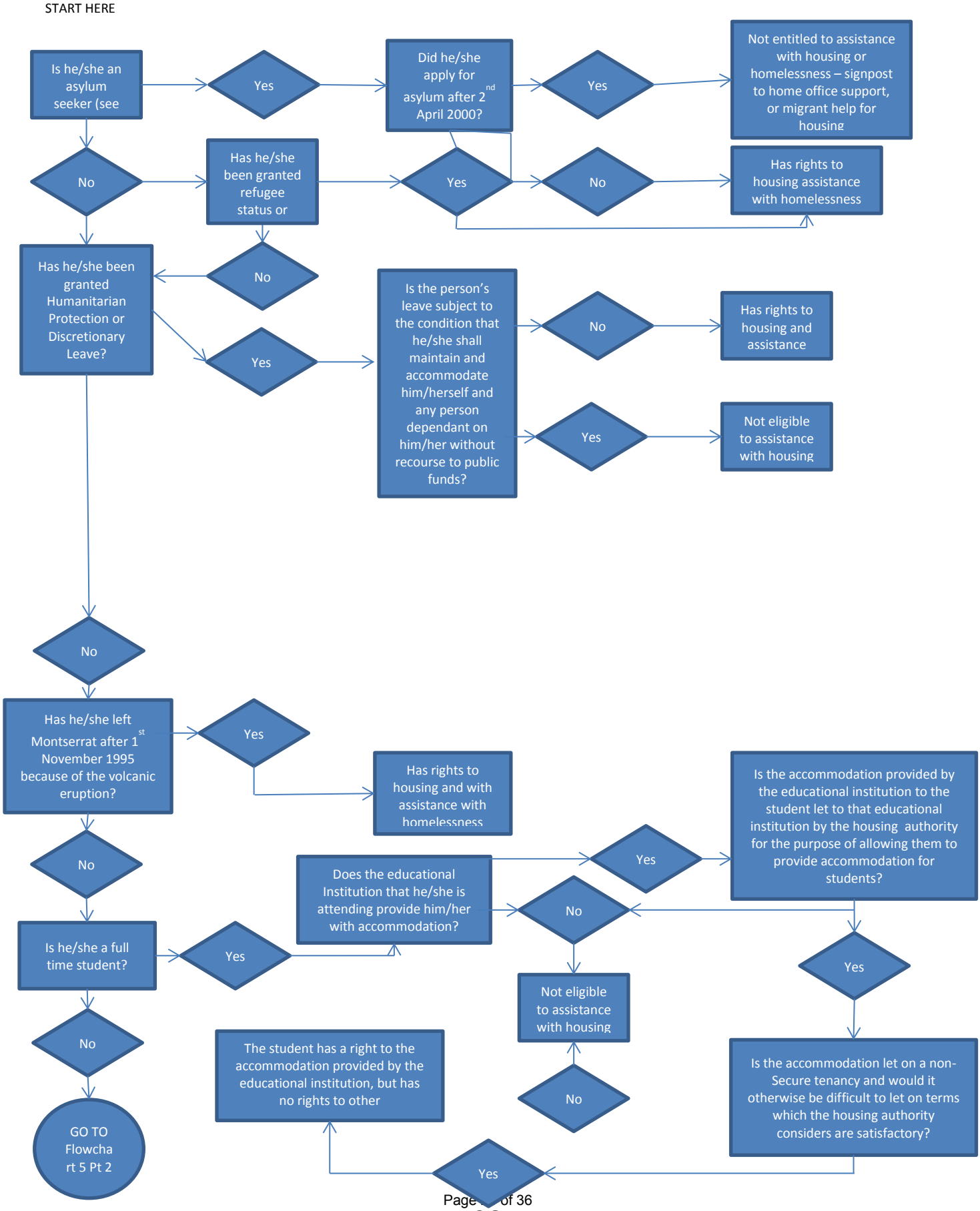


Flowchart Five (Part One)

Persons Who are Subject to Immigration Control (+ Refugees and Asylum Seekers)



Flowchart Five (Part Two)

Persons Who are Subject to Immigration Control

Flowchart Five definitions

Common travel Area: Republic of Ireland, United Kingdom, Isle of Man, Jersey and Guernsey.

Assessed or allocated under homeless legislation: owed a duty under section 29 (interim duty to accommodate); or section 31 (duties to people who have been found to be homeless) or section 32 (duties to people who have been found to be threatened with homelessness) section 34 (people referred to another local authority) of the Housing (Scotland) Act 1987?

Appendix 2

Reasonable Preference

The Council legally must give reasonable preference to certain groups when letting houses. The groups to which reasonable preference must be given are:

- Homeless persons and people threatened with homelessness with unmet housing needs;
- People living in unsatisfactory housing conditions with unmet housing needs; and
- Tenants of houses which are held by a social landlord and we consider them to be under-occupied as defined in this policy.

The Council would consider that a person has unmet housing needs if they have a need which is not capable of being met by their current housing circumstances.

In practice, the Council will explore housing options with all applicants so that they can make informed decisions regarding their housing preferences.

Unsatisfactory housing conditions, as mentioned in the reasonable preference groups, is a wide term which within this policy covers the physical condition of the house, such as the property being below tolerable standard, as well as its unsuitability due to a medical condition or disability of the occupant. Unsatisfactory living arrangements, problems with neighbours, harassment and domestic abuse can all also be covered within this the term.

Below tolerable standard is defined as the lowest acceptable standard of housing in any tenure that anyone should be expected to occupy. A house is deemed to be below tolerable standard if it fails any of the 12 criteria as set out by the Housing (Scotland) Act 1987 and amended by the Housing (Scotland) Act 2006.

The Council can also decide what other groups of applicants can also be given priority status in response to local circumstances.

"Tolerable Standard" is as defined by section 86 of the 1987 Act and amended by section 102 of the 2001 Act and section 11 of the Housing (Scotland) Act 2006. A house meets the tolerable standard if it:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate piped supply of wholesome water available within the house;

- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installation for the purposes of that supply;
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

Part VII of the 1987 Act defines "overcrowding". When the number of people sleeping in a house breaches the room standard or the space standard (both of which are set out below) a house is overcrowded.

The space standard determines the number of people who are permitted to sleep in a home based on:

- the number of rooms available as sleeping accommodation. Rooms that are counted are rooms normally used in the locality as a bedroom or living room;

- the size of those rooms. Rooms under 50 square feet (4.645m 2) are ignored; and

- the ages of people who live there. Children under 1 year old are not counted and children over 1 and under 10 count as a half.

You can calculate the permitted number of people in a property by looking at both of the tables below. Table 1 tells you how many people can sleep in the house according to the number of rooms. Table 2 tells you how many people can sleep in each room according to the size of the room and the total for each room, when added together, tells you how many people can sleep in the house. You need to look at both tables and the smaller of the two numbers produced is the permitted number of people that may live in that house. If the permitted number is exceeded, the house is overcrowded.

Number of rooms available for sleeping	Number of people who can sleep in the property
1	2
2	3

3	5
4	7 1/2
5 or more	2 for each room

Floor area of room	Number of persons who can sleep there
110 sq ft or more (10.219m 2)	2
90 sq ft (8.361m 2)or more but less than 110 sq ft	1 1/2
70 sq ft (6.503m 2) or more but less than 90 sq ft	1
50 sq ft (4.645m 2) or more but less than 70 sq ft	1/2

The law does not define large families.

The law also does not define "unsatisfactory housing conditions". However the term covers the physical condition of the house as well as its unsuitability as a result of a medical condition or the disability of the occupant. It also covers other aspects of an applicant's circumstances, such as unsatisfactory living arrangements, problems with neighbours, harassment and domestic abuse.

Part II of the 1987 Act (as amended) defines "homeless persons". A person is homeless if he or she has no accommodation in the United Kingdom or elsewhere, or if he or she has accommodation, but it would not be reasonable for him or her to occupy it. A person is homeless if he or she has accommodation, but:

- cannot secure entry to it;
- it is probable that occupation of it will lead to abuse;
- it is probable that occupation of it will lead to threats of abuse from someone who previously lived with him or her and who is likely to carry out the threats;
- it is a moveable structure, vehicle or vessel and there is no place where he or she is entitled or permitted to place it and live in it (this has particular relevance for Gypsies/Travellers);
- it is overcrowded and may endanger the health of the occupants; or
- it is not permanent accommodation and the local authority has a duty to provide permanent accommodation. Permanent accommodation includes accommodation owned by him or her or in which he or she is a tenant with a secure or assured tenancy. It also includes a short Scottish Secure Tenancy where such a tenancy has resulted from previous anti-social behaviour or from any prospective tenant or resident under an anti-social behaviour order.

Part II of the 1987 Act (as amended) also defines "persons threatened with homelessness". A person is threatened with homelessness if it is likely that he or she will become homeless within 2 months.

Appendix 3

Basic Amenities

A property would be considered lacking basic amenities if it did not have:

A fixed bath or shower
A wash hand basin
A kitchen sink
An internal w. c.
A hot and cold water supply at three points (bath/shower, w. c. and wash hand basin)

Below the Tolerable Standard

A property will fail the tolerable standard if:

It is not structurally stable
It is not free from rising and penetrating damp
It lacks piped wholesome water
It lacks a sink with satisfactory hot and cold water
It lacks cooking facilities
It does not afford exclusive use of and suitably located WC
It lacks access to external doors
It lacks drainage and disposal of foul and surface water
It lacks suitable provision for natural and artificial lighting, ventilation and heating

Primary Building Elements - A fail is measured by the requirement for repair or replacement of more than 20% of the component.	Secondary Building Elements- A fail is measured by the requirement for repair or replacement of more than 20% of the component. Failure by two or more elements.
Wall structures Internal floor structures Foundations Roof structure	Roof covering Chimney stacks Flashings Rainwater goods External wall finishes Access decks/balustrades Common access stairs/landings, Pathways within the curtilage of the dwelling Individual dwelling balconies/verandas Individual dwelling attached garages, internal stairs Damp Proof Course Windows/doors Common windows/roof lights Underground drainage

Appendix 4

Quick guide to the housing application process

Applicant completes the Common Housing Register Registration form (CHR partners selected by applicant are notified)

Application is assessed (further checks are carried out and additional information is requested if required)

We will contact you if we require further information from you

We will contact your former landlord to get them to complete a tenancy reference

If you or another person on the application needs accommodation to alleviate or improve a health or mobility need we will assess your application to determine if it qualifies for any priority

Once all information has been received we will then determine the Housing Band that you are on. This is dependent on your current housing circumstances

We will issue a letter with confirmation of your points, areas of choice, the Band that you have been placed on and your housing application registration number

Important Information

- We will give you information to help you make informed choices and decisions about the range of housing options available to you.
- Housing advice is available to you during the life of your housing application.
- We may visit you during the life of your housing application.
- If your circumstances change or if you know longer want housing, please let us know.
- Failure to respond when we try to contact you may result in your housing application form being cancelled but we will always notify you in writing before we cancel your application.

Appendix 5

Scottish Secure Tenancy (SST) and Short Scottish Secure Tenancy (SSST)

Rights under a short SST are identical to the full SST except that:

- there is no provision for succession; and
- security of tenure is limited.

Rights to assign, sublet, etc. under a short SST are limited to the period of the short SST.

Short SST's are granted for a limited period of time, usually 12 months. They must then be extended, ended, or converted into a full SST

Existing Grounds for granting a SSST:

1. lets to persons evicted for anti-social behaviour from a tenancy in Scotland, England, Wales or Northern Ireland, within a period of 3 years prior to the service of a notice that a short SST will be offered;

2. lets to persons where they or other members of their household are the subject of ASBO granted on or after 30 September 2002 under s 19 of the Crime and Disorder Act 1998. This also allows for the conversion of an existing secure tenancy to a SSST when a Full ASBO has been granted;

3. temporary lets to persons moving into the area in order to take up employment;

4. temporary lets pending development affecting the house;

5. temporary lets to homeless persons for tenancies of 6 months or over (lets to homeless persons of under 6 months are covered by Schedule 1 to the Act, tenancies which are not SSTs);

6. temporary lets to persons requiring or receiving housing support services as defined in section 91(8) of the Act (N.B. permanent lets to persons requiring or receiving housing support services should be Scottish secure tenancies);

7. lets in houses leased by the landlord from another body where the terms of the lease preclude the landlord subletting under an SST.

New Grounds for Granting a SSST:

Antisocial behaviour within the previous 3 years (No need for any criminal conviction or other court proceedings). This can be based on the antisocial behaviour of not just the existing tenant but also –

- Any joint tenant
- Anyone residing or lodging at the property
- Any subtenant
- Any visitors to the property

Homeowner(s) where they have a short term, temporary housing need and require time to sort out their permanent housing arrangements. This is specifically for temporary arrangements and therefore differs from someone who owns property but is looking for a long term, permanent arrangement.
It relates not just to the applicant but to someone who is to be living with them so it could be property owned by a spouse or other family member.

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 8

ON THE AGENDA

Report to: Clackmannanshire Council

Date of Meeting: 21 February 2019

Subject: Organisational Redesign: Update

Report by: Chief Executive

1.0 Purpose

1.1. The purpose of this report is to update Council on progress with implementing the organisational redesign it agreed as part of the 2018/19 Budget approved on the 8th March 2018.

2.0 Recommendations

It is recommended that Council notes:

2.1. the progress to date in implementing the agreed organisational redesign.

2.2. that, following the conclusion of the ongoing consultation process for Senior Manager roles, a further update report will be presented to Council.

3.0 Considerations

3.1. In March 2018, Council agreed a new organisational redesign. The redesign established a new managerial structure based on three new service delivery portfolios: People; Place and Partnership and Performance. Committee structures have also been aligned with this managerial structure since August 2018.

