



**MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the Council Chamber, Kilncraigs, Alloa, on Thursday 18 May 2023 at 9.30 am.**

**PRESENT**

Councillor Phil Fairlie, Convener (Chair)  
Councillor Donald Balsillie  
Councillor Martha Benny  
Councillor Denis Coyne  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Wendy Hamilton  
Councillor Scott Harrison  
Councillor Craig Holden  
Councillor Fiona Law  
Councillor Darren Lee  
Councillor Graham Lindsay  
Councillor Mark McLuckie  
Councillor Jane McTaggart  
Councillor Janine Rennie  
Councillor Bryan Quinn  
Mr George Marcinkiewicz, Religious Representative (Item 10)

**IN ATTENDANCE**

Nikki Bridle, Chief Executive  
Pete Leonard, Strategic Director (Place)  
Stuart Crickmar, Strategic Director (Partnership & Performance)  
Lorraine Sanda, Strategic Director (People)  
Chief Superintendent Barry Blair, Police Scotland (Item 4)  
Emma Fyvie, Senior Manager – Development (Place)  
Iain McDonald, Senior Manager – Environment (Place)  
Murray Sharp, Senior Manager – Housing (Place)  
Alison Morrison, Senior Manager – Property (Place)  
Stuart Cullen, Team Leader - Transportation (Place)  
Glenn Stuart, Team Leader – Waste Services (Place)  
Gavin Wright, Team Leader – Planned Work and Compliance (Place)  
Robert Seale, Climate Change and Energy Officer (Place)  
Catriona Scott, Senior Manager – Secondary Education (People)  
Lindsay Sim, Chief Finance Officer (Partnership & Performance)  
Chris Alliston, Senior Manager, HR and Workforce Development (Partnership & Performance)  
Cherie Jarvie, Senior Manager, Partnership & Transformation (Partnership & Performance)  
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)  
Elizabeth Hutcheon, Management Accountancy Team Leader (Partnership & Performance)  
Karen Payton, Team Leader, Communications and Community (Partnership & Performance)  
Rose Hetman, Strategy and Performance Adviser (Partnership & Performance)  
Heather Buchanan, Solicitor, Legal and Governance (Partnership & Performance)  
Shaun McPhee, Solicitor, Legal and Governance (Partnership & Performance)  
Gillian White, Committee Services (Partnership & Performance)  
Melanie Moore, Committee Services (Partnership & Performance)

**CC(23)41 APOLOGIES**

Apologies were received from Councillor William Keogh, Councillor Kathleen Martin and; Rev Sang Y Cha and Rev. David Jess, Religious Representatives.

**CC(23)42        DECLARATIONS OF INTEREST**

None.

**CC(23)43        MINUTES OF CLACKMANNANSHIRE COUNCIL – 23 MARCH 2023**

The minutes of the meeting of the Clackmannanshire Council held on 23 March 2023 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Council held on 23 March 2023 were agreed as a correct record and signed by the Convener.

**CC(23)44        LOCAL POLICE PLAN 2023 - 2026**

A local policing plan for Clackmannanshire is a statutory requirement of the Police and Fire Reform (Scotland) Act 2012. The report, submitted by the Strategic Director (Partnership and Performance) and Chief Superintendent Barry Blair, Police Scotland, presented Clackmannanshire's Local Policing Plan for 2023-26 for Council consideration.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Jane McTaggart.

*Councillor Darren Lee was not present during the decision.*

**Decision**

The Council agreed to approve the Clackmannanshire Local Policing Plan for 2023-26.

**Action**

Chief Superintendent Barry Blair, Police Scotland

*Councillor Lee returned to the meeting, prior to the next item of business.*

**CC(23)45        ELECTION OF ROLES AND ELECTED MEMBER REPRESENTATION ON  
OUTSIDE BODIES FOLLOWING CHANGES TO LABOUR GROUP  
LEADERSHIP**

The report, submitted by the Chief Executive, asked Council to note the replacement appointments to the various roles and outside body positions following changes made to the Labour Group leadership.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Mark McLuckie.

