



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 24 OCTOBER 2019 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 George Matchett QPM
Councillor Jane McTaggart
Councillor Les Sharp

IN ATTENDANCE

Nikki Bridle, Chief Executive
Pete Leonard, Strategic Director (Place)
Fiona McOmish, Strategic Director (People)
Stuart Crickmar, Strategic Director (Partnership & Performance)
Annmargaret Black, Chief Officer, Health & Social Care Partnership
Lindsay Sim, Senior Service Manager (Partnership & Performance)
Murray Sharp, Senior Service Manager, (Place)
Fiona Grinly, Strategy and Performance Adviser
Alan Murray, Team Leader, Traffic and Transportation
Lorraine Sanda, Improving Outcomes Manager
Wilson Lees, Homelessness and Supporting People Manager
Inspector Mark Murphy, Police Scotland
Lindsay Thomson, Senior Service Manager (Partnership & Performance) (Clerk to the Council)
Gillian White, Committee Services (Partnership and Performance)

CC.250 APOLOGIES

Apologies were received from Councillor Derek Stewart, Councillor Chris Dixon, Councillor Kathleen Martin and Councillor Bill Mason.

CC.251 DECLARATIONS OF INTEREST

Councillors Dave Clark and Les Sharp declared a non-financial interest in Item 7 Budget Strategy Update. Councillors Clark and Sharp are both members of the Integrated Joint Board (Health and Social Care). As the interest is a specific exclusion both Councillors decided that they could remain within the Chamber and participate and vote on the item.

**CC.252 MINUTES OF MEETING OF CLACKMANNANSHIRE COUNCIL
22 AUGUST 2019**

The minutes of the meeting of the Clackmannanshire Council held on 22 August 2019 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Council held on 22 August 2019 were agreed as a correct record and signed by the Provost.

**CC.253 COMMITTEE MEETINGS CONVENED SINCE THE PREVIOUS COUNCIL
MEETING ON 22 AUGUST 2019**

The Council agreed to note the Committee meetings that had taken place since the last ordinary meeting on 22 August 2019.

- (i) Partnership and Performance Committee on 29 August 2019
- (ii) Licensing Board on 3 September and 1 October 2019
- (iii) Place Committee on 12 September 2019
- (iv) People Committee on 3 October 2019
- (v) Regulatory Committee on 19 September 2019
- (vi) Audit Committee on 26 September 2019
- (vii) Appointments Committees on 20 September, 2 October, 3 October and 4 October 2019

CC.254 COMMITTEE RECOMMENDATIONS REFERRED TO COUNCIL

The report, submitted by the Chief Executive, sought approval of recommendations which have been made by the Audit Committee on 20 June 2019, and the Partnership and Performance Committee of 29 August 2019.

Motion

That Council agrees the recommendations set out in the report.

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

Decision

The Council agreed:

1. from the Audit Committee of 20 June, 2019 in relation to the report entitled "*Financial Regulations*"
 - a. To adopt the revised Financial Regulations as set out in Appendix 1 of the report.
2. from the Partnership and Performance Committee of 29 August, 2019 in relation to the report entitled "*HR Policies*"
 - a. To approve HR Policies for Disclosure Scotland Referral and Career Breaks.

Action

Chief Executive

CC.255 ORGANISATIONAL REDESIGN: UPDATE

The report, submitted by the Chief Executive, updated Council on progress with implementing the organisational design it agreed as part of the 2018/19 Budget approved on 8 March 2018. The report provided an update on key organisational design activity which is being developed and progressed. It is based on the 18 month Phase 2 organisational redesign plan approved by Council in August 2019.

Motion

That Council agrees the recommendations as set out in the report. Also, that Council nominates Councillor Donald Balsillie as the elected member representative on iESE

Moved by Councillor Ellen Forson. Seconded by Councillor Donald Balsillie. Councillor Les Sharp seconded the second part of the motion relating to the nomination of Councillor Balsillie as the elected member representative on iESE.

Decision

The Council agreed:

1. To note the progress in the development of the medium term Transformation Plan (paragraphs 4.1 - 4.4 of the report);
2. To note the adoption of the iESE Innovation Mandate work, resourced by the Improvement Service (paragraphs 4.5 and 4.6 of the report);
3. To approve £25k (plus VAT and expenses) investment from the Transformation Fund to secure support from iESE to augment the draft Transformation Programme and to identify efficiency releasing proposals in the short term (paragraphs 4.8 – 4.10 of the report);
4. To approve Council membership of iESE and nominated Councillor Donald Balsillie as the elected member representative on iESE;
5. To note progress with regards to the highlighted redesign activity (paragraphs 5.2 – 5.7 of the report); and
6. To note that a full update on progress will be presented to the next Council meeting (paragraphs 3.5 and 5.1 of the report)

Action

Chief Executive

CC.256 BUDGET STRATEGY UPDATE

The report, submitted by the Chief Finance Officer, maintained the Council's regular update on the approved Budget Strategy and provided an update on the Budget process for 2020/21.

Councillors Clark and Sharp had previously declared a non-financial interest in this item as they are both members of the Integrated Joint Board (Health and Social Care). As the interest was a specific exclusion both Councillors decided to remain within the Chamber and participate and vote on the item.

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:

1. Note updated annual and cumulative budget gap after reduction in assumptions on demand pressures;
2. Note impact of a change in core grant funding;
3. Note that spending restraint has been imposed for the remainder of 2019/20;
4. Approve additional funding towards resources to carry out 2 reviews within Health and Social Care Partnership and authorise the S95 officer to agree the basis of cost allocation; and
5. Note the contents of the report.

Action

Chief Finance Officer

CC.257 PROPOSAL TO INTEGRATE LOCAL POLICE SERVICES AT KILNCRAIGS

The report, submitted by the Strategic Director, Partnership and Performance, sought agreement to integrate local police services, currently based in Alloa Police Station at Tullibody Road, Alloa, within the Council's headquarters complex at Kilncraigs Mill, Alloa.

Motion

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

Moved by Councillor Helen Lewis. Seconded by Councillor Les Sharp.

Decision

Having challenged and commented on the report and the related business case (provided as a background paper to all Councillors), the Council agreed:

1. To the integration of local police services within the Kilncraigs Mill complex, subject to similar agreement at a later date by the Scottish Police Authority; and
2. To allocate £68,000 capital funding to the project to enable implementation.

Action

Strategic Director, Partnership and Performance

CC.258 CITY REGION DEAL DOCUMENTS SIGNING

The report, submitted by the Monitoring Officer, advised Council that it is anticipated that the final City Region Deal sign-off documents will be ready for signature in the near future. Council were asked to agree the signing arrangements for these documents.

Motion

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

Moved by Councillor Les Sharp. Seconded by Councillor Craig Holden.

Amendment

“That Council is asked to agree to add the following recommendation:

- 2.1.4 Notes that signing the City Region Deal documentation commits the Council to delivering the deal. This commitment may include the potential for the Council to undertake short term borrowing to take account of timing differences between spend on the projects within the deal and receipt of grant funding. Any borrowing requirement for any particular year would be included in the annual budget process and treasury management strategy for each year.”

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

Decision

The Council agreed the motion, as amended:

1. To note that the City Region Deal sign off documents will be ready for signature in the near future;
2. To note that the City Region Deal Joint Committee will review and approve the City Region Deal sign off documents before they are submitted to the Scottish and UK Government for final approval;
3. To agree to delegate authority to the Leader of the Council and the Depute Leader (if required) to sign the documents on behalf of Clackmannanshire Council on the conclusion of the approval process; and
4. To note that signing the City Region Deal documentation commits the Council to delivering the deal. This commitment may include the potential for the Council to undertake short term borrowing to take account of timing differences between spend on the projects within the deal and receipt of grant funding. Any borrowing requirement for any particular year would be included in the annual budget process and treasury management strategy for each year

Action

Monitoring Officer

CC.258 PARKING STRATEGY

The Council agreed at its meeting on 8 March 2018 as part of its General Services Revenue and Capital Budget 2018/29 to:

- a. Pursue criminalised parking enforcement powers with necessary consultation subject to evidence of financial sustainability.
- b. Develop a business case for town centre traffic management with estimated income across a range of potential options.

The report, submitted but the Strategic Director (Place), provided an update on the feasibility of creating a Special Parking Area (SPA) across the Council's administrative area, this being an area in which on-street parking offences are decriminalised. The Feasibility Study Report was appended to the report and was presented to the Elected Members' Workshop on 1 May 2019.

The report identified the opportunity to fund an SPA by implementing a management strategy for public car parks and town centre streets and also identified the opportunity to relocate long stay car parking away from the core town centre area.

The report also presented an opportunity to readdress an existing legacy legal agreement for Greenside Street car park that currently limits the Council's ability to implement a town centre parking strategy.

Motion

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

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

Amendment

That in recommendation 2.1(b) the words "that includes the option to fund the enforcement of the SPA through parking charges" are removed.

Recommendation 2.1(b) should therefore state:

"2.1 (b) agrees to prepare a parking management strategy."

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

Voting on the Amendment

In terms of Standing Order 14.7, Councillor Dave 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 13 members present who were eligible to vote. On the roll being called, the members present voted as follows:

For the Amendment (3 votes)

Councillor Dave Clark
Councillor Kenneth Earle
Councillor George Matchett QPM

Against the Amendment (10 votes)

Councillor Tina Murphy
Councillor Ellen Forson
Councillor Donald Balsillie
Councillor Les Sharp
Councillor Craig Holden
Councillor Helen Lewis
Councillor Graham Lindsay
Councillor Jane McTaggart
Councillor Martha Benny
Councillor Darren Lee

The motion was defeated by 10 votes to 3.

Voting on the Motion

For the motion	12 votes
Against the motion	0 votes
Abstain from voting	1 vote

Decision

On a division of 12 votes to 0 with 1 abstention, the Council agreed:

- a. To make application to the Scottish Government to create a SPA on completion of the necessary preparatory work;
- b. To prepare a parking management strategy that includes the option to fund enforcement of the SPA through parking charges;
- c. To carry out a feasibility study on the relocation of long stay car parking in Alloa; and
- d. To vary the title conditions for Greenside Car Park, Alloa and enter into a lease agreement all as set out in section 3.3 of the report.

Action

Strategic Director, Place

CC.259 SINGLE USE PLASTICS

The report, submitted by the Strategic Director (Place), brought Council up to speed on the measures that have been put in place to transition away from single use plastic (SUPs) and what further measures will be required to achieve elimination of SUPs.

Motion

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

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

Decision

The Council agreed to note:

1. The current and proposed actions aimed at reducing and eliminating (where appropriate) single use plastics; and
2. That a policy to reduce and eliminate (where appropriate) single use plastics will be included in the forthcoming updated Sustainability and Climate Change Strategy which will be brought to Council for approval early in 2020.

In line with Standing Order 10.24, the Provost adjourned the meeting at this point in the proceedings (12.25pm). When the meeting reconvened at 1:00pm, 13 members remained present.

CC.260 VULNERABLE PERSONS RESETTLEMENT SCHEME

The report, submitted by the Strategic Director (Place) and the Strategic Director (People), sought consideration of Clackmannanshire Council's continued participation in the resettlement of vulnerable persons (refugees). The UK Government had recently announced the extension of the scheme which has seen the Council work with partner organisations to resettle 24 families in the local community.

Motion

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

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

Councillor Darren Lee withdrew from the Chamber during debate (1.10 pm).

Decision

The Council agreed:

1. To continue to participate in the resettlement of refugees;
2. To note the success of Clackmannanshire Council's involvement in the current scheme to re-settle Syrian refugees under the Vulnerable Persons Resettlement Scheme;
3. To confirm to the Home Office its continued support for involvement in the extended scheme; and
4. To note that Council will suggest to the Home Office that Clackmannanshire Council could rehome four families a year until 2025.

Action

Strategic Director (Place) and Strategic Director (People)

CC.261 SCOTTISH HOUSING REGULATOR ANNUAL ASSURANCE STATEMENT

The report, submitted by the Strategic Director (Place), provided an update for Council on the recent changes to the regulatory framework for social housing in Scotland and sought Council approval for submission of Clackmannanshire Council's Annual Assurance Statement to the Scottish Housing Regulator (SHR) by the deadline of 31st October 2019.

Motion

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

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

Decision

The Council agreed to approve the 2019/20 submission of the Annual Assurance Statement to the Scottish Housing Regulator, noting the relevant changes to the regulatory framework for social housing in Scotland.

Action

Strategic Director (Place)

CC.262 GLENTANA MILL SITE, ALVA

The report, submitted by the Strategic Director (Place), provided an update for Council on the current position in respect of the Glentana Mill Site in Alva. It reaffirmed the intentions for the site as set out in the report to Council of 23 August 2019 and the report to Place committee of 21 March 2019 and accordingly sought funding approval for its demolition. It also provided an overview for the Council's Housing Revenue Account (HRA) to develop the site for affordable housing, this would include specialist housing and house types suitable for older people, in line with priorities set out in the Local Housing Strategy 2018-2023 and Strategic Housing Investment Plan 2019-2024.

Motion

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

Moved by Councillor Donald Balsillie. Seconded by Councillor Dave Clark.

Decision

The Council agreed to:

1. Approve the transfer of the site to the Council's Housing Revenue Account (HRA) based on the independent surveyor's valuation. This will secure the aspirations of the Council's Strategic Housing Investment Plan (SHIP) and achieve an early capital receipt;
2. Utilise the current HRA revenue surplus to purchase the site from the Council's General Fund (GF) less the costs of demolition and site clearance;
3. Utilise the current HRA revenue surplus to demolish and clear the site; and
4. Note that the HRA Business Plan will be updated to reflect this fiscal transfer.

Action

Strategic Director (Place)

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 item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 12.

CC.263 BOWMAR COMMUNITY ENERGY SAVINGS PROGRAMME

The report, submitted by the Senior Manager, Legal and Governance, updated Council on the progress of the remedial works on owner occupied homes in the Bowmar area and the review of the contractual arrangements for the Bowmar Community Energy Savings Programme.

Motion

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

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

Decision

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

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 item of business on the grounds that it involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraph 1.

CC.264 POST PROJECT IMPLEMENTATION REVIEW

The report, submitted by the Strategic Director (Place) related to the full project evaluation of the Tron Court Improvement Project which was agreed at Council on 21 February 2019.

Before the report was introduced Councillor Holden moved a procedural motion to continue this item of business to the next meeting of Clackmannanshire Council as new information had been made available. .

The Clerk advised that the Provost can allow procedural motions at such appropriate point as she shall determine and that she should provide her reasons for allowing the motion.

The Provost, having sought the agreement of all members present, confirmed that she was satisfied that as new information had come before elected members, then consideration of the report would be continued until the next meeting of Clackmannanshire Council.

Action

Strategic Director (Place)

Ends: 2.45 pm