3.2. The new design proposed a reduction from 9 chief officers to 4 and a reduction in the tiers of management between Service Manager and Chief Officer. As a consequence, a new management role of Senior Manager was established with the planning assumption that there would be fewer managers in overall terms in addition to the reduction at chief officer level. The new structure proposed 15 Senior Managers compared with the 23 existing Service Manager roles. This restructure indicated a total saving of £765k, with £289k planned to be delivered in 2018/19. To date, £155k of the £289k planned saving for 2018/19 is projected to be delivered, the main reason for the variation being attributable to delays in recruitment.

Chief Officers

3.3. The implementation of the new management structure commenced in August 2018, following the appointment of the new Chief Executive. The process adopted followed the Council's Organisational Design protocol. These processes resulted in the appointment of two of the three Strategic Director posts: Strategic Director (Place) and Strategic Director (Partnership and Performance).

3.4. In line with the decision of the Strategic Director (People) Appointments Committee of 12 September 2018, the Chief Executive, commissioned an external recruitment process to fill the vacant post. This process was facilitated by SOLACE. Following the assessment process, the Committee did not make an appointment.

3.5. At its meeting 10 October 2018, the Appointments Committee discussed a range of options for filling the vacant post. The Committee decided to approach key strategic partners from Police Scotland, Scottish Fire and Rescue Service, NHS Forth Valley and Scottish Prison Service with a view to identifying an appropriately skilled and qualified officer who would undertake the role on a fixed two year secondment basis.

3.6. Following a successful leeting and selection process, the Appointments Committee appointed an officer from Scottish Fire and Rescue Service. The new Strategic Director (People) subsequently took up her role on the 18th February 2019.

3.7. In January 2019, the Strategic Director (Place) indicated his intention to retire. At the Special Council of 31st January 2019, an Appointments Committee was established to take forwards the recruitment process. The Appointments Committee met on the 19th February and is now taking forward both interim and permanent recruitment processes.

Statutory Posts

3.8. In June 2018, Council agreed that the Chief Executive should take forward the recruitment of any unfilled statutory posts following the recruitment of the three Strategic Directors.

3.9. The Council is required to appoint to the following statutory roles:

- Head of Paid Service (Chief Executive)
- Chief Education Officer
- Chief Social Work Officer
- Section 95 Officer (Chief Finance Officer)
- Monitoring Officer.

3.10. Following the recruitment of chief officers, only one statutory role had been filled (Head of Paid Service). Recruitment to the remaining four statutory roles was, therefore, required.

3.11. The Chief Executive commissioned a benchmarking review of the salaries and terms and conditions of statutory post holders across Scottish local authorities. This, along with the application of the Organisational Design protocol, allowed for a clear set of proposals to be drawn up in respect of the relevant process and rationale for the consequential matching/ appointments to the statutory roles. This was shared with the Leaders of the three main Groups prior to commencement of the process.

3.12. To date, the following posts have been appointed to:

- Chief Education Officer
- Section 95 Officer
- Monitoring Officer.

Following an assessment process on the 1st February 2019, an offer has been made for the post of Chief Social Work Officer which has been verbally accepted. Pre-employment checks are currently being finalised with a projected start date, based on required notice periods, of June 2019.

Senior Manager roles (non-statutory)

3.13. Since the appointment of the Chief Executive, the absence of a detailed design for the Senior Manager roles, beyond the generic responsibilities highlighted within the Budget paper in March 2018, has been highlighted to senior elected members.

3.14. On this basis, as Strategic Directors have been appointed (i.e. since late August 2018), they have been asked to undertake the following task:

i) review the range of services included within their portfolios to ensure an effective service user/ customer focus and to maximise the opportunities for delivering efficiencies and integrating services.

ii) identify the range of service delivery models required to sustain service delivery for statutory and priority services for the future.(NB This task will require ongoing review over time as the Council's Transformation Programme is developed and refined).

iii) Having considered tasks 1 and 2, set out the optimal management structure to ensure operational sustainability.

These tasks have been set with a view to establishing a more refined basis for the design of managerial portfolios and the numbers of managers required, whilst remaining aligned with the original principles agreed by Council in March 2018.

3.15. To date, this work has resulted in draft proposals being prepared by the Strategic Directors (Place) and (Partnership and Performance)- Appendix A. These draft proposals are being used as the basis of formal consultation with both staff and trade unions. The consultation process was launched on the

18th January 2019 through formal meetings with all managers and trade unions. These launch sessions have been followed up by specific meetings within each portfolio and with individual members of staff.

3.16. The consultation process will run for a minimum of 30 days or until all statutory consultation requirements have been addressed. The end of the consultation process is signalled by the presentation of a final structure to the joint Management/ Trade Union meeting.

3.17. At this point, consultation activity with regards the People portfolio is on a slightly delayed timescale, given the Strategic Director has only just taken up her post. It is anticipated that the development of redesign proposals will be prioritised.

3.18. Following the appointment process for the four statutory postholders, a further 11 Senior Manager roles would require to be filled, based on the original proposals submitted to Council. If, following the current consultation process, the final designs propose a greater number of posts, additional Council governance would be sought.

3.19. A further update report will be prepared for Council following the conclusion of ongoing consultation activity.

4.0 Sustainability Implications

4.1. N/A

5.0 Resource Implications

5.1. Financial Details

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☐

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☐

5.4. Staffing

6.0 Exempt Reports

6.1. Is this report exempt? No

6.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

7.0 Equalities Impact

7.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☐

8.0 Legality

8.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

9.0 Appendices

9.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix A – Draft Structures – Partnership and Performance and Place.

10.0 Background Papers

10.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☐ (please list the documents below) No ☐

Author(s)

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Nikki Bridle	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

APPENDIX A

Draft Structure for Consultation

Partnership & Performance

January 2019

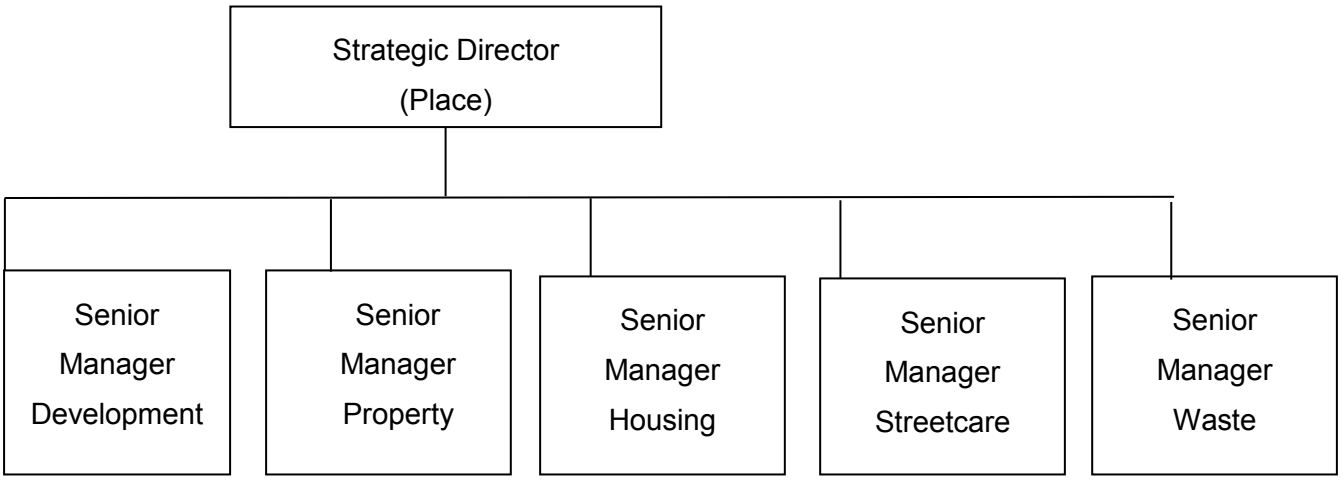
APPENDIX A

Draft Structure for Consultation

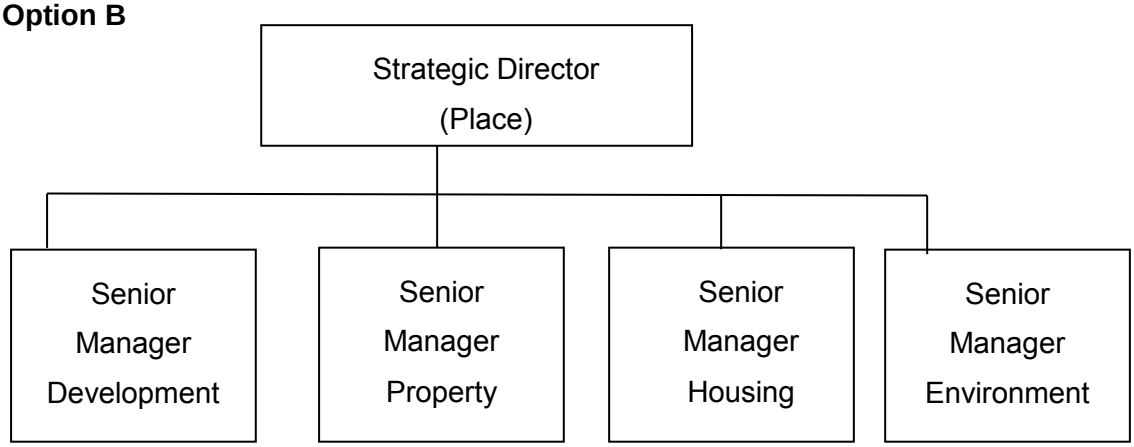
Place

January 2019

Option A



Option B



THIS PAPER RELATES TO ITEM 9

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Clackmannanshire Council

Date of Meeting: 21 February 2019

Subject: Stirling and Clackmannanshire City Region Deal Update

Report by: Strategic Director (Place)

1.0 Purpose

1.1. This report provides an update on the Stirling and Clackmannanshire City Region Deal. It focusses on the progress being made in establishing the governance arrangements considered and agreed by the Council in August 2018 as well as work being done on taking forward the Heads of Terms agreement considered by Council in June 2018.

2.0 Recommendations

2.1. It is recommended that Council:

2.1.1 Note progress being made in taking the Stirling and Clackmannanshire City Region Deal forward.

3.0 Considerations

3.1. In August 2018 Council agreed to a regional governance framework based on establishing the following elements:

- The Clackmannanshire Commission
- A City Region Deal Joint Committee
- A Programme Liaison Group
- Programme Management offices
- A Regional Economic Advisory Board

Progress on taking each of these forward is described below.

3.2. **The Clackmannanshire Commission.** This is established and has met three times (October and November 2018 and January 2019). A fourth special meeting of the Commission was also held at the on January 8th 2019 to consider bids made to the Clackmannanshire £8m UK Government Fund. As well as agreeing the process for bidding into and assessing applications to this fund, Commissioners have also agreed a remit and membership criteria, a work programme, the need for a Communications Plan and financial governance arrangements. Updates on each of the strands identified in the Heads of Terms have also been considered. Finally, members will note from a separate report on City Region Deal Governance to this meeting, that a joint Commission be considered to replace the current arrangement of separate Commissions in Clackmannanshire and Stirling.

3.3. **Joint Committee.** A first meeting of the Joint Committee took place on 18th December 2018. Arrangements for appointing a Chair and Vice Chair were agreed with Stirling taking on the Chair role (until 31st March 2020) and Councillor Ellen Forson being appointed as Vice-Chair. These arrangements will be in place until until this date when the Chair role would transfer to Clackmannanshire. Standing Orders, including Terms of Reference for the Joint Committee, were also agreed. The Joint Committee also agreed to establish the Stirling and Clackmannanshire Regional Economic Advisory Board. Finally, members of the committee were provided with an update on overall progress on taking the Deal forward.

3.4. **Programme Liaison Group.** Conference calls are taking place every two weeks involving local partners (Clackmannanshire and Stirling Councils and the University of Stirling) and the Scottish and United Kingdom Governments to check on the progress being made in delivering the Deal.

3.5. **Programme Management Offices.** A regional Programme Management Office (PMO) has been established based on the principle of bringing together PMOs in Stirling and Clackmannanshire as well as the University. The Stirling PMO will provide overall coordination.

3.6. **Regional Economic Advisory Board.** The establishment of the Board has been agreed (see 3.4 above) and it is anticipated that an inaugural meeting will take place soon.

3.7. As well as Governance arrangements, discussions have also been taking place on the requirements for sign-off of the formal City Deal Agreement. This will require the development of outline business cases, broadly following Treasury Green Book criteria, for each of the main project/programme headings referred to in the Heads of Terms. The Scottish Futures Trust are supporting the two Councils and the University of Stirling in taking business case development forward. Partners are working on the basis of a May deadline to complete this part of the process. This is likely to be a challenging timescale.

3.8. The Stirling and Clackmannanshire City Region Deal Heads of Terms was the first Deal to include undefined joint programme funding at programme level (Culture, Heritage and Tourism; Active Travel and Digital) and part of the business case development for these areas will be to agree on a process and criteria for assessing specific projects against these programme headings.

3.9. Discussions are also taking place on how the Deal will be funded over a 10-15 year period with money from both governments being released on the broad basis of equal profiling over the period of the Deal. Potential implications for the phasing of individual projects are being assessed and discussed.

3.10. The largest individual funding award made in the Heads of Terms was for Scotland's International Environment Centre. This has three main elements made up of a research and policy centre at Stirling University's main campus, skills and training facilities in Alloa and a business incubator also in Alloa. Following the Council decision in June, negotiations are continuing on the acquisition of land at Alloa West to take this project forward.

4.0 Sustainability Implications

4.1. Development of the Business Cases under the City Region deal will incorporate a range of sustainability themes including energy conservation, economic growth and improving the quality of life for Clackmannanshire residents. Inclusive Growth principles will also be a core part of developing and refining specific proposals.

5.0 Resource Implications

5.1. Financial details

5.2. The financial implications of the city deal will be subject to further development as business cases are produced and discussions continue with partners and both Governments.

5.3. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.4. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.5. Staffing

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☑

Our families; children and young people will have the best possible start in life ☑

Women and girls will be confident and aspirational, and achieve their full potential ☑

Our communities will be resilient and empowered so that they can thrive and flourish ☑

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☑ Not required

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☑

Author(s)

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Approved by

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THIS PAPER RELATES TO ITEM 10

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to	**Clackmannanshire Council**
Date of Meeting:	**21 February 2019**
Subject:	**City Region Deal Governance**
Report by:	**Monitoring Officer**

1.0 Purpose

1.1. This brief report proposes that a single region wide Commission is established, replacing the Clackmannanshire Commission and the Stirling City Commission. The report also sets out the proposed Clackmannanshire Council membership of the new Commission and proposed terms of reference.

2.0 Recommendations

2.1. It is recommended that Council

2.1.1. Agree to disestablish the Clackmannanshire Commission on the conclusion of the current bidding process for the Clackmannanshire Council capital fund

2.1.2. Agree to establish a Stirling and Clackmannanshire Regional Commission ("the Commission") with the terms of reference as set out in paragraph 3.6

2.1.3. Agree the membership of the Commission as set out in paragraph 3.7

2.1.4. Delegate authority to the Monitoring Officer and the members of the Commission to finalise the governance arrangements for the Commission with counterparts from Stirling Council

2.1.5. Note that the terms of reference include the formation of short term project or working groups where required.

3.0 Considerations

3.1. On the 28 June 2018, Clackmannanshire Council agreed to establish the Clackmannanshire Commission. At that time the Commission was established to align the City Region Deal governance structures, replicating the Stirling City Commission for Clackmannanshire.

3.2. Since then the Clackmannanshire Commission has met on 5 occasions (4 regular meetings and 1 special meeting) and has considered some important issues, including the bidding process for the £8 million Clackmannanshire Council capital fund.

3.3. A number of Clackmannanshire Commissioners attended the Stirling City Commission on 10 December 2018 to see how that commission operated. At that meeting there was a discussion about whether it would be possible to have a single commission with a regional focus.

3.4. The Joint Committee met on the 18 December 2018 and at that meeting the issue of a single commission was raised again. The outcome from the Joint Committee was that officers should submit a report to their respective Councils at the earliest opportunity seeking approval for a single Commission. It is understood that a report will be submitted to Stirling Council on 28 February in similar terms to this report.

3.5. It appears that there is substantial support for a single Commission and the same theme emerged from the most recent meeting of the Clackmannanshire Commission on the 10 January 2019. At that meeting commissioners identified a number of benefits of having a single Commission including

- Ensuring that recommendations from the Commission have a regional focus
- Embedding the partnership approach with City Regional Deal partners, which has been encouraged by government as part of the City Region Deal process
- Broadening perspectives
- Increasing business engagement opportunities, particularly for Clackmannanshire given the business representatives who sit on the Stirling City Commission
- Linking Clackmannanshire Council in to the Scottish City Alliance, which Stirling is part of and,
- Reducing meetings and streamlining of process

3.6. It is proposed that the new Commission's terms of reference is based on the existing Terms of Reference for the Clackmannanshire Commission. The following draft terms of reference is suggested for consideration:

3.6.1. To act as a forum to help guide choices for inclusive growth

3.6.2. To act as champions and ambassadors for the Stirling and Clackmannanshire region in the context of the City Region deal

3.6.3. To develop an inclusive growth strategy for the region as part of the wider City Region deal

3.6.4. To explore and develop partnership arrangements which maximise the economic potential of the area and its residents

3.6.5. To provide advice, guidance and proposals to both Councils, the Joint Committee and the emerging Stirling and Clackmannanshire Regional Economic Board on the development of the City Region Deal projects and other priorities for growth and

3.6.6. To establish short term project groups or working groups as required. .

3.7. The current membership of the commission is the Leader and Depute Leader of Council and one member from each of the Labour and Conservative groups. It is proposed that this continues with the nominated members able to appoint substitutes where required.

3.8. The Clackmannanshire Commission includes members of other public bodies including CTSI, Stirling University and Forth Valley College. It is anticipated that these members will continue as commissioners of the new body. There will also be a requirement that Clackmannanshire nominate a business representative for the Commission. These public sector and business representatives will be determined by the members appointed to the Commission in terms of paragraph 3.7 above. It is also proposed that the Commission have a general power to co-opt.

3.9. Implementation of a single Commission will require some joint working with Stirling Council in order to establish the framework, processes and administration for the Commission. There is already a framework established for the Joint Committee and it may be that elements of that framework could be adapted for the Commission even though the Commission is not a decision making body. Delegation is sought from Council for the Monitoring Officer and appointed members of the Commission to finalise the governance arrangements.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. Financial Details

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.4. Staffing

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	☑
Our families; children and young people will have the best possible start in life	☑
Women and girls will be confident and aspirational, and achieve their full potential	☑
Our communities will be resilient and empowered so that they can thrive and flourish	☑

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes ☐ No ☑ not applicable

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☑

Author(s)

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Approved by

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THIS PAPER RELATES TO ITEM 11

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to: Council

Date of Meeting: 21 February 2019

Subject: Employee Voice

Report by: Strategic Director (Partnership & Performance)

1.0 Purpose

1.1. To provide Council with details of the 2018 Staff Survey, highlighting the key themes and actions arising from the report supplied by independent researchers.

2.0 Recommendations

2.1. Council is asked to note the report, and work currently underway to address identified areas of development.

3.0 Considerations

3.1. Clackmannanshire Council undertook its 2018 Staff Survey over 4 weeks in October 2018. In total, 912 responses were received, giving a statistically valid response rate of 34%.

3.2. In preparation for the survey, officers undertook a significant amount of preparatory work. Managers at all levels were offered briefing sessions on our survey approach, and were provided with FAQs, toolbox talk scripts, and a promotional materials pack for their individual areas.

3.3. Additionally, pre-survey promotional materials were circulated at every Council location, with advertisements distributed and refreshed weekly during the surveying period. officers also distributed c900 paper copies of the survey, including pre-paid envelopes, to all Council locations and to those on long term sick or maternity leave.

3.4. The survey report (attached at **Appendix A**), provides detail on the engagement levels of our employees, both at an organisational and unitary level. Due to the ongoing redesign of the Council at the time the survey was undertaken, results are presented in 'Service areas' rather than Portfolios.

3.5. The survey focusses on 5 key thematic areas – employee voice, engaging managers, health & wellbeing, integrity, and leadership.

3.6. As a means to gauging staff engagement at an organisational level, officers in conjunction with our independent researchers defined an aggregated staff engagement index, consisting of key statements from the survey which best represent the Council's vision and values, as expressed through the Corporate Plan 2018-22. For 2018, the overall staff engagement level for the organisation sits at 62.5%.

3.7. Key to the success of this survey is the ongoing commitment from the Council's Strategic Leadership Group to not just engage with staff, but empower them to take ownership of these results and help develop and improve the organisation across the five key themes.

3.8. In conjunction with Trade Union colleagues, a short life working group was established on 21 January, consisting of 3 Trade Union representatives, and 9 staff representatives. This group has been tasked with critically assessing the survey results and defining what specific and measurable actions are required to develop our organisation moving forward.

3.9. As part of the Working Groups remit, members have been asked to look at each of the 5 survey themes, with an emphasis placed on a number of key development areas, a high level overview of which is provided at **Appendix B**.

3.10. As part of the working groups Terms of Reference, any identified actions or areas for development will be included as part of the Council's forthcoming Workforce Plan. This ensures that identified actions are integrated as part of the Council's strategic framework, and can be updated, reviewed, and reported on as necessary.

4.0 Sustainability Implications

4.1. None.

5.0 Resource Implications

5.1. Financial Details

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate.

Yes ☒

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

5.4. Staffing

5.5. None.

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

None.

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☒ No ☐

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

APPENDIX A: 2018 Staff Survey report

APPENDIX B: Staff Survey – high level development themes

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

Author(s)

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Nikki Bridle	Chief Executive	[redacted]

Clackmannanshire Council

Staff Experience Survey 2018

Lead author: Chris Thornton
January 2019

Craigforth

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Clackmannanshire Council
Staff Survey 2018

Key messages

Employee feedback is particularly positive on their line managers, their team, clarity of their goals and objectives, and getting a sense of achievement from their work.

Employees are less positive about senior managers, learning and development, performance management, and their health and wellbeing.

Survey results indicate that engagement is strongest for Education, HSCP and Resources & Governance employees.

This report presents results from a recent survey of all Clackmannanshire Council employees. Results are based on 912 responses, a response rate of 34% (the highest achieved in the last 5 surveys).

Survey Themes

The survey asked employees for their views across five broad themes: Employee Voice, Engaging Managers, Health and Wellbeing, Integrity, and Leadership.

Employees are positive on most aspects of their working lives. Views are most positive about their **line managers, team, and clarity of their goals and objectives**:

- 78% feel their line manager is approachable
- 75% are clear on their goals and objectives
- 74% are treated with respect by their team
- 72% feel their team works well together
- 71% feel safe at work

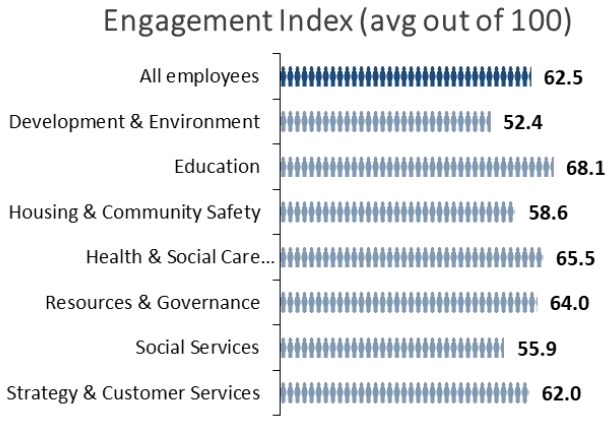
Employees are also generally clear on how they contribute to the Council's goals (67%), and get a sense of achievement from their work (64%). Around two thirds would recommend their team as a good place to work (65%).

Employees are less positive about some other aspects of their work. This is most notable in relation to **senior managers, learning and development, performance management, and their health and wellbeing**:

- 44% feel senior managers are not sufficiently visible
- 41% do not have confidence in senior managers' decisions
- 34% are not confident that performance is managed well within the Council
- 39% feel they are not given time to invest in their learning and development

Employee Engagement

An engagement score was calculated as an indication of individuals' level of engagement with the Council as an employer. This indicates that engagement is strong across the Council, particularly for Education, HSCP and Resources & Governance employees. Results suggest that ensuring employees feel their ideas are acted upon, receive useful feedback on their work, and have confidence in the Council's performance management would have the most positive impact on employee engagement.



INTRODUCTION

1. This report presents results from a survey of Clackmannanshire Council employees conducted in autumn 2018.

Survey approach

2. This is the fifth Council-wide employee survey since 2010, and the first since 2013 (with previous surveys conducted in 2012, 2011 and 2010).

3. The survey sought to measure employees' views across a range of issues affecting their work and working environment. Survey content was refreshed for the 2018 survey, with employees asked to indicate the extent to which they agree or disagree with a series of statements under five broad themes.[1] These themes were selected by the Council's Senior Management Team to reflect key principles of the Council's Corporate Plan, vision, and the ongoing transformation programme:

   - Employee Voice;
   - Engaging Managers;
   - Health and Wellbeing;
   - Integrity; and
   - Leadership.

4. The survey was administered through a combined web-based and postal survey approach. The Council distributed all postal survey packs and emails in September 2018, with the survey closing on 31 October 2018. All survey responses were returned direct to Craigforth to ensure confidentiality, using reply paid envelopes for direct return of postal surveys, and Craigforth's survey platform for web responses. Survey materials made clear that the Council did not have sight of any individual responses or information on which employees had/had not responded to the survey, and that reporting would avoid disclosure of any individual's views.

5. Survey fieldwork was designed to maximise accessibility; all employees had the option to respond via the websurvey or request a hard copy questionnaire, or to complete the survey by phone with a member of Craigforth's research team. The Council also held Manager Briefing Sessions, and provided communications materials to all Council sites in order to increase visibility of the survey.

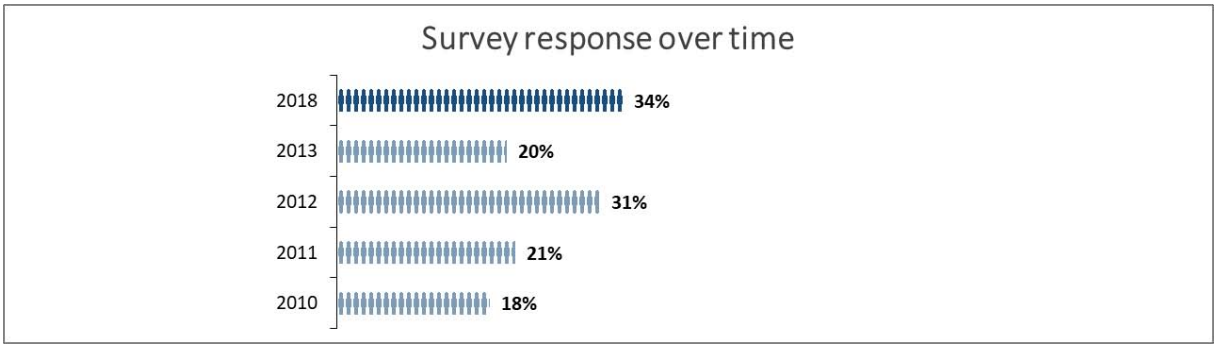
[1] The refreshment of survey content means that it is not possible to draw direct comparison with previous survey results.

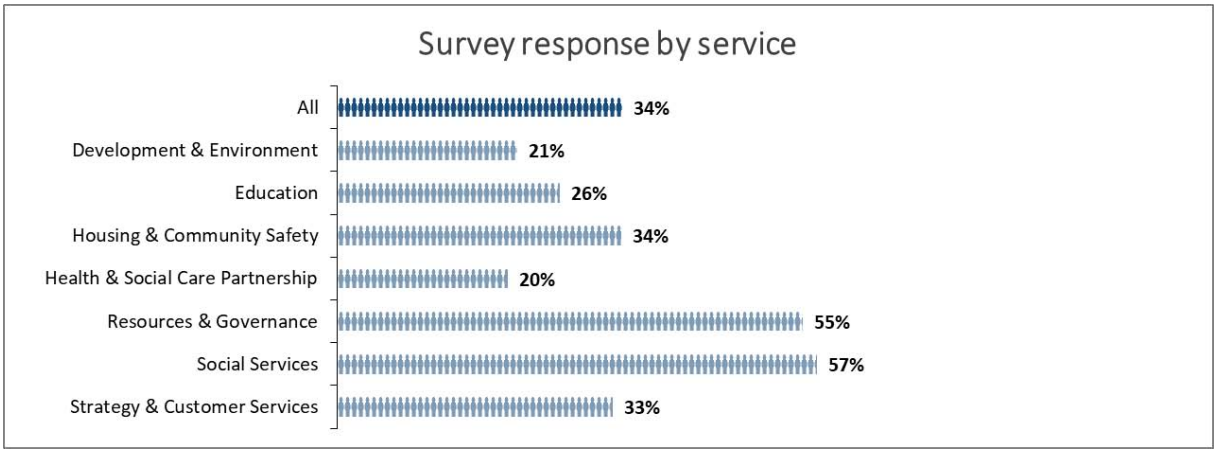
Survey response and robustness

6. Against the 2097 survey packs issued to Council employees, a total of 912 responses were received - equivalent to an overall response rate of 34%. This is a strong response for a survey of this kind, and is the highest achieved across the last five employee surveys (response ranged from 18% and 31% between 2010 and 2013).

7. As Figure 1 shows, survey response rates varied across Council services. Response was strongest for Social Services and Resources & Governance employees (response rates of 57% and 55% respectively), and was lower for Health & Social Care Partnership and Development & Environment employees (20% and 21%). This variation in survey response is not unusual for employee surveys, and is likely to reflect in part the impact of varying working environments. Survey responses were weighted against the service profile of all Clackmannanshire Council employees prior to analysis to minimise the impact of any response bias.

Figure 1: Survey response





8. More important than the percentage response rate, the volume of survey responses is sufficient to produce highly robust survey results. Confidence intervals are the standard means of expressing the extent to which we can be sure that survey results are representative of the wider population (in this case all Council employees). The overall confidence interval for the survey is ±3.2%. As an example this means that if 50% of survey respondents would recommend the Council as a good place to work, we can be 95% confident that the true value lies between 46.8% and 53.2%.

9. The survey can also support more detailed survey analysis across the seven Council services. However, it should be noted that the robustness of findings at this level varies dependent on the volume of responses. As Figure 2 below shows, confidence intervals are in excess of ±10% for all but one service, meaning that a difference of more than 20% is required across services for this to be statistically significant. The volume of Education service responses is sufficient to support more robust analysis, with a confidence interval of ±5.0%.

Figure 2: Survey 95% confidence intervals

Service	Number of responses	95% Confidence Interval
All respondents	**912**	**±3.2%**
Development & Environment	81	±10.9%
Education	381	±5.0%
Housing & Community Safety	81	±10.9%
Health & Social Care Partnership	47	±14.3%
Resources & Governance	49	±14.0%
Social Services	76	±11.2%
Strategy & Customer Services	58	±12.9%
Prefer not to say/no response	139	-

10. Figure 3 over the page presents an overview of the profile of survey respondents, in terms of service area, working environment and length of employment. It should be noted that this profile is based on respondents' self-reporting.

Figure 3: Profile of survey respondents

Service	Number	% of respondents
Development & Environment…	**81**	**9%**
Environment	28	3%
Planning & Economic Development	8	1%
Regulatory Services	12	1%
Roads	10	1%
Prefer not to say	23	3%
Education…	**381**	**42%**
Alloa Learning Community	128	14%
Alva Learning Community	65	7%
Lornshill Learning Community	82	9%
Crossing Patrols & Escorts	18	2%
Prefer not to say	88	10%
Housing & Community Safety…	**81**	**9%**
Housing	50	5%
Revenues & Strategy	16	2%
Prefer not to say	15	2%
Health & Social Care Partnership	**47**	**5%**
Resources & Governance…	**49**	**5%**
Accountancy	8	1%
Governance	20	2%
IT	4	0.4%
Prefer not to say	17	2%

Service	Number	% of respondents
Social Services…	**76**	**8%**
Child Care	33	4%
Criminal Justice	6	1%
Strategy	3	0.3%
Prefer not to say	34	4%
Strategy & Customer Services…	**58**	**6%**
Business Support	20	2%
Customer Services	18	2%
Strategy & Performance	7	1%
Prefer not to say	13	1%
Prefer not to say/no response	**139**	**15%**

Working environment	Number	% of respondents
An office	345	38%
A school	337	37%
A depot	10	1%
A leisure facility (including libraries, etc)	13	1%
Outdoors	18	2%
Driving a vehicle	8	1%
Visiting people's homes	28	3%
Prefer not to say/No response	153	17%

Time with Council	Number	% of respondents
Less than 1 year	41	4%
1-4 years	156	17%
5-9 years	126	14%
10-19 years	261	29%
20+ years	177	19%
Prefer not to say/No response	151	17%

Time in current position	Number	% of respondents
Less than 1 year	86	9%
1-4 years	218	24%
5-9 years	160	18%
10-19 years	187	21%
20+ years	69	8%
Prefer not to say/No response	192	21%

This report

11. The remainder of this report sets out key findings across the five survey themes. All questions have been cross-tabulated across a range of respondent subgroups, including service. We highlight significant variation, based on 95% confidence intervals.

12. We have also used 5 of the 25 survey statements to produce an 'Engagement Index' score for each employee, to reflect their level of engagement and commitment to the Council as an employer. These scores are discussed later in this report under 'Employee Engagement'.

13. The report also presents 'net' agreement scores for statements. These represent the balance between positive ('strongly agree' or 'agree') and negative ('strongly disagree' or 'disagree) responses, where a higher net score indicates stronger agreement with a statement.

14. We round percentages up or down to the nearest whole number; for some questions this means that percentages may not sum to 100%. Similarly, aggregate figures presented in the text (e.g. the percentage of 'strongly agree' and 'agree' responses) may not sum to results presented in figures and tables.

SURVEY THEMES

15. As noted in the previous section, the survey asked employees to indicate the extent to which they agree or disagree with a series of statements across the following five themes:

- Employee Voice;
- Engaging Managers;
- Health and Wellbeing;
- Integrity; and
- Leadership.

16. In this section, we set out key findings in relation to each of these themes in turn.

Employee Voice

17. The survey first asked employees to consider a series of nine statements under the theme of 'Employee Voice'. As Figure 4 over the page shows, employees are positive in their views on most aspects of this theme, with more than half of employees agreeing with six of the nine statements.

18. Views are most positive in relation to employees recommending their team as a good place to work, making decisions about their role, and having confidence in their manager's decision making:

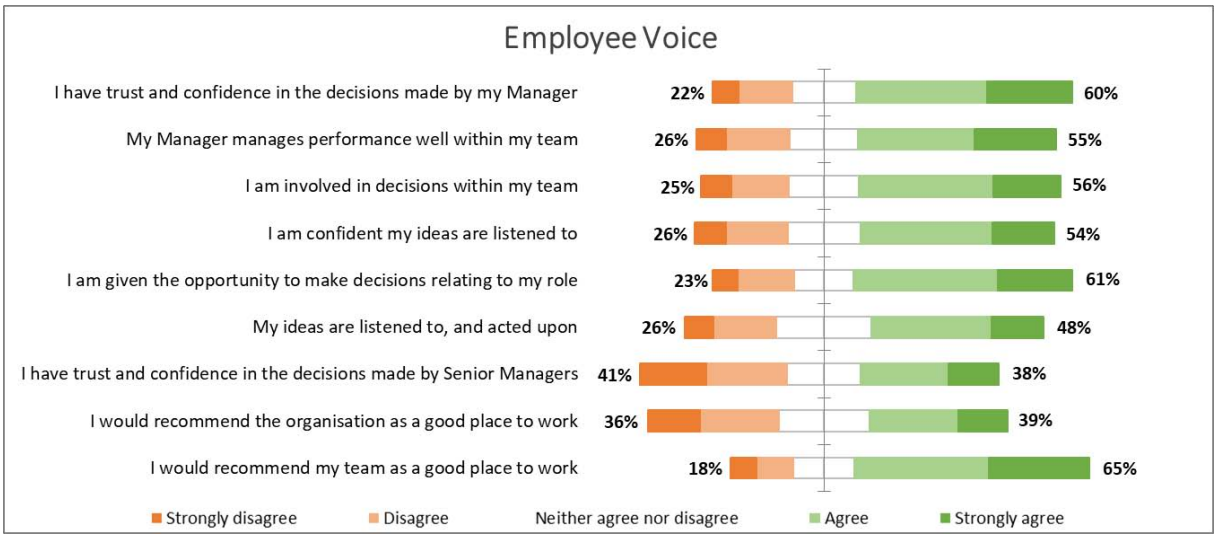
- "I would recommend my team as a good place to work" - 65% agree, a net agreement score of +48%.
- "I am given the opportunity to make decisions relating to my role" - 61% agree, net of +38%.
- "I have trust and confidence in the decisions made by my Manager" - 60% agree, net of +38%.

19. Employees are also generally positive about being involved in decisions within their team, their ideas being listened to, and performance management within their team. However, it should be noted that around a quarter of respondents gave a negative response on these aspects of 'Employee Voice':

- "I am involved in decisions within my team" - 56% agree, net of +32%.
- "My Manager manages performance well within my team" - 55% agree, net of +29%.
- "I am confident my ideas are listened to" - 54% agree, net of +28%.
- "My ideas are listened to, and acted upon" - 45% agree, net of +22%.

20. Employees are more divided in their views on decisions made by Senior Managers, and recommending the Council as a good place to work. Around 2 in 5 employees indicated that they have confidence in Senior Managers' decisions (38%) and would recommend the Council as a good place to work (39%). However, a similar proportion disagreed with these statements (41% and 36% respectively). It is notable that employees were significantly more likely to recommend their own team as a good place to work (65% would do so), than the Council as an organisation (39%).

Figure 4: Employee Voice staff views



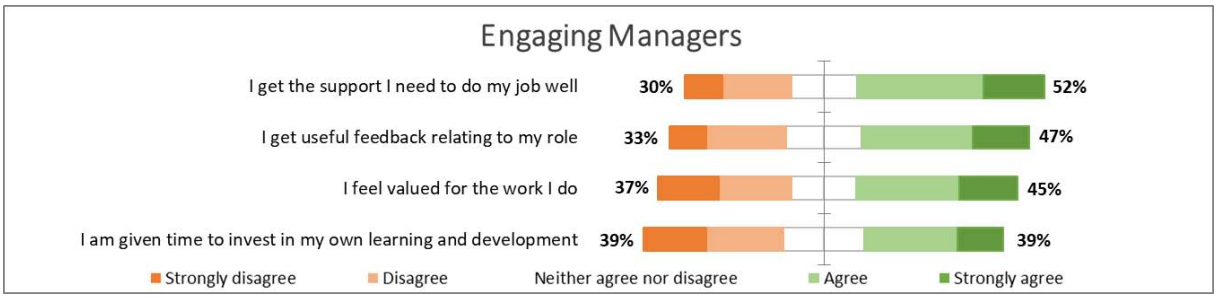
Engaging Managers

21. The survey asked employees to consider four statements under the theme of 'Engaging Managers. As Figure 5 over the page shows, employees are generally positive on these statements, although views are divided on some aspects of 'Engaging Managers'.

22. Views are most positive in relation to employees getting the support they need to do their job well. Half of employees agree that they get the support they need (52%), but there remains nearly a third who disagree (30%, a net agreement score of +22%). Employees are also generally positive about getting feedback on their role with 47% agreeing that they receive useful feedback, although again a substantial proportion disagree (33%, net of +14%).

23. Employees are more divided in relation to feeling valued for their work, and being given time for their own development. A substantial proportion of employees feel valued for the work they do and are given time to invest in their own learning and development (45% and 39% respectively). However, a similar proportion disagree (37% and 39% respectiovely), giving net agreement scores of +8% and 0%.