**Decision**

The Council :

1. Noted that from 4 April 2023, following the decision of Councillor Kenneth Earle and Councillor Kathleen Martin to step down from Labour Group Leadership positions, Councillor Janine Rennie has been appointed as Leader of the Labour Group and Councillor Mark McLuckie has been appointed as Depute Leader of the Labour Group.

2. Noted that Councillor Janine Rennie, in her role as Leader of the Opposition, replaces Councillor Kenneth Earle as Chair of the Audit and Scrutiny Committee with effect from 4 April 2023.
3. Noted that Councillor Janine Rennie, in her role as Chair of the Audit and Scrutiny Committee is awarded a special responsibility allowance with effect from 4 April 2023.
4. Noted that Councillor Janine Rennie was an existing member of the Audit and Scrutiny Committee and Councillor Kenneth Earle has indicated that he will remain an ordinary member of the Committee, therefore no further appointments are required.
5. Appointed Councillor Janine Rennie, in her role as Leader of the Labour Group, to replace Councillor Kenneth Earle as a member of the Stirling and Clackmannanshire City Region Deal Joint Committee, with Councillor Earle replacing Councillor Rennie as a substitute member.
6. Noted that Councillor Janine Rennie, in her role as Leader of the Labour Group, replaces Councillor Kenneth Earle as a member of the Clackmannanshire Alliance.
7. Noted that Councillor Janine Rennie, in her role as Leader of the Labour Group, replaces Councillor Kenneth Earle as a member of the CoSLA Convention.

**Action**

Chief Executive

**CC(23)46 BE THE FUTURE UPDATE**

The report, submitted by the Chief Executive, provided the latest update in respect of the Council's Be the Future Transformation Framework. The report provided updates in respect of: capacity, resilience and resourcing model evolution; achievements to date; Council's Strategic Planning Framework; and Target Operating Model (TOM) Implementation Phase 1.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

*Councillor Mark McLuckie was not present during the decision on this item of business.*

**Decision**

The Council:

1. Noted the background to the Be the Future Programme (BtF) as set out in section 3 and Appendix 1;
2. Noted the development and evolution of the resourcing model and approaches developed to maximise the resource available to support the delivery of the Council's agreed TOM and Transformation projects (sections 4 and 6 and Appendix 2);
3. Noted the significant key achievements to date delivered under the Council's Be the Future Transformation Programme (section 5 and Appendix 3);
4. Agreed to streamline the Council's Strategic Planning Framework as described in section 7 and paragraph 7.6 and Appendix 4, subject to the due diligence activity described; and
5. Agreed to endorse the proposed approach to develop Phase 1 Implementation Plans for the Council's agreed TOM (section 8).

**Action**

Chief Executive

*Councillor McLuckie returned to the meeting, prior to the next item of business.*

**CC(23)47 THE LENS INVESTMENT 2 PROGRAMME IN CLACKMANNANSHIRE**

The report, submitted by the Strategic Director (People), provided the Council with an update on the conclusion of the second Lens Investment programme in Clackmannanshire.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

**Decision**

The Council:

1. Noted the process undertaken and the investment decisions reached,
2. Noted that the LENS will be providing an evaluation of this second programme to the Family Wellbeing Partnership (FWP) Board.

**CC(23)48 BUDGET STRATEGY UPDATE**

The report, submitted by the Chief Finance Officer, maintained Council's regular update on the approved Budget Strategy. This report set out the Budget approach for 2024/25 including a draft timeline of key milestones and briefings.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

**Decision**

The Council noted:

1. The indicative funding gap of £11.6m in 2024/25 rising to £22.0m by 2026/27 (Table 1);
2. The assumptions on which the indicative funding gap for the year 2024/25 to 2026/27 is based (paragraphs 3.3 to 3.6);
3. The budget approach for 2024/25 including the formation of a Budget Working Group and timeline of Budget Challenge sessions (paragraph 4.3);
4. The draft timeline of key milestones in preparing the budget and briefings (paragraph 4.10 and Appendix A);
5. The re-established officer Capital Operations Group and associated remit (section 5.0); and
6. The approach for the HRA Revenue and Capital Budget (section 6.0)

## CC(23)49 WELLBEING HUB UPDATE

The report, submitted by the Senior Manager, Sport and Leisure (People), provided Council with an update on the progress of the Wellbeing Hub development.

