



**MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 21 FEBRUARY 2019 at 9.30 am.**

**PRESENT**

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

**IN ATTENDANCE**

Nikki Bridle, Chief Executive  
Garry Dallas, Strategic Director (Place)  
Stuart Crickmar, Strategic Director (Partnership & Performance)  
Fiona McOmish, Strategic Director (People)  
Murray Sharp, Service Manager (Revenues and Strategy)  
Owen Munro, Team Leader (Planned Works and Compliance)  
Julie Russell, Team Leader (Tenancy Services)  
Ian Fraser, Strategic Policy Manager  
Alastair Hair, Organisational Development Manager  
Lindsay Sim, Chief Finance Officer  
Anne Pearson, Chief Education Officer  
Margaret McIntyre, Interim Chief Social Work Officer  
Lindsay Thomson, Service Manager (Legal and Democracy) (Clerk to the Council)  
Gillian White, Committee Services (Legal and Democracy)

**CC.187            APOLOGIES**

Apologies were received from Councillor Derek Stewart.

**CC.188            DECLARATIONS OF INTEREST**

None.

**CC.189            MINUTES OF MEETING OF CLACKMANNANSHIRE COUNCIL  
20 DECEMBER 2018**

The minutes of the meeting of the Clackmannanshire Council held on 20 December 2018 were submitted for approval.

Councillor Watson advised an error on Page 12, item CC.182. During voting there were 13 members present, not 15 as stated.

**Decision**

Subject to the amendment, the minutes of the meeting of the Clackmannanshire Council held on 20 December 2018 were agreed as a correct record and signed by the Provost.

**CC.190            MINUTES OF SPECIAL MEETING OF CLACKMANNANSHIRE COUNCIL  
31 JANUARY 2019**

The minutes of the special meeting of Clackmannanshire Council held on 31 January 2019 were submitted for approval.

Councillor Balsillie advised that his name had been misspelt on Page 15, Item CC.186.

**Decision**

Subject to the amendment, the minutes of the special meeting of the Clackmannanshire Council held on 31 January 2019 were agreed as a correct record and signed by the Provost.

**CC.191            COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL  
MEETING ON 20 DECEMBER 2018**

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 20 December 2018.

- (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

**CC.192            COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL**

The report, submitted by the Chief Executive, sought Council approval of recommendations which had been made by the Partnership and Performance Committee of 31 January 2019.

**Motion**

That Council agrees the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Dave Clark

## **Decision**

The Council agreed:

1. from the **Partnership and Performance Committee** of **31 January 2019** in relation to the report entitled "*Procurement Strategy*"
  - (a) To adopt the Procurement Strategy and notes that the Procurement Strategy will be subject to an annual review.

## **Action**

Chief Executive

### **CC.193            HOUSING REVENUE BUDGET 2019/20, HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME 2019/20 AND MID MARKET RENT CONSIDERATIONS**

The report, submitted by the Strategic Director (Place), presented the Housing Revenue Budget and Housing Capital Programme for the financial year 2019/20 and highlighted the key factors which influenced the budget.

## **Motion**

That Council agrees the recommendations set out in the report.

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

## **Decision**

The Council agreed to:

1. Approve the summary budget on income and expenditure based upon the approved HRA financial Business Plan, as set out in Appendix 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;
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;
4. Approve the Housing (HRA) capital programme 2019/20 and indicative programmes for the next four years, as set out in Appendix 2;
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);
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);
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);
8. Approve that Clackmannanshire Council will take over management and maintenance of the 42 National Housing Trust properties (paragraph 3.47);

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

**Action**

Strategic Director (Place)

**CC.194 HOUSING ALLOCATIONS POLICY REVIEW**

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

The report, submitted by the Strategic Director (Place), sought approval of the finalised Allocations Policy.

**Motion**

That Council agrees the recommendations set out in the report.

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

**Decision**

The Council agreed to approve the finalised Allocations Policy.

**Action**

Strategic Director (Place)

**CC.195 ORGNAISATIONAL REDESIGN: UPDATE**

The report, submitted by the Chief Executive, updated Council on progress with implementing the organisational redesign it agreed as part of the 2018/19 Budget approved on the 8<sup>th</sup> March 2018.

**Motion**

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

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

## **Decision**

The Council agreed to note:

1. The progress to date in implementing the agreed organisational redesign; and
2. That following the conclusion of the ongoing consultation process for Senior Manager roles, a further update report will be presented to Council.

## **Action**

Chief Executive

### **CC.196 STIRLING AND CLACKMANNANSHIRE CITY REGION DEAL UPDATE**

The report, submitted by the Strategic Director (Place), provided an update on the Stirling and Clackmannanshire City Region Deal. It focussed 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 Head of Terms agreement considered by Council in June 2018.

## **Motion**

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

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

## **Decision**

The Council agreed to note progress being made in taking the Stirling and Clackmannanshire City Region Deal forward.

### **CC.197 CITY REGION DEAL GOVERNANCE**

The report, submitted by the Monitoring Officer, proposed that a single region wide Commission is established, replacing the Clackmannanshire Commission and the Stirling City Commission. The report also set out the proposed Clackmannanshire Council membership of the new Commission and proposed terms of reference.

