



MINUTES OF SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on WEDNESDAY 6 MARCH 2019 at 1.30 PM.

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 Derek Stewart

IN ATTENDANCE

Nikki Bridle, Chief Executive
Garry Dallas, Strategic Director (Place)
Stuart Crickmar, Strategic Director (Partnership & Performance)
Fiona McOmish, Strategic Director (People)
Lindsay Sim, Chief Finance Officer
Anne Pearson, Chief Education Officer
Margaret McIntyre, Interim Chief Social Work Officer
Lindsay Thomson, Senior Service Manager (Partnership & Performance)(Clerk to the Council)
Gillian White, Committee Services (Legal and Democracy)

CC.205 APOLOGIES

Apologies were received from Councillor Mike Watson.

CC.206 DECLARATIONS OF INTEREST

None.

The Clerk advised that a general dispensation was in place for members of the Integrated Joint Board which would allow them to participate and take decisions on the General Services Revenue and Capital Budget 2019/20.

CC.207 GENERAL SERVICES REVENUE AND CAPITAL BUDGET 2019/20

The report, submitted by the Administration, presented the Administration's Budget for 2019/20. The report built on the regular Budget Strategy Update reports and briefings presented to Council and the Audit and Service committees throughout the year. The Council's financial sustainability has continued to be the focus of member and trade union briefings held throughout the year.

The Provost advised that an additional amendment had been tabled at the start of the meeting by Councillor Bill Mason. The Provost was satisfied that there were exceptional circumstances as to why the amendment did not meet the deadline as set out in Standing Order 13.11.

Councillor Clark challenged the Provost on what the exceptional circumstances were.

Invited by the Provost, Councillor Mason addressed the Council and advised that having taken time to examine the report, subsequent amendments and come to a decision; the amendment could not be concluded until immediately prior to the meeting.

Councillor Clark remained unsatisfied by the reasons cited as exceptional circumstances and on advice from the Clerk, asked that under Standing Order 10.6, that the matter was put to the vote. In terms of Standing Order 14.7, Councillor Clark asked for a roll call vote on whether the amendment should be accepted for consideration by Council. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For the amendment to be accepted for consideration by Council (11 votes)

Provost Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Helen Lewis
Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee
Councillor Chris Dixon

Against the amendment being accepted for consideration by Council (5 votes)

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

Decision

On a division of 11 votes to 5, the Council agreed that the amendment tabled by Councillor Mason would be added as Amendment No. 5 and would be considered by Council.

Motion

That Council agrees the recommendations set out in the report.

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

Amendment No.1

“Council is asked to agree

1. That recommendation 2.1.5 is amended as follows:-

The 3.5% increase in the level of Council Tax for 2019/20, resulting in Band D Council Tax of £1,260.54.

2. That appendix H referred to in recommendation 2.1.4 is amended to include the following entry:

Description	Category	Council Role	Directorate	Value
Sauchie Active 8 SCIO	Supporting Vulnerable Families	Direct Award via SLA	People	£32,960

Noting that this reverses the Council decision of 8 March 2018 to cease funding to Sauchie Active 8.

3. That appendix H referred to in recommendation 2.1.4 is amended to increase the funding to the following organisations:

Description	Category	Council Role	Directorate	Value
The Gate Foodbank	Supporting Vulnerable Adult	Direct Award via SLA	Partnership and Performance	£12,077 (an increase of £7,432)
Support to 3 Community Run Halls	Community Empowerment	Direct Award via SLA	Partnership and Performance	£25,600 (an increase of £12,800)

4. That appendix B referred to in recommendation 1.2.1 is amended to include the following entry

Division	Type	Name of pressure	Service area	2019-20
People	General	School Uniform Grant	People	£10,000

5. Council to note that the proposed amendments increase the budget gap by £324,192 and agree that an additional £324,192 will be utilised from the Capital Receipts Reserve to support permitted elements of Revenue expenditure within the budget. This results in a balance of £518,808 of un-earmarked capital receipts .

6. That the S95 officer makes consequential amendments to the proposed budget summarised at recommendation 2.16, paragraphs 6.12 and 6.20 and Appendices B, C, H and J to reflect these amendments and sustain a balanced position. “

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

Voting on Amendment 1

In terms of Standing Order 14.7, Councillor Earle asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For Amendment 1 (5 votes)

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

Against Amendment 1 (11 votes)

Provost Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Helen Lewis
Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee
Councillor Chris Dixon

Amendment No. 1 was defeated by 11 votes to 5.

Amendment No. 2

“Council is asked to

1. Note that Appendix G (the Charging Strategy and Register of Charges) includes a commitment to implement a dynamic pricing strategy during 2019/20 under the heading “Working with Communities”
2. Agree that the dynamic pricing strategy is brought forward to the meeting of June 2019 Council
3. Note that, if agreed, the notice of the meeting of the June 2019 Council will indicate that the Charging Strategy and Register of Charges 19/20 may be altered.”

Moved by Councillor Martha Benny. Seconded by Councillor Darren Lee.

Voting on Amendment 2

In terms of Standing Order 14.7, Councillor Matchett QPM asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For Amendment 2 (11 votes)

Provost Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Helen Lewis
Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee
Councillor Chris Dixon

Against Amendment 2 (5 votes)

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

Amendment No. 2 was carried by 11 votes to 5.

Amendment No. 3

“Council is asked to

1. note that recommendation 2.12 and Appendix C do not include the introduction of a transient visitor levy and a workplace parking levy as sources of funding
2. agree that no such levies are implemented until at least financial year 2022/23
3. note that savings PLC POL 001, PLC POL 002 and PLC POL 003 in Appendix E are not expected to generate savings until financial year 2020/21
4. agree that the collaborative arrangements for savings PLC POL 001, PLC POL 002 and PLC POL 003 are expedited and brought to the programme board by 31 December 2019.”

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

Voting on Amendment 3

In terms of Standing Order 14.7, Councillor Clark asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For Amendment 3 (11 votes)

Provost Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Helen Lewis
Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee
Councillor Chris Dixon

Against Amendment 3 (5 votes)

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

Amendment No. 3 was carried by 11 votes to 5.

Amendment No. 4

“That Council

1. note that recommendation 2.1.8 is likely to result in the instigation of the dispute resolution mechanism set out in the Integration Scheme
2. agree that the Chief Executive and Section 95 Officer are given authority to negotiate the resolution of the projected deficit position on behalf of Clackmannanshire Council with representatives from NHS Forth Valley and Stirling Council
3. note that any proposed settlement to resolve the projected deficit position would require the approval of Clackmannanshire Council and a further report would be brought back to Council should approval be required.”

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

The Council unanimously agreed to support Amendment No. 4.

Amendment No. 5

“Council is asked to agree

1. That recommendation 2.1.5 is amended as follows: The 4.00% increase in the level of Council Tax for 2019/20, resulting in Band D Council Tax of £1,266.63.
2. Council to note that the proposed amendments increase the budget gap by £170k and agree that an additional £170k will be utilised from the Capital Receipts Reserve to support permitted elements of Revenue expenditure within the budget. This results in a balance of £673k of un-earmarked capital receipts.
3. That the S95 officer makes consequential amendments to the proposed budget summarised at recommendation 2.16, paragraphs 6.12 and 6.20 and Appendices B, C, H and J to reflect these amendments and sustain a balanced position.”

Moved by Councillor Bill Mason. Seconded by Councillor Martha Benny.

Voting on Amendment 5

In terms of Standing Order 14.7, Councillor Clark asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For Amendment 5 (11 votes)

Provost Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Helen Lewis
Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee
Councillor Chris Dixon

Against Amendment 5 (5 votes)

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

Amendment No. 5 was carried by 11 votes to 5.

In line with Standing Order 10.24, the Provost adjourned the meeting at 3.30 pm. When the meeting resumed at 3.40 pm, 16 members were present.

Voting on the Motion (as amended by amendments 2, 3, 4 and 5)

In terms of Standing Order 14.7, Councillor Earle asked for a roll call vote. The Council agreed that a vote be taken by calling the roll and at this stage there were 16 members present who were eligible to vote. On the roll being called, the elected members present voted as follows:

For the Motion as amended (11 votes)

Provost Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Graham Lindsay
Councillor Craig Holden
Councillor Helen Lewis
Councillor Martha Benny
Councillor Bill Mason
Councillor Darren Lee
Councillor Chris Dixon

Against the Motion as amended (5 votes)

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

The motion, as amended, was carried by 11 votes to 5.

Decision

On a division of 11 votes to 5, the Council agreed:

1. the proposals for demand pressures (Appendix B)
2. the General Services Revenue Budget for 2019/20 (Appendix C)
3. the policy savings set out in Appendix E
4. the 2019/20 Schedule of Funding to Voluntary Organisations and Income and Charging Strategy and Register of Charges (appendices H and G)
5. the 4.00% increase in the level of Council Tax for 2019/20, resulting in Band D Council tax of £1,266.63 .
6. the utilisation of £1.871m Capital Receipts from the Capital Receipts Reserve (paragraph 6.12)
7. to create a Transformation fund of £0.500m from Capital Receipts (paragraph 6.17).
8. that the Council will not make any further financial contribution to the HSCP in respect of the 2018/19 projected deficit position (paragraph 6.25) and noted that this is likely to result in the instigation of the dispute resolution mechanism set out in the Integration Scheme and that any proposed settlement to resolve the projected deficit position would require the approval of Clackmannanshire Council and a further report would be brought back to Council should approval be required. Also that the Chief Executive and Section 95 Officer are given authority to negotiate the resolution of the projected deficit position on behalf of Clackmannanshire Council with representatives from NHS Forth Valley and Stirling Council
9. a net resource transfer of £17.114m for HSCP in respect of 2019/20 (paragraph 6.26)
10. a rent increase of 2.2% to the weekly rent for the travelling persons site (paragraph 6.4)
11. the continued utilisation of Capital Receipts to fund the permitted element of severance costs. (paragraph 6.13)
12. the recommendations of the special meetings of the Place and People Committees, following their consideration of the petitions heard by those committees and as set out in Appendix M.
13. that the dynamic pricing strategy (in Appendix G, under the heading "Working with Communities" is brought forward to the meeting of June 2019 Council.
14. that no such levies (transient visitor levy and a workplace parking levy) are implemented until at least financial year 2022/23
15. that the collaborative arrangements for Savings PLC POL 001, PLC POL 002 and PLC POL 003 (Appendix E) are expedited and brought to the Programme Board by 31 December 2019
16. That the Section 95 Officer makes consequential amendments to the proposed budget summarised at recommendation 2.1.6, paragraphs 6.12 and 6.20 and Appendices C and J to reflect amendments and sustain a balanced budget position.

The Council further agreed to note:

- the Councils approved Corporate Plan, vision and values (Appendix A1) and the draft Transformation Programme (Appendix A2).
- the progress on the £0.765m organisational redesign programme (paragraph 3.11)
- the feedback from recent budget consultation and engagement activity detailed in section 4.
- the previously approved savings (2017/18 and 2018/19) which deliver benefit in 2019/20 (Appendix D)
- the schedule of Management Efficiencies (Appendix F), noting that the saving in respect of Loans Fund Charges is subject to the approval of the TMSS which appears as a separate paper on this agenda
- the consequential HRA impact in respect of the agreement of saving PLC POL 018 in respect of the implementation of garden waste permits (Appendix E)
- the anticipated level of uncommitted reserves of £4.757m by 31 March 2019 prior to setting the 2019/20 budget (paragraph 6.9)
- that £1.871m of Capital Receipts have been applied in setting the 2019/20 budget
- the balance of £4.757m in uncommitted General Services Revenue reserves after setting this budget which equates to 3.59% of net expenditure in line with the minimum level set by the Council's approved Reserve Strategy (paragraph 6.10)
- the cumulative indicative gap of £23.287m to 2023 following setting this budget, and a funding gap of £10.082m in 2020/21 (Table 5)
- that the budget proposed for 2019/20 aims to deliver the Scottish Government's settlement package measures (paragraph 6.18)
- that it is proposed that an earmarked reserve of £0.030m is established for 2019/20 to provide support to communities undertaking management of community facilities
- the establishment of a Funding Officer post (paragraph 6.8)
- the demand pressures for the HSCP totalling £2.627m (Appendix K).
- that the agreed Capital Programme will remain under review and any changes required as a result of City Deal or other priorities will be reported to Council (paragraph 8.3)
- that the Council's regular Budget Strategy Update reports will update Council on progress with implementing agreed proposals, including those relating to Organisational Redesign.
- that Appendix G (the charging Strategy and Register of Charges) includes a commitment to implement a dynamic pricing strategy during 2019/20 under the heading "Working with Communities
- That the notice of the meeting of of the June 2019 Council will indicate that the Charging Strategy and Register of Charges 19/20 may be altered.
- That the recommendation 2.1.2 and Appendix C do not include the introduction of a transient visitor levy and a workplace parking levy as sources of funding.
- That savings PLC POL 001, PLC POL 002 and PLC POL 003 in Appendix E are not expected to generate savings until financial year 2020/21
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Action

Chief Executive

CC.208 TREASURY MANAGEMENT STRATEGY STATEMENT

The report, submitted by the Chief Finance Officer (Section 95 Officer) presented the Council's Treasury Management Strategy Statement for 2019/20 and Prudential Indicators for 2019/20 to 2023/24.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed to:

1. Approve the Treasury Management Strategy Statement for 2019/20 and prudential indicators for the years 2019/20 to 2023/24 in compliance with the Prudential Code requirements attached as Appendix A.
2. Note that there will be a fundamental review of the agreed General Fund Capital programme and any impact on borrowing will be reported to Council. (Appendix A, paragraph 1.2)
3. Note the ongoing review of the Loans Fund and consequential approval that would be required to any changes in Accounting Policies as a result (Appendix A, section 1.3)

Action

Chief Finance Officer

Ends: 4.25 pm