### Motion

To agree the recommendations set out in the report.

Moved by Councillor Scott Harrison. Seconded by Councillor Graham Lindsay.

### Decision

The Council noted:

1. A Joint Project Team has been formed for the Wellbeing Hub and Lochies School projects as per the Governance Structure presented in the February 2023 Council paper (paragraph 2.2.4) and outlined in appendix 2;
2. The output from the workshops delivered to the Joint Project Team on the Scottish Futures Trust (SFT) Briefing and Evaluation Framework (BEF). (See paragraphs 3.1-3.6);
3. Members of the Joint Project Team have undertaken a range of visits to comparable leisure facilities, schools for children and young people with additional support needs, community venues that have integrated school and leisure facilities and to a newly constructed primary school in Perth which has been built to full Passivhaus Certification standards. All of the learning from these visits is supporting the development of the Project Brief alongside the outputs from the BEF (see paragraphs 3.1-3.6);
4. Continued engagement and awareness raising of the project through presentations and in person sessions across a range of stakeholders including; the Clackmannanshire Alliance, Clackmannanshire Third Sector Interface (CTSi), CTSI Volunteer Managers Forum, CTSi Community Breakfast, Community Justice Forum and Clackmannanshire Sports Council;
5. Clackmannanshire Council has entered into a new Partnership Agreement with **sportscotland** on a four year investment cycle totalling £909,066.28. The Partnership Agreement is a commitment between Clackmannanshire Council and **sportscotland** to identify, plan and deliver shared priorities for sport and physical activity over the period 1 April 2023 – 31 March 2027.
  - 5.1 The strategic value of a partnership between **sportscotland**, Clackmannanshire Council exists as an agreement to deliver local and national priorities and outcomes for sport and physical activity.
  - 5.2 The partnership will support Clackmannanshire's local outcomes and priorities including the Sport & Active Living (SALF) refresh, Wellbeing Hub and Lochies School development, enhancement of the sport, physical activity and active living network, Family Wellbeing Partnership - Child Wellbeing Project and allow the Sport and Leisure Team to deliver the following:
    - Planning for sport
    - Active Schools Programme
    - Community Sport Hubs Programme
    - Inclusion Projects
    - Enhanced Places for Sport
6. The progress of the introduction of a curricular swimming programme for Primary 5 children across Clackmannanshire (**See paragraphs 3.7-3.11**)

## **CC(23)50      DIGITAL LEARNING STRATEGY**

The report, submitted by the Senior Manager (Secondary Education), provided information on the impact and evaluation of the Clackmannanshire Education Service Digital Learning Strategy and Implementation Plan 2019-2022; and sought approval from Council for the revised Digital Learning Strategy and Action Plan 2023-2025.

### **Motion**

To agree the recommendations set out in the report.

Moved by Councillor Graham Lindsay. Seconded by Councillor Wendy Hamilton.

### **Decision**

Having commented on the content of report, the Council:

1. Noted the impact and evaluation report on the Clackmannanshire Education Service Digital Learning Strategy and Implementation Plan 2019-2022; and
2. Approved the revised Digital Learning Strategy and Action Plan 2023-2025 which aligns with the Council's Digital Strategy 2019- 2025, approved by Council on 18 April 2019

### **Action**

Senior Manager (Secondary Education)

*Mr George Marcinkiewicz, Religious Representative and Councillor Darren Lee, withdrew from the meeting at the conclusion of the previous item of business.*

*In line with Standing Order 10.23, the Convener adjourned the meeting at 12 noon for a fifteen minute comfort break. When the meeting resumed, 15 members remained present.*

## **CC(23)51      HOUSEHOLD WASTE AND RECYCLING COLLECTION POLICY**

The report, submitted by the Strategic Director (Place), outlined proposed changes to the Council's household waste and recycling collection service with direct reference to the options appraisal undertaken. To reduce carbon emissions, changes have been designed to prompt behavioural change amongst residents, driving improvements in recycling performance and resulting in a reduction of non-recyclable waste arising.