## **Motion**

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

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

## **Decision**

The Council agreed :

1. To disestablish the Clackmannanshire Commission on the conclusion of the current bidding process for the Clackmannanshire Council capital fund;
2. To establish a Stirling and Clackmannanshire Regional Commission (“the Commission”) with the terms of reference as set out in paragraph 3.6 of the report;
3. The membership of the Commission as set out in paragraph 3.7 of the report;

4. To 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; and
5. To note that the terms of reference include the formation of short term project or working groups where required.

**Action**

Monitoring Officer

**CC.198           EMPLOYEE VOICE**

The report, submitted by the Strategic Director (Partnership & Performance), provided the Council with details of the 2018 Staff Survey, highlighting the key themes and actions arising from the report supplied by independent researchers.

**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 to note the report and the work currently underway to address identified areas of development.

*In line with Standing Order 10.24, the Provost adjourned the meeting at this point in the proceedings (11.53am). When the meeting reconvened at 12.03pm, 17 members remained present.*

**CC.199           LOCAL CODE OF GOVERNANCE**

The report, submitted by the Monitoring Officer, sought Council's approval of a revised Local Code of Governance and Internal Control Checklist.

**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 to adopt the revised Local Code of Governance.

**Action**

Monitoring Officer

## **CC.200            POLLING DISTRICTS AND POLLING PLACES REVIEW – NEXT STAGE**

The report, submitted by the Strategic Director (Partnership and Performance), presented proposals for the next stage in the Polling Districts and Polling Places Review.

### **Motion**

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

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

### **Decision**

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

## **CC.201            APPOINTMENT OF DEPUTE LEADER OF COUNCIL AND OTHER MEMBER APPOINTMENTS**

The report, submitted by the Chief Executive, formally advised Council of the resignation of Councillor Phil Fairlie as a Councillor for Ward 3 with effect from 31 January 2019. The report invited Council to appoint a Depute Leader of Council and invited council to fill a number of other Committee, spokesperson and outside body appointments.

### **Motion**

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

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

### **Decision**

The Council agreed to

- a. Note that Councillor Phil Fairlie has resigned as Councillor for Ward 3 with effect from 31 January 2019;
- b. Appoint Councillor Donald Balsillie as the new Depute Council Leader following the resignation of former Councillor Phil Fairlie;
- c. Note that the new Depute Leader will take up the positions reserved for the Depute Leader with immediate effect;
- d. Appoint Councillor Donald Balsillie as the spokesperson for Audit and Finance following the resignation of former Councillor Phil Fairlie;
- e. Appoint Councillor Tina Murphy to the vacancy on the Audit Committee left by the resignation of former Councillor Phil Fairlie;
- f. Appoint Councillor Craig Holden to the vacancy on the Planning Committee left by the resignation of former Councillor Phil Fairlie;
- g. Appoint Councillor Craig Holden as vice chair of the Planning Committee
- h. Appoint Councillor Craig Holden to the vacancy on the Local Review Body left by the resignation of former Councillor Phil Fairlie;
- i. Appoint Councillor Craig Holden as vice chair of the Local Review Body

- j. Note the resignation of Councillor Craig Holden from the Partnership and Performance Committee with immediate effect;
- k. Appoint Councillor Donald Balsillie and Councillor Les Sharp to the vacancies on the Partnership and Performance Committee left by the resignations of former Councillor Phil Fairlie and Councillor Craig Holden;
- l. Appoint Councillor Donald Balsillie as Convenor of the Partnership and Performance Committee
- m. Note that Councillor Ellen Forson has resigned as the Council's representative on the Cosla Health and Social Care Board with immediate effect;
- n. Note that Councillor Les Sharp will move from being the substitute member to the full member of the Cosla Health and Social Care Board;
- o. Appoint Councillor Graham Lindsay as a substitute member of the Cosla Health and Social Care Board
- p. Note the resignation of former Councillor Phil Fairlie from the Alloa Day Home Trust, Spittal Trust, Clackmannan District Band Trust and Scotland Excel Committee;
- q. Appoint Councillor Les Sharp as a member of the Clackmannan District Band Trust
- r. Appoints Councillor Donald Balsillie as the Council's representative on the Scotland Excel Committee.

**Action**

Chief Executive

**CC.202 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 – SINGLE USE PLASTICS**

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Darren Lee.

**Motion**

“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.”

Moved by Councillor Darren Lee. Seconded by Councillor Bill Mason.

**Decision**

The Council agreed to support the motion.



**CC.203 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16.0 –  
BUDGET APPROACH**

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Ellen Forson.

**Motion**

“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.”

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

**Decision**

The Council agreed to support the motion.

**EXEMPT INFORMATION**

**The Council resolved in terms of Section 50(A) of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following items of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 8.**

**CC.204 TRON COURT**

The report, submitted by the Strategic Director (Place), concerned the completion of the Tron Court (Tullibody Regeneration) improvement project.

**Motion**

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

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

**Decision**

The Council agreed to approve recommendation 2.1 (a) as set out in the report and agreed to note recommendations 2.1 (b) and (c)..

**Action**

Strategic Director (Place)

Ends: 1.40 pm