Figure 5: Engaging Managers staff views



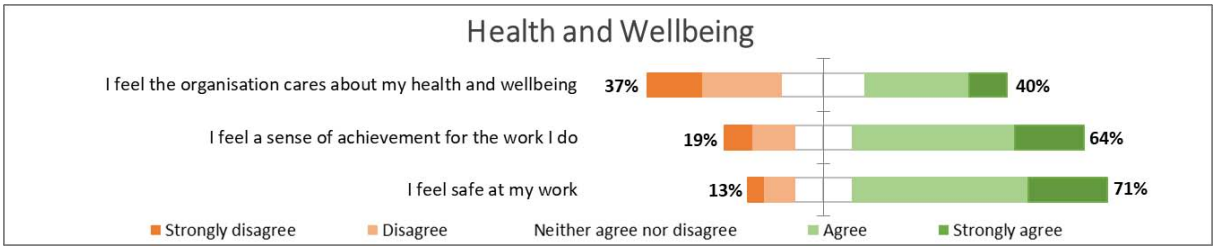
Health and Wellbeing

24. The survey asked employees to consider three statements in relation to 'Health and Wellbeing'.

25. As Figure 6 shows, employees are most positive in relation to feeling a sense of achievement for their work and feeling safe at work. The majority of employees feel a sense of achievement and feel safe in their work (64% and 71% respectively), and a relatively small minority disagree (19% and 13%, net scores of +45% and +58%).

26. Views are less positive on the extent to which the Council cares about their health and wellbeing. Two in five employees feel that the Council does care about this (40%), but a similar proportion disagree (37%) giving a net agreement score of just +2%.

Figure 6: Health and Wellbeing staff views



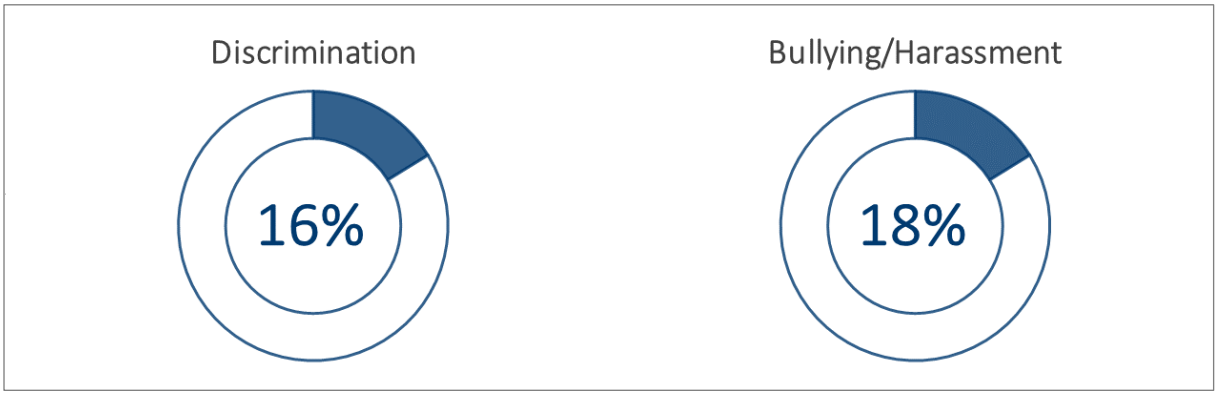
27. The survey also asked employees whether they had experienced any discrimination, bullying and/or harassment in work over the last 12 months.

28. As Figure 7 over the page indicates, 16% of employees have experienced discrimination in work in the last 12 months, and 18% have experienced bullying or harassment. This compares to 10% of Scottish Government employees who had experienced discrimination, and 9% who had experienced bullying or harassment.[2]

[2] Civil Service People Survey 2017 – Scottish Government. https://www2.gov.scot/Topics/Research/by-topic/public-services-and-gvt/Employee-Survey/Scottish-Government-People-Suvey-2017

29. There is some overlap between these groups; a total of 25% of employees have experienced discrimination and/or bullying/harassment, including 10% who have experienced both.

Figure 7: Experience of discrimination and bullying/harassment in last 12 months



30. The minority of employees who had experienced discrimination and/or bullying/harassment were asked for more detail on this. These responses indicate that:

- Employees are most likely to experience discrimination on the basis of their grade, pay band or responsibility level (44% of those who had experienced discrimination). Employees also mentioned experiencing discrimination related to their working pattern (21%), age (16%) and gender (12%).
- Employees are most likely to experience bullying or harassment from their manager (38% of those who had experienced bullying/ or arassment) or a colleague (31%). Employees also mentioned bullying or harassment from a member of the public (19%) and another manager in their service (15%).

Integrity

31. In relation to 'Integrity', the survey asked employees to consider four statements. As Figure 8 over the page shows, employees are positive in their views on most aspects of this theme.

32. Employees are particularly positive about the extent to which they are treated with dignity and respect within their team (74% agree, a net agreement score of +64%) and their team working well together (72% agree, net of +58%). Employees also generally agree that everyone in their team is treated fairly and consistently; 57% agree and 26% disagree, net of +32%.

33. Views are more divided on management of performance within the Council. Two in five employees are confident that performance is managed well within the Council (40%), but around a third disagree with this (34%, net of +5%).

Figure 8: Integrity staff views

Leadership

34. The final survey theme asked employees to consider five statements relating to 'Leadership'. As Figure 9 shows, employees are positive in their views on most aspects of the theme.

35. Employees are most positive about their line manager being approachable, being clear about their goals and objectives and how these contribute to the Council's goals. More than three quarters of employees feel that their line manager is approachable (78%, a net agreement score of +67%), and a similar proportion are clear about their goals and objectives (75%, net of +65%). Moreover, around two thirds of employees are clear on how they contribute to the Council's goals (67%, net of +52%).

36. Employees also generally feel that they get the informtion they need to do their job well (54% agree), although there remains around a quarter who feel they do not get the information and updates they need (26%, net of +32%).

37. Views are least positive in relation to the visibility of senior managers. Around 2 in 5 employees feel that senior managers across the Council are sufficiently visible (38%), but 44% disagree (net of -6%).

Figure 9: Leadership staff views

Variation across services

38. As is noted earlier in this report, the number of survey respondents across some services means that relatively large differences in results are required for these to be considered statistically significant. Figure 10 over the page highlights the statements where survey results show statistically significant differences in results across services.

39. This indicates that Education employees, and to a lesser extent Health & Social Care Partnership (HSCP) and Resources & Governance employees, are generally more positive than those across other services. For example, Education employees are more positive than most other services in relation to 18 of the 25 statements. In contrast, Social Services and Development & Environment employees are typically less positive than those across other services (in relation to 16 of the 25 statements for Social Services employees).

40. In terms of the five survey themes, responses indicate that:

- Education employees are typically more positive than others in relation to Employee Voice, Engaging Managers and Integrity.
- HSCP employees are typically more positive than others in relation to Health and Wellbeing, and Leadership.
- Resources & Governance employees are typically more positive than others in relation to Employee Voice.
- Social Services employees are typically less positive than others in relation to Employee Voice, Engaging Managers, Health & Wellbeing, and Integrity.
- Development & Environment employees are typically less positive than others in relation to Employee Voice, Engaging Managers, Integrity and Leadership.

Figure 10: Significant differences in employee views across services

Employee Voice	Development & Environment	Education	Housing & Community Safety	HSCP	Resources & Governance	Social Services	Strategy & Customer Services
I have trust and confidence in the decisions made by my Manager		+				−	
My Manager manages performance well within my team		+				−	
I am involved in decisions within my team	−	+			+	−	
I am confident my ideas are listened to		+			+	−	
I am given the opportunity to make decisions relating to my role				−	+	−	
My ideas are listened to, and acted upon	−	+			+	−	
I have trust and confidence in the decisions made by Senior Managers	−	+		+		−	
I would recommend the organisation as a good place to work	−	+					
I would recommend my team as a good place to work	−	+					

Engaging Managers	Development & Environment	Education	Housing & Community Safety	HSCP	Resources & Governance	Social Services	Strategy & Customer Services
I get the support I need to do my job well		+				−	
I get useful feedback relating to my role	−	+				−	
I feel valued for the work I do	−	+					
I am given time to invest in my own learning and development		+			−		

+ **Significantly more likely to agree with statement**

− **Significantly less likely to agree with statement**

Health and Wellbeing	Development & Environment	Education	Housing & Community Safety	HSCP	Resources & Governance	Social Services	Strategy & Customer Services
I feel the organisation cares about my health and wellbeing				+	+	-	
I feel a sense of achievement for the work I do							
I feel safe at my work				+		-	

Integrity	Development & Environment	Education	Housing & Community Safety	HSCP	Resources & Governance	Social Services	Strategy & Customer Services
I feel that I am treated with dignity and respect within my team	-	+				-	
My team works well together	-	+					
Within my team, everyone is treated fairly and consistently		+				-	+
I am confident performance is managed well within the organisation		+		+		-	

Leadership	Development & Environment	Education	Housing & Community Safety	HSCP	Resources & Governance	Social Services	Strategy & Customer Services
I am clear about how I contribute to the organisation's goals	-			+			
I am clear about my goals and objectives	-	+		+			
My line manager is approachable					+	-	+
I get the information and updates I need to do my job well		+		+		-	
Senior managers across the organisation are sufficiently visible	-			+			

+ **Significantly more likely to agree with statement**

- **Significantly less likely to agree with statement**

Other comments

41. Employees were also given the opportunity to add any further comments about their experience as a Council employee. Around a third of survey respondents provided comments here, raising a broad range of issues.

42. These typically reflected the five themes around which the survey was structured, although comments under these themes also reflected other issues (most commonly the impact of resource constraints and organisational changes). Some used this as an opportunity to reflect positively on their employment, including a particular focus on the importance of positive working relationships with team members, and the level of support received from line managers. However, most of those providing written comments raised issues or concerns where they felt the Council could do better as an employer.

43. Below we summarise the key points raised through these comments.

- Engaging Managers. Support from managers and employee learning and development were the most commonly raised issues across survey comments. It should be noted that a significant number of respondents reflected positively on the support they receive from their line manager, and highlighted the importance of this working relationship. However, a number of issues or concerns were raised. Some feel that they require more support from line managers, including suggestions of poor communication and a lack of clarity on management structures. Some also see a lack of consistency in management approach due to staff turnover and the (perceived) frequency of changes to management structures and resourcing in recent years. Some employees also feel that some managers need more development and support to build the capabilities required. This appears to reflect concerns regarding fair treatment of employees across some teams, and a broader view that managers' approach should take more account of the experience of frontline staff. Some employees also appear to feel under-appreciated, and this seems to be linked to significant increases in workload due to reduced resourcing.
- Leadership. Issues relating to the leadership theme were also raised by a substantial number of those providing written comment. Some employees referred to the frequency of organisational change across the Council in recent years, and feel this has had a detrimental impact on employee morale and motivation. These concerns regarding the impact of changes on employees' working lives are also in the context of wider concerns that some changes have been detrimental to the quality of services. This included reference to specific examples of reduction in resourcing, and the move to shared services with Stirling Council. Some also feel that senior managers' decisions could take better account of employees' experience and knowledge, and could be better communicated to employees. This includes some who feel that Council leadership (senior managers and elected members) do not recognise the extent of pressure on line managers and frontline staff. This appeared to be a concern across a number of service areas, and included a perception that ill-health and

absence linked to stress have become more prevalent. Some feel that action is required across some teams to develop a more supportive culture and working environment.

- Health and Wellbeing. Stress was the most commonly raised issue around employees' health and wellbeing. This appears to be related primarily to workload pressures, although some also noted the negative impact of recent redundancies and loff of staff due to stress. A small number of employees are concerned that staffing reductions have led to employees working in potentially unsafe environments. Some also feel that engagement with those choosing to leave the Council could help to identify the support required by employees. This appears to reflect a view that more support is required to enable employees to maintain a healthy work-life balance. A small number of employees referred to having witnessed bullying and harassment of employees by colleagues and managers, and feel that a culture change is required across some teams.
- Employee Voice. Comments relating to employee voice most commonly reflect a view that the Council should make more use of employees' experience and expertise. For some employees this appears to be linked to concerns regarding the culture within their own team. However, most comments appear to reflect views that more 'bottom-up' consultation is required across the Council, and that decisions taken by Council leadership should take more account of employee voice – and recognise the impact of decisions for employees. These comments include specific reference to recent decisions which employees feel have had a detrimental impact on services, and which they feel did not take sufficient account of input from those providing services. Such comments are also linked to a wider view that better communication is required across services to ensure employees have a shared understanding of the Council's objectives, and are clear on the rationale for decisions affecting their working lives. In this context, some employees made specific reference to the dissemination of results from the present employee survey.
- Integrity. Relatively few employees used written comments to raise issues under the integrity theme. This may reflect the positive feedback from employees on working relationships within their team – several of those providing written comment differentiated between their experience within their team, and any wider concerns about the Council as an organisation and employer. However, some did raise concerns regarding how employees are treated within their team. These include concerns that some employees are not treated equally by colleagues and managers, and a small number suggesting that a failure to address issues within teams has had a negative impact on morale. Some employees also raised concerns regarding the management of performance within the Council, although these appear to be related to reductions in respourcing, rather than perceived organisational or management failings.

EMPLOYEE ENGAGEMENT

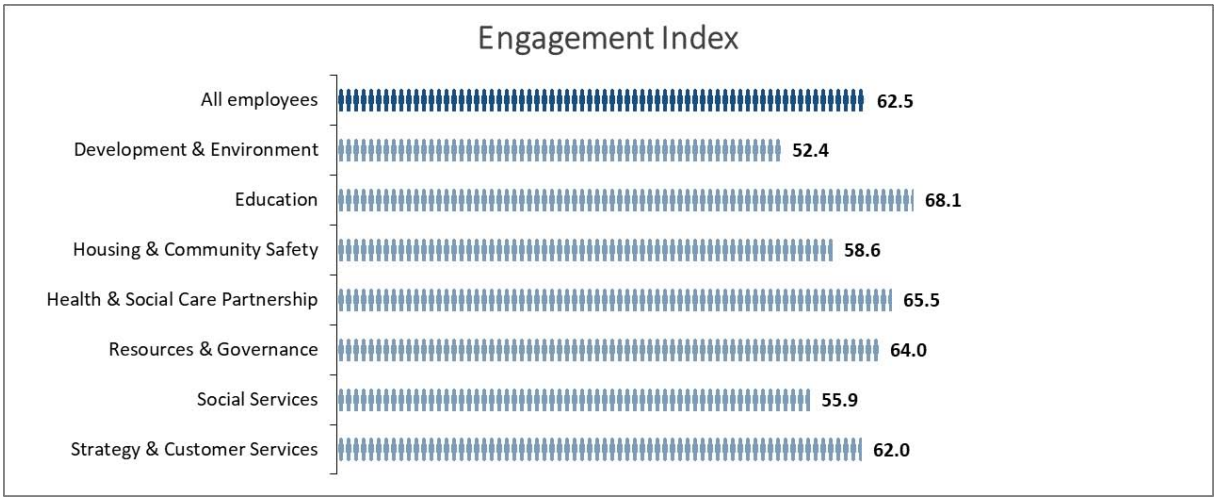
44. The previous section considered employees' views across a range of themes relating to their work and working environment. In addition to views on each theme, our survey analysis also calculated an aggregate 'Engagement Score' for each respondent, as an indication of individuals' level of engagement and commitment to the Council as an employer.

45. The Engagement Score is based on responses to five key statements which best reflect the Council's organisational values as set out in the Corporate Plan. The calculation is structured such that a service scores 0 if all respondents strongly disagree with all five statements, and scores 100 where all respondents strongly agree with all statements. These statements are:

- "I am given the opportunity to make decisions relating to my role".
- "I feel valued for the work I do".
- "I feel a sense of achievement for the work I do".
- "I feel that I am treated with dignity and respect within my team"
- "I am clear about how I contribute to the organisation's goals".

46. As figure 11 shows, the average Engagement Score across the Council as a whole is 62.5 out of 100. This is a positive overall finding, but the score is most useful as an indication of variation in employee attitudes across services. In this context, scores are strongest for Education, Health & Social Care Partnership and Resources & Governance employees (averages of 68.1, 65.5 and 64.0 respectively). Engagement scores are lowest for Development & Environment and Social Services employees (52.4 and 55.9 respectively).

Figure 11: Engagement Score by service (average out of 100)

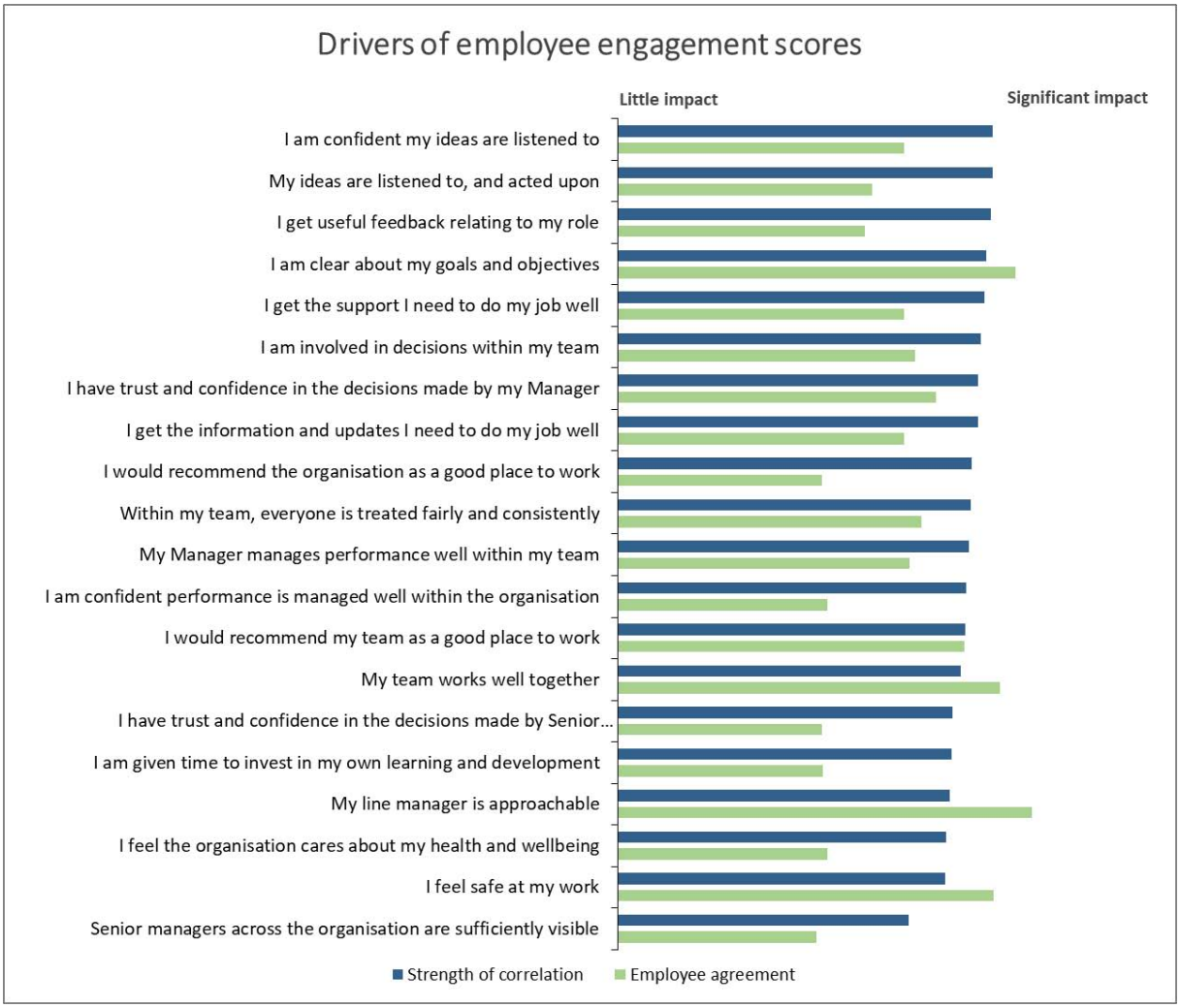


Key drivers of engagement

47. The survey shows some variation in employee engagement scores across service areas. However, survey data indicates that engagement scores are more sensitive to employee views on other aspects of their work.[3]

48. Figure 12 shows the extent to which employee views on specific survey statements have an impact on employee engagement scores. This indicates that engagement scores are affected by employee views across a broad range of employment related issues; employees feeling their ideas are listened to, getting feedback, being clear on their objectives and getting the support they need have a particularly significant impact on employee engagement.

Figure 12: Key Engagement Score drivers



[3] Correlation analysis has been used to test the strength of the relationship between employee Engagement Scores, and views on specific survey statements.

49. Survey data indicates that several statements appear to have the most significant impact on employee engagement scores, such that scores are likely to be higher where employees agree with the statement. Taking account of how positive employee views are on these statements, we can identify those aspects of employment where there is scope for improvement in employee attitudes, and where this would have the greatest impact on employee engagement.

Currently having a positive impact **Strong correlation with employee engagement, and positive employee views**
I am clear about my goals and objectives
My team works well together
I would recommend my team as a good place to work
I have trust and confidence in the decisions made by my Manager
I am involved in decisions within my team
Within my team, everyone is treated fairly and consistently
My Manager manages performance well within my team

Scope to have a more positive impact **Strong correlation with employee engagement, but less positive employee views**
My ideas are listened to, and acted upon
I get useful feedback relating to my role
I would recommend the organisation as a good place to work
I am confident performance is managed well within the organisation

ANNEX: TABULAR RESULTS

Employee Voice

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Base
I have trust and confidence in the decisions made by my Manager	24%	37%	18%	15%	7%	
My Manager manages performance well within my team	23%	32%	19%	18%	8%	
I am involved in decisions within my team	19%	37%	19%	16%	9%	
I am confident my ideas are listened to	17%	37%	20%	17%	9%	
I am given the opportunity to make decisions relating to my role	21%	40%	17%	16%	7%	
My ideas are listened to, and acted upon	15%	33%	26%	18%	8%	
I have trust and confidence in the decisions made by Senior Managers	14%	24%	21%	22%	19%	
I would recommend the organisation as a good place to work	14%	25%	25%	22%	14%	
I would recommend my team as a good place to work	28%	37%	17%	10%	7%	

Engaging Managers

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Base
I get the support I need to do my job well	17%	35%	18%	19%	11%	
I get useful feedback relating to my role	16%	31%	21%	22%	10%	
I feel valued for the work I do	16%	29%	18%	20%	17%	
I am given time to invest in my own learning and development	13%	26%	22%	22%	18%	

Health and Wellbeing

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Base
I feel the organisation cares about my health and wellbeing	11%	29%	23%	22%	15%	
I feel a sense of achievement for the work I do	19%	45%	16%	12%	8%	
I feel safe at my work	22%	49%	16%	9%	4%	

	Yes	No/No response	Base
Experienced discrimination in the last 12 months	16%	84%	
Experienced bullying/harassment in the last 12 months	18%	82%	

On which of the following grounds have you experienced discrimination?	
Age	16%
Caring responsibilities	9%
Disability	9%
Ethnic background	4%
Gender	12%
Gender reassignment or perceived gender	-
Grade, pay band or responsibility level	44%
Main spoken/written language	6%
Religion or belief	1%
Sexual orientation	1%
Social or educational background	4%
Working location	9%
Working pattern	21%
Any other grounds	25%
Prefer not to say	8%
Base	133

Who were you bullied or harassed by?	
A Colleague	31%
Your Manager	38%
Another manager in your part of the Council	15%
Someone you manage	4%
Someone who works in another part of the Council	9%
A member of the public	19%
Someone else	11%
Prefer not to say	14%
Base	160

Integrity

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	
I feel that I am treated with dignity and respect within my team	27%	47%	16%	6%	4%	
My team works well together	29%	44%	14%	9%	5%	
Within my team, everyone is treated fairly and consistently	23%	35%	17%	16%	10%	
I am confident performance is managed well within the organisation	13%	26%	26%	21%	13%	
I feel that I am treated with dignity and respect within my team	27%	47%	16%	6%	4%	
My team works well together	29%	44%	14%	9%	5%	
Within my team, everyone is treated fairly and consistently	23%	35%	17%	16%	10%	
I am confident performance is managed well within the organisation	13%	26%	26%	21%	13%	

Leadership

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	
I am clear about how I contribute to the organisation's goals	17%	50%	19%	10%	5%	
I am clear about my goals and objectives	21%	54%	15%	7%	3%	
My line manager is approachable	42%	36%	11%	6%	5%	
I get the information and updates I need to do my job well	18%	36%	22%	16%	9%	
Senior managers across the organisation are sufficiently visible	12%	25%	19%	23%	21%	

APPENDIX B: Staff Survey – high level development themes

Introduction

The following summary presents the key high level development themes identified from the Staff Survey. These themes, amongst others, will be addressed as part of the wider work of the Staff Survey Working Group, with a view to identifying specific, measurable and timely actions which can be taken forward within the Council's forthcoming Workforce Plan.

Discrimination & Bullying

A key statistics coming from the staff survey was that of the 912 respondents, 16% had experienced discrimination, and 18% had experienced bullying or harassment whilst working for the Council. In order to address these figures, it is vital that the Authority undertakes further work; both to look at causation, prevention and detection, and in order to shift our workplace culture to one where incivility or discrimination, at any level, is not normalised through day to day working practices.

To further understand these perceived issues, our Joint Trade Union – Staff Working Group will assess the Survey results on a Service area basis, and recommended specific and targeted actions to be taken forward throughout the coming year.

Leadership Development

Whilst the survey results are generally positive in relation to the theme of Leadership, there are particular areas where development is required in order to both meet our aspirations as outlined in our Corporate plan for 2018-22, and to help drive a cultural change to one where leadership qualities are invested in and developed at all levels of our organisation.

However, whilst actions will be developed to address issues surrounding Senior Management visibility and the cascade of information, there is a need to take cognisance of work currently underway which compliments the findings of the survey. This includes recommendations for a Leadership Development Programme which are being finalised by Council Officers, and the roll out of additional transformational change training agreed and scheduled for Q1-2 of the new financial year.

Staff Performance Management

Of all respondents to the Staff Survey, only 55% agreed that performance is managed well within their team, in addition to only 56% agreeing that they are involved in the decision process within their team. Whilst work is underway within the Authority to launch a new digital staff performance management process (aimed at emphasising the effectiveness of good conversations between managers and staff) our Staff Survey Working Group will be asked to identify further actions to help develop and improve our approach to staff performance across all areas.

Health & Wellbeing

A particular area of development in relation to survey feedback is in relation to the 37% of staff who do not feel that the Authority cares about their health and well being. This points at a need for the Council to better promote the range of staff health and well being initiatives currently underway, and highlights the benefits which a further health and wellbeing survey for staff (due Q1 2019/20) will have in identifying specific areas for development.

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 12

ON THE AGENDA

Report to: Council

Date of Meeting: 21 February 2019

Subject: Local Code of Governance

Report by: Monitoring Officer

1.0 Purpose

1.1. To seek Council's approval of a revised Local Code of Governance and Internal Control Checklist.

2.0 Recommendations

2.1. It is recommended that Council agree to adopt the revised Local Code of Governance.

3.0 Considerations

3.1. The Chartered Institute of Public Finance and Accountancy (CIPFA) documents: "Delivering Good Governance in Local Government" sets out the principles of good governance, the overall aim of which is to ensure that:

- resources are directed in accordance with agreed policy and according to priorities
- there is sound and inclusive decision making
- there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

3.2. Local authorities are required to determine their own local governance arrangements (local code), underpinned by the CIPFA framework, and to ensure that it operates effectively in practice.

3.3. The Clackmannanshire Council Local Code of Governance is reviewed annually to ensure that it remains fit for purpose. The review this year has further streamlining of the code and supporting processes, whilst maintaining alignment with the CIPFA framework and guidance.

3.4. The revised local code is included in appendix 1. This shows the key documents that constitute the Council's governance arrangements, aligned to the CIPFA core principles of good governance. These are underpinned by detailed processes and documents designed to ensure smooth and comprehensive deployment.

3.5. The effectiveness of our governance arrangements, and the extent to which we have complied with our local code, is monitored and reviewed annually, through the Council's corporate self-evaluation process. The outcome of this, together with an improvement action plan, is reported in the Annual Governance Statement, which forms part of the annual Statement of Accounts.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. Financial Details

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.4. Staffing

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☑

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 – Local Code of Governance

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☑ (please list the documents below) No ☐

Delivering Good Governance in Local Government, CIPFA 2016

Delivering Good Governance in Local Government: Guidance Notes for Scottish Authorities, CIPFA 2016

Author(s)

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Lindsay Thomson	Monitoring Officer	2084

Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Monitoring Officer	[redacted]
Stuart Crickmar	Strategic Director Partnership & Perofrmance	[redacted]

APPENDIX 1 Local Code of Governance

	Lead	A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law	B. Ensuring openness and comprehensive stakeholder engagement	C. Defining outcomes in terms of sustainable economic, social and environmental benefits	D. Determining the interventions necessary to optimise the achievement of the intended outcomes	E. Developing the entity's capacity, including the capability of its leadership and the individuals within it	F. Managing risks and performance through robust internal control and strong public financial management	G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability
Scheme of Delegation	MO	✓			✓	✓	✓	
Council Standing Orders	MO	✓			✓	✓	✓	
Council Corporate Plan	P&P Dir.			✓	✓		✓	
Performance Management Framework	P&P Dir.				✓		✓	✓
Corporate Risk Management Guidance	P&P Dir.	✓	✓		✓	✓		
Alliance Governance Framework & Memorandum of Understanding	PLACE Dir.			✓	✓			
Communication Strategy	P&P Dir.		✓		✓			✓
Sustainability & Climate Change Strategy	S95				✓		✓	
Financial Regulations April 2018 (Council paper)	P&P Dir.	✓	✓				✓	✓
Information Strategy	P&P Dir.	✓				✓		
Workforce Strategy	P&P Dir.	✓				✓		

THIS PAPER RELATES TO ITEM 13

ON THE AGENDA

CLACKMANNANSHIRE COUNCIL

Report to Council

Date of Meeting: 21 February 2019

Subject: Polling Districts and Polling Places Review – Next Stage

Report by: Strategic Director (Partnership & Performance)

1.0 Purpose

To present the proposals for the next stage in the Polling Districts and Polling Places Review.

2.0 Recommendations

2.1 Council is asked to comment and challenge the proposals contained in Appendix 2.

3.0 Considerations

3.1 The Representation of the People Act 1983 places a statutory duty on Local Authorities to carry out periodic reviews of UK Parliamentary polling districts and polling places.

3.2 The Electoral Registration and Administration Act 2013 introduced a change to the timing of the reviews. The next compulsory review therefore must take place during the period 1 October 2018 and 31 January 2020.

3.3 Council agreed on the 23 August the timetable and stages for public consultation. The initial consultation invited comments on the current polling arrangements and was open for a period of 8 weeks. It is now complete and the results published. A summary of the results is provided in Appendix 1.

3.4 The next stage is to consult on the proposals contained in Appendix 2. This consultation period will run between 11 March and 26 April and the results will inform the final recommendations that will be presented to Council for approval.

4.0 Sustainability Implications

4.1 There are no direct sustainability implications from this proposal.

5.0 Resource Implications

5.1 Financial Details

5.2 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☑

5.3 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☑

5.4 Staffing

6.0 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☑

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☐

Women and girls will be confident and aspirational, and achieve their full potential ☐

Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☑ Not applicable

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☑

10.0 Appendices

10.1 There are 2 appendices attached to the report: Appendix 1 - Consultation Results and Appendix 2 - Proposals for Polling Districts and Polling Places.

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☑

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Thomson	Monitoring Officer	[redacted]
Stuart Crickmar	Strategic Director Partnership & Performance	[redacted]

Appendix 1

Consultation Results

The Consultation

The public consultation period ran between 1 October and 30 November 2018. It was important to raise awareness of the consultation with all key stakeholders that may have an interest in responding. To achieve this, the details of the review were published on Clacksweb.and an on-line survey was published. Details were circulated to relevant stakeholders and interested parties. A press release and the council's social media were also used to raise awareness of the consultation.

Those contacted included elected members, community councils, residents and Tenants groups, Disability Equality Scotland and third sector groups through CTSI. In addition, contacts for the premises that we currently use were also provided with the information.

Submissions

Fifty four submissions were received including the Returning Officer's. A summary of the responses received is attached to this appendix.

The majority of the buildings currently used were deemed suitable as a polling place. Those where concerns were raised are addressed below.

- **Alloa Baptist Church Hall**
  The concerns are mainly around the disabled entrance which is to the rear of the building and the narrow pathway that leads to it. The buildings suggested as alternative venues were the Town Hall and the Gate.

  The Town Hall is already used as the count centre for elections and therefore would not be available for polling. The Gate was contacted and, although they were supportive of the building being used for a polling place, confirmed that they could not allow exclusive use on the day of the poll.

  In the absence of any buildings that are both suitable and available it is proposed to continue to use the Church Hall.

- **Devonvale Hall, Tillicoultry**
  The concern raised was more in relation to the position of the building for voters living at the west end of the village. Additional venues were suggested, but as the Devonvale Hall is able to accommodate all voters in Tillicoultry, the proposal is to continue to have one venue.

- **Loganlea Tea Room, Forrestmill**
  One concern was raised with regard to the suitability of this venue, however there are no alternative public buildings within Forrestmill.

  It is proposed to continue to use this venue while it is still available.

- **St Mungo's RC Church Alloa**
  There were no complaints as to the building itself, but the distance for those voters who had previously voted at the Alloa Old Peoples Welfare Club was raised. As the Welfare Club building now satisfies the conditions for use as a polling place, it is proposed that it is reinstated.

- **The View Bar & Restaurant, Fishcross**
  Concerns were raised as to the suitability of the bar. At the start of the consultation it was closed and we did not receive any response to our enquiries from the owners. The changing management of the premises over the years has proved problematic raising concerns as to its reliability as a polling place.

  It is proposed to site a temporary polling place in Craigleith. We will involve our road colleagues to ensure that traffic is suitably managed.

Polling Districts

We did not receive any responses which directly addressed the current polling district boundaries nor did we receive any comments in relation to the proposed change to the boundary between Tillicoultry and Coalsnaughton. This change to the polling district will continue to be included in the next stage of the consultation.

Appendix 1

SUMMARY OF RESULTS OF THE CONSULTATION - 1ST STAGE

Polling Place	Rate	Submission	Alternative Building	Our Comment
Alloa Baptist Church Hall	2 Suitable			
	3 Unsuitable	Comments were around the suitability of the disabled access as it is to the rear of the building and the pathway is narrow.	Alloa Town Hall The Gate	The Town Hall is used as the count centre for all elections. The Gate is extensively used as a venue for projects and drop in, and as such would not be suitable as we would need exclusive use of the whole building on the day of the poll.
Bowmar Community Centre	2 Suitable			
	2 Unsuitable		Alloa Town Hall	As above
Clackmannan Town Hall	3 Suitable			
	0 Unsuitable			
Coalsnaughton Village Hall	1 Suitable	It is ideal and centrally located.		
	0 Unsuitable			
Cochrane Hall	6 Suitable	Plenty of parking, space inside, and decent privacy when voting due to space.		
	0 Unsuitable			
Coronation Hall	2 Suitable	Building is suitable for all and causes very little disruption to other users.		
	0 Unsuitable			
Devonvale Hall	5 Suitable	Adequate disabled access, but parking close to entrance is difficult.	Ben Cleuch Baptist Church Annex	Baptist church annex is not one we have investigated, as its location is relatively close to Devonvale hall.
	1 Unsuitable	Disabled and buggy access not good. Situation of hall too far especially for people at other end of Tillicoultry.	Ben Cleuch	Ben Cleuch would need to be closed to service users causing disruption to regular users.
Dollar Civic Centre	2 Suitable			
	0 Unsuitable			

Dumyat Centre	5 Suitable	It provides a safe, accessible Polling Station with sufficient privacy		
	0 Unsuitable			
Hawkhill Community Centre	0 Suitable			
	0 Unsuitable			
Loganlea Tearoom	0 Suitable			There is no alternative building in Forrestmill, voters would need to go to Clackmannan Town Hall as the nearest polling place within their ward. The use of a temporary polling place was explored but no suitable site was identified.
	1 Unsuitable	Concerns over privately owned premises.		
Ludgate Church Hall	0 Suitable			
	0 Unsuitable			
Sauchie and Coalsnaughton Parish Church Hall	3 Suitable	It is convenient and always kept private, tidy and clean.		
	0 Unsuitable			
Sauchie Hall	1 Suitable			
	0 Unsuitable			
St Mungo's RC Church Hall	0 Suitable			Continue to use St Mungo's Church Hall for polling district OC477 , however reinstate the Old People's Welfare Club for polling district 0C465
	1 Unsuitable	Too far from north of Tullibody and surrounding area for those with mobility issues.	Erskine Street OAP Hall	

St Serf's Church Hall	2 Suitable			
	0 Unsuitable			
St John Vianney's Church Hall	1 Suitable			
	0 Unsuitable			
The View Bar & Restaurant, Fishcross	2 Suitable			The long-term use of this premises cannot be secured.
	1 Unsuitable	Concerns over privately owned premises.	School	Use of schools is a disruption to children's education and, as such, it was agreed at a previous review to avoid this where possible.
Tullibody Civic Centre	6 Suitable			
	0 Unsuitable			
Whins Resource Centre	1 Suitable			
	0 Unsuitable			

Appendix 2

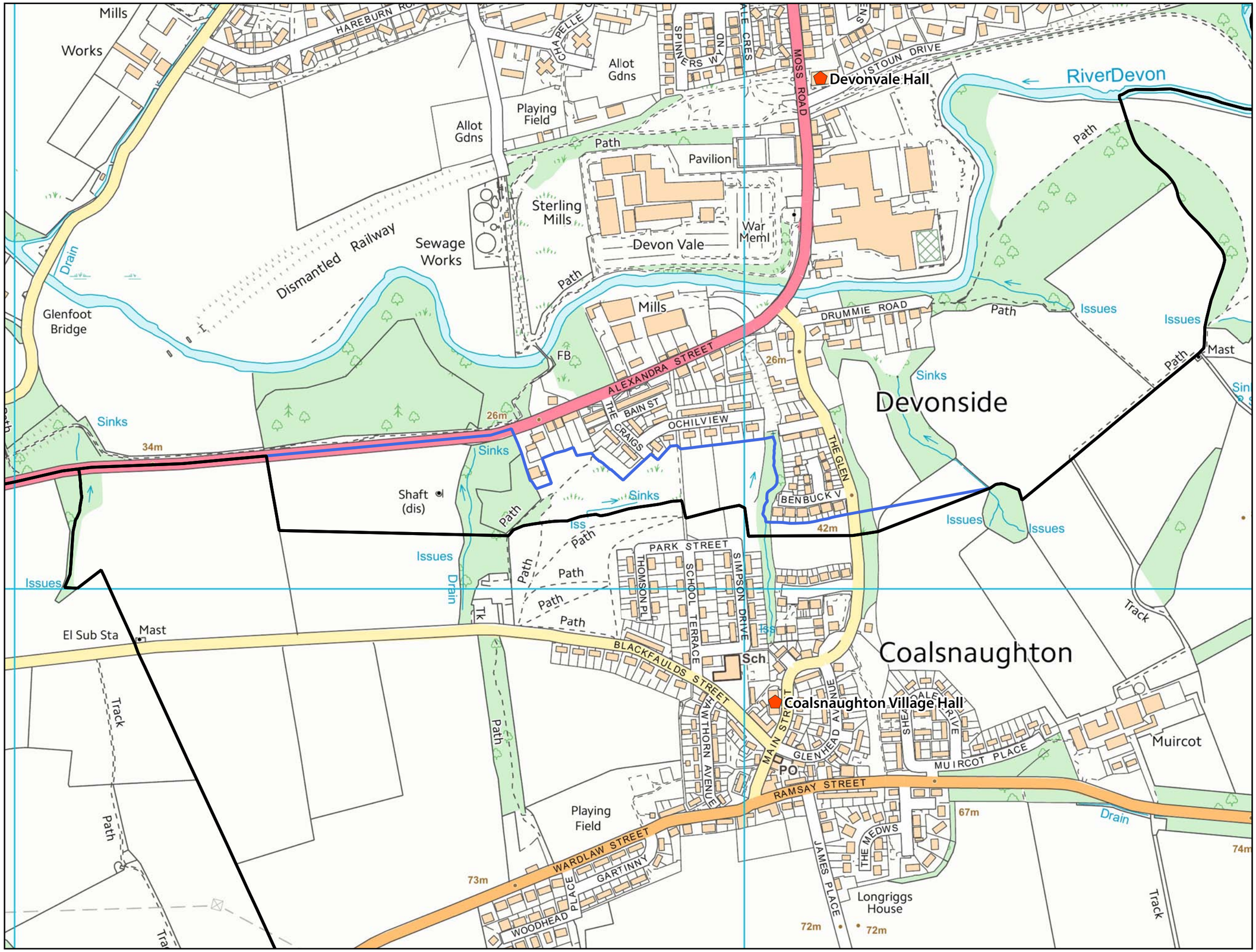
PROPOSALS FOR POLLING DISTRICTS AND POLLING PLACES IN CLACKMANNANSHIRE

Current Polling Place	**Proposal for polling place**	**Current Polling District**	**Proposal for polling district**
Dumyat Centre, Main St, Menstrie	Continue to use this building	OC105 All of Menstrie and surrounding area	No change
St. Serf's Church Hall, Menstrie Road, Tullibody, FK10 2RG	Continue to use this building	OC110 Tullibody area north of Stirling and Alloa Roads including Glenochil	No change
Tullibody Civic Centre, Abercromby Place, Tullibody	Continue to use this building	OC120 Tullibody area south of Stirling and Alloa Roads and Cambus area	No change
Cochrane Hall, West Stirling Street, Alva	Continue to use this building	OC230 Area to north and South of Stirling Street, West Stirling Street, Stirling Road and to the west of Brook Street	No change
St John Vianney's Church Hall, East Stirling Street, Alva	Continue to use this building	OC235 Area north and south of East Stirling Street and to the east of Brook Street	No change
Devonvale Hall, Moss Road, Tillicoultry	Continue to use this building	OC240 Tillicoultry and Devonside	Change to the polling district boundary between Tillicoultry and Coalsnaughton. – see attached map