### **Motion**

To agree the recommendations set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Jane McTaggart.

### **Amendment 1**

"The Council recognises that to enable the behavioural changes which are necessary to meet our net zero targets and ambitions that a clear and effective communications strategy is vital.

A further recommendation will be added to the Household Waste and Recycling Collection Policy Report as follows:

*2.1.6 that a comprehensive communication and engagement strategy for this Policy will be developed and brought to the next meeting of Council in June."*

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

### **Voting on Amendment 1**

For 12 votes  
Against 3 votes

Amendment 1 was carried by 12 votes to 3.

### **Amendment 2**

“The introduction of a new grey bin to separate recyclable materials to enhance the recycling rate as well as financial return to the Council is welcomed. With an extensive programme of education and awareness to drive behaviour change alongside the grey bin introduction, I believe that Option 2 would be the preferred option for the Council to take forward.

However, the cost implications of Option 2 is not available for this Council and as such I would prefer that Council defer this Report until June's Council meeting to allow these costs, impact and for a comprehensive communication and engagement strategy for this Policy to be developed.”

Moved by Councillor Mark McLuckie. Seconded by Councillor Janine Rennie.

### **Voting on Amendment 2**

For 3 votes  
Against 12 votes

Amendment 2 was defeated by 12 votes to 3.

### **Decision**

In terms of Standing Order 14.7, Councillor Rennie 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 elected members present voted as follows:

#### **For the motion as amended by Amendment 1 (12 votes)**

Councillor Phil Fairlie  
Councillor Graham Lindsay  
Councillor Donald Balsillie  
Councillor Martha Benny  
Councillor Fiona Law  
Councillor Wendy Hamilton  
Councillor Jane McTaggart  
Councillor Ellen Forson  
Councillor Craig Holden  
Councillor Bryan Quinn  
Councillor Scott Harrison  
Councillor Denis Coyne

#### **Against the motion as amended by Amendment 1 (3 votes)**

Councillor Mark McLuckie  
Councillor Janine Rennie  
Councillor Kenneth Earle

On a division of 12 votes to 3 with 0 abstentions, the Council agreed:

1. To adopt the following proposed changes to its household waste and recycling collection service - Option 3 of the options appraisal exercise:
2. To introduce a new grey wheeled bin to households for the separate collection of paper, card and cardboard for recycling and for this bin to be emptied 4 weekly.

3. To retain the existing blue wheeled bin for the separate collection of metal cans, plastic bottles, pots, tubs and trays and cartons for recycling and for this bin to be emptied 4 weekly.
4. To empty the existing green wheeled bin for non recyclable waste 4 weekly.
5. That Garden and food waste collections to remain unaltered.
6. That a comprehensive communication and engagement strategy for this Policy will be developed and brought to the next meeting of Council in June

**Action**

Strategic Director (Place)

*Councillor Janine Rennie and Councillor Mark McLuckie withdrew from the meeting at the conclusion of the previous item of business.*

*In line with Standing Order 10.25, the Convener adjourned the meeting at 2.10 pm for a half hour meal break. When the meeting resumed at 2.40 pm, 13 members remained present.*

**CC(23)52 ELECTRIC VEHICLE CHARGING – INTRODUCTION OF TARIFFS**

The report, submitted by the Strategic Director (Place), sought Council approval to introduce an electric vehicle (EV) charge point tariff, minimum spend and overstay charge across our charging network. This approach will ensure the day to day running costs of the network is covered by users and will address increased costs to the Council due to providing energy for free at a time when energy costs are increasing. The Council will be unable to access future government funding for EV infrastructure, unless a tariff is in place by Spring 2023.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Jane McTaggart.

**Voting**

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

**For the motion (11 votes)**

Councillor Phil Fairlie  
Councillor Graham Lindsay  
Councillor Donald Balsillie  
Councillor Fiona Law  
Councillor Wendy Hamilton  
Councillor Jane McTaggart  
Councillor Kenneth Earle  
Councillor Ellen Forson  
Councillor Bryan Quinn  
Councillor Scott Harrison  
Councillor Denis Coyne

**Against the motion (2 votes)**

Councillor Martha Benny  
Councillor Craig Holden



## Decision

On a division of 11 votes to 2 with 0 abstentions, the Council agreed to:

1. Approve the introduction of a tariff, set as follows:
  - Fast / AC (7kW or 22kW): £0.48 per kWh
  - Rapid / DC: £0.69 per kWh
2. Approve a minimum spend of £5;
3. Approve an overstay charge for Fast and Rapid as follows:
  - Fast / AC – (22kW only) £12 after first 4 hours plus 10 minutes grace and £12 subsequently after every 4-hour duration
  - Rapid / DC - £20 after first 60 minutes plus 10 minutes grace and £20 every subsequent hour
4. Approve a discount of 10% for Clackmannanshire residents without access to off-street parking/home charging.
5. Delegate authority to the Strategic Director (Place) to modify charging tariffs to address fluctuating energy prices and ensure the Council remains at a cost neutral position.

## Action

Strategic Director (Place)

## CC(23)53 DIVESTMENT FROM FOSSIL FUELS AND DELIVERING ON NET ZERO

Following a meeting of the Council's Climate Emergency Board on 25 October 2022, the report, submitted by the Strategic Director (Place), presented options, endorsed by the Board, to drive forward Council divestment from fossil fuels to Council for consideration.

## Motion

To agree the recommendations set out in the report.

Moved by Councillor Fiona Law. Seconded by Councillor Brian Quinn.

## Voting

|                     |          |
|---------------------|----------|
| For the motion      | 10 votes |
| Against the motion  | 2 votes  |
| Abstain from voting | 1        |

## Decision

On a division of 10 votes to 2 with 1 abstention, the Council agreed to:

1. Request a meeting with the Committee of LGPS Falkirk at the earliest opportunity, to discuss a review of the current policy on engaging with and investing in fossil fuel companies due to a lack of evidence of its effectiveness, the growing financial and ecological risks from continued fossil fuel investment, and the pressing need for the pension fund to divest from fossil fuels;

2. Request that LGPS Falkirk divest from fossil fuels through the development and adoption of responsible investment policies which include:
  - (i) with immediate effect or at the very least a specified timeline, not to undertake any new investment in the top 200 publicly-traded fossil fuel companies;
  - (ii) divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds as soon as practicable or within a specific time frame i.e. five years from the date of this Report;
  - (iii) agree to set out an approach to quantify and address climate change risks affecting all other investments within the pension fund; and
  - (iv) ask LGPS Falkirk to demonstrate to the Council that the pension fund is seeking to invest in companies and initiatives that will reduce greenhouse gas emissions and minimise climate risk.
3. Review the Council's own approach to investment in fossil fuel companies through our treasury management policies.

**Action**

Strategic Director (Place)

**CC(23)54 SENIOR MANAGER (TRANSFORMATION AND CAPITAL)**

The report, submitted by the Chief Executive, invites Council to agree to reverse the decision taken in June 2019 regarding the establishment of Appointments Committees for the recruitment to the role of Senior Manager.

**Motion**

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Graham Lindsay.

**Decision**

The Council agreed:

1. That the Scheme of Delegation is amended as follows:

“The authority to appoint our chief officers (the Chief Executive, directors) and Statutory Officers (S95, CSWO, CEdO, Monitoring Officer) is delegated to an Appointments Committee which we set up as and when we need it”
2. To note the considerations outlined in the paper.
3. To note that as recommendation 2.1.1 was agreed, the paper attached at Appendix 1 is not required..

**Action**

Chief Executive

## **EXEMPT ITEM**

As set out in Standing Order 8.12, the Clerk advised that the decision on whether or not items of business are exempt is taken by resolution at each Council meeting and depended on what is being presented. She confirmed that she had been in touch with the parties, whose information was contained within the report, and there are no objections to the information being disclosed.

The Council Leader suggested that the item of business should be held in public to ensure transparency. The Council resolved in terms of Section 50A of the Local Government (Scotland) Act, 1973, that the press and public should **not** be excluded from the meeting during consideration of the following item of business.

## **CC(23)55 WESTHAUGH (TRAVELLING PERSONS SITE) REDEVELOPMENT CAPITAL PROJECT – CAPITