



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 RELATING 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