Current Polling Place	Proposal for polling place	Current Polling District	Proposal for polling district
Coalsnaughton Village Hall, Main Street, Coalsnaughton	Continue to use this building	OC245 Coalsnaughton area eastwards to Lawmuir	Change to the polling district boundary between Tillicoultry and Coalsnaughton – see attached map
The View Bar & Restaurant, Alloa Road, Fishcross	Discontinue use of this building and replace with temporary polling unit – see attached map for site	OC350 Fishcross, Devon Village, Howetown, Blackfaulds and Devon Valley Drive area, Sauchie	No change
Sauchie & Coalsnaughton Church Hall, Main Street, Sauchie	Continue to use this building	OC355 Sauchie - Craigbank, Greygoran, Auchinbaird and Lochbrae areas, streets north of Schaw Court and Gartmorn Road, Deerpark area.	No change
Sauchie Hall, Mar Place, Sauchie	Continue to use this building	OC360 Sauchie - Fairfield, Branshill, Braeside, Holton Crescent, Hallpark, Posthill, Keilarsbrae, south of Schaw Court and Gartmorn Road. Includes Nevis Crescent, Dovehill and Doo'cot Brae parts of Alloa	No change
Whins Resource Centre, The Whins, Alloa	Continue to use this building	OC363 The Whins, Hutton Park and Gaberston areas, Hilton Road, Carsebridge area, Greenfield Street and Hillside Terrace	No change

Current Polling Place	Proposal for polling place	Current Polling District	Proposal for polling district
St Mungo's RC Church Hall, Mar Street, Alloa	It is recommended that Alloa Old People's Welfare Club be reinstated as a polling place to serve this polling district.	OC465 Areas north of Tullibody Road and south of Dovehill - Sunnyside, Forebraes, Ashley Terrace and surrounding streets, Inglewood area	No change
Alloa Baptist Church Hall, Ludgate, Alloa	Continue to use this building	OC470 Areas south of Tullibody Road and Stirling Road, Mar Place, all of Claremont, Fairyburn, Braehead	No change
Ludgate Church Hall, Ludgate, Alloa	Continue to use this building	OC475 West Alloa bounded by Ludgate, the Forth and Stirling Road	No change
St Mungo's RC Church Hall, Mar Street, Alloa	Continue to use this building	OC477 Area east of Ludgate to ring road. Includes most of the town centre	No change
Bowmar Community Centre, Scott Crescent, Alloa	Continue to use this building	OC480 Bowhouse, Bowmar and surrounding area. Bounded by Hawkhill in the north	No change
Hawkhill Community Centre, Hillcrest Drive, Alloa	Continue to use this building	OC485 Hawkhill, Clackmannan Road and Hillcrest Drive	No change
Bowmar Community Centre, Scott Crescent, Alloa	Continue to use this building	OC587 Comely Bank to the rear of Morrisons	No change

Current Polling Place	Proposal for polling place	Current Polling District	Proposal for polling district
Coronation Hall, Muckhart	Continue to use this building	OC590 Muckhart and surrounding area	No change
Dollar Civic Centre, Park Place, Dollar	Continue to use this building	OC593 All of Dollar and surrounding area includes Sheardale and Dollarbeg	No change
Loganlea Tea Room	Continue to use this building	OC595 Forestmill and landward area towards Clackmannan	No change
Clackmannan Town Hall, Main Street, Clackmannan	Continue to use this building	OC597 All of Clackmannan and surrounding area to the north of Alloa Road	No change



Polling District Revision 2018

Legend

- Amended boundary
- Current boundary
- Polling place

Scale: 1:5,000
Paper size: A3
Date: 24 September 2018
Ref: Polling District Revision 2018

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Development & Environment
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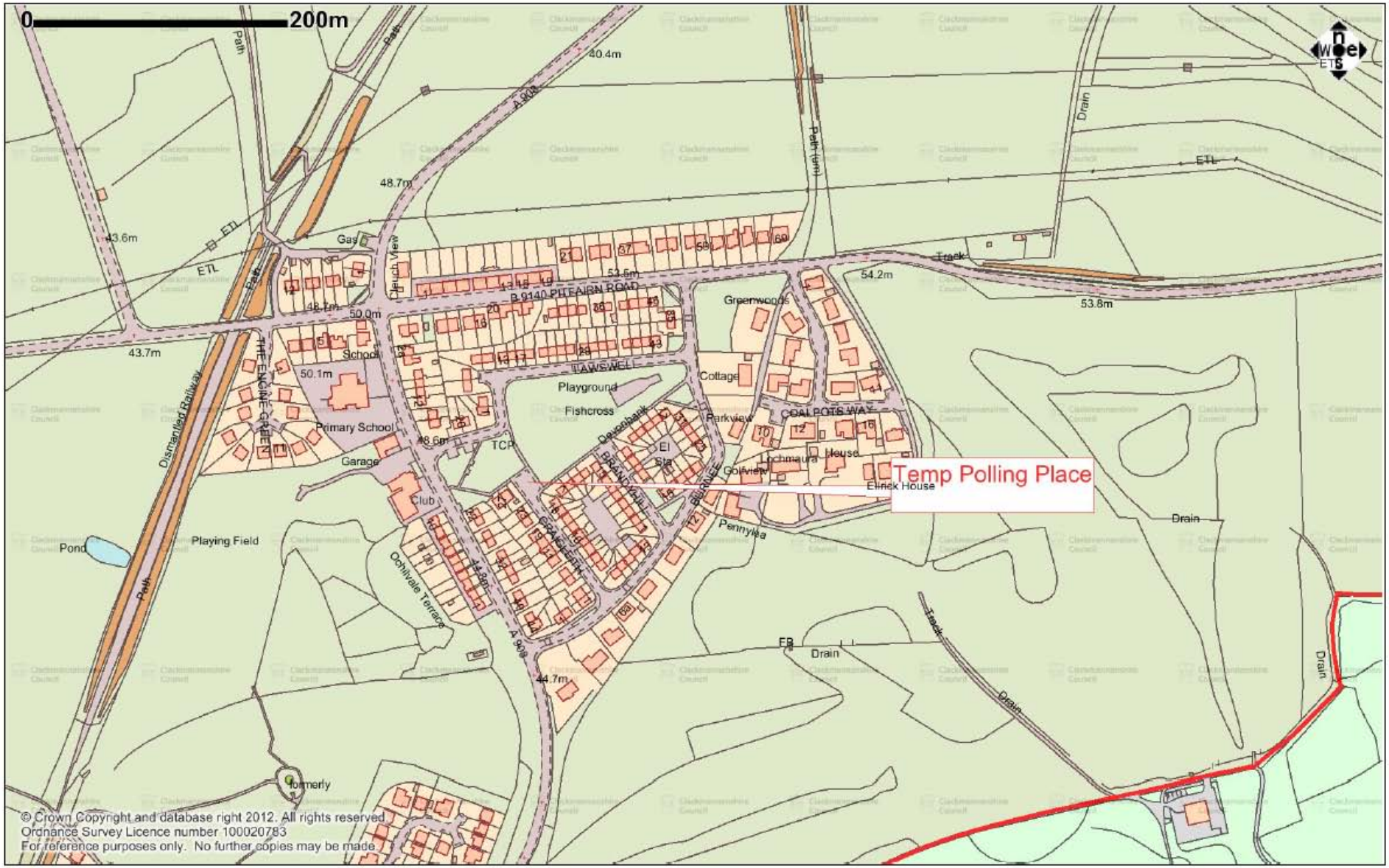

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N W E S

Polling District OC350

Temp Polling Place - Craigleith, Fishcross

Clackmannanshire Council

Created by: Annette McEnaney on 22-Mar-12

CLACKMANNANSHIRE COUNCIL

THIS PAPER RELATES TO ITEM 14

ON THE AGENDA

Report to: Meeting of Clackmannanshire Council

Date of Meeting: 21 February 2019

Subject: Appointment of Depute Leader of Council Leader & Other Member Appointments

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Report by: Chief Executive

1.0 Purpose

1.1 The purpose of this report is to formally advise Council of the resignation of Councillor Phil Fairlie as a Councillor for ward 3 with effect from 31 January 2019, to invite Council to appoint a Depute Leader of Council and to invite Council to fill a number of other Committee, spokesperson and outside body appointments as set out below.

2.0 Recommendations

2.1. It is recommended that Council:

a) notes that Councillor Phil Fairlie has resigned as Councillor for ward 3 with effect from 31 January 2019;

b) appoints a new Depute Council Leader following the resignation of former Councillor Phil Fairlie;

c) notes that the new Depute Leader will take up the positions reserved for the Depute Leader with immediate effect

d) appoints a member of the Administration to the post of spokesperson for Audit and Finance following the resignation of former Councillor Phil Fairlie ;

e) appoints a member of the SNP group to the vacancy on the Audit Committee left by the resignation of former Councillor Phil Fairlie;

f) appoints a member of the SNP group to the vacancy on the Planning Committee left by the resignation of former Councillor Phil Fairlie

g) appoints a member of the Administration as vice chair of the Planning Committee

h) appoints a member of the SNP group to the vacancy on the Local Review Body left by the resignation of former Councillor Phil Fairlie;

i) appoints a member of the Administration as vice chair of the Local Review Body

j) notes the resignation of Councillor Craig Holden from the Partnership and Performance Committee with immediate effect

k) appoints two members of the SNP group to the vacancies on the Partnership and Performance Committee left by the resignations of former Councillor Phil Fairlie and Councillor Craig Holden

l) appoints a member of the Administration as chair of the Partnership and Performance Committee

m) notes that Councillor Ellen Forson has resigned as the Council's representative on the Cosla Health and Social Care Board with immediate effect;

n) notes that Councillor Les Sharp will move from being the substitute member to the full member of the Cosla Health and Social Care Board;

o) appoints a member of the Administration as a substitute member of the Cosla Health and Social Care Board

p) notes the resignation of former Councillor Phil Fairlie from the Alloa Day Home Trust, Spittal Trust, Clackmannan District Band Trust and Scotland Excel Committee;

q) appoints Councillor Les Sharp as a member of the Clackmannan District Band Trust

r) appoints a member of the Administration as the Council's representative on the Scotland Excel Committee.

3.0 Considerations

The resignation of Councillor Phil Fairlie has resulted in a number of vacancies which the Council is now invited to fill as set out in the recommendations above. In addition the Administration has also intimated that it wishes to change some of the appointments of its members to various committees and outside bodies. This is also reflected in the recommendations above.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

Financial Details - there are no financial implications as a result of the recommendations contained in this report.

Staffing- there are no staffing implications arising from the recommendations contained in this report.

6.0 Exempt Reports

6.1. This report is not exempt.

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☑)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	☐
Our families; children and young people will have the best possible start in life	☐
Women and girls will be confident and aspirational, and achieve their full potential	☐
Our communities will be resilient and empowered so that they can thrive and flourish	☐

(2) **Council Policies** - n/a

8.0 Equalities Impact - n/a

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.

10.0 Appendices

10.1 None

11.0 Background Papers

11.1 Letter of resignation from Councillor Phil Fairlie

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Nikki Bridle	Chief Executive	2030

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	[redacted]

Councillor Darren Lee
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THIS PAPER RELATES TO ITEM 15

ON THE AGENDA

Motion to Clackmannanshire Council
Meeting of Thursday 21st February, 2019

That the Council recognises the devastating impact plastic pollution is having on our environment and the Council's own contribution to this, in particular via single use plastics.

The Council acknowledges we must lead by example, step up our own efforts to reduce single use plastic waste and encourage others to follow suit.

Clackmannanshire Council will begin by transitioning away from single-use plastics commencing at Kilncraigs.

[redacted]

Councillor Darren Lee
Ward 1, Clackmannanshire West

Date 23rd January, 2019

Councillor Ellen Forson
Leader of Clackmannanshire Council
Ward 4 Clackmannanshire South (Multi Member Ward)
Kilncraigs, Greenside Street, Alloa, FK10 1EB
Telephone: 01259 452281 Mobile: 07854 374 386
Email: eforson@clacks.gov.uk

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THIS PAPER RELATES TO ITEM 16

ON THE AGENDA

Motion to Clackmannanshire Council
Meeting of Thursday 21st February 2019

That Council notes the challenging context of this year's budget; recognises the wishes of local people for a joined up, cohesive approach from all Councillors, regardless of political party, and agrees to work constructively together to present a balanced budget which responds to local needs.

[redacted]

Councillor Ellen Forson
Ward 4, Clackmannanshire South

Date: 11th February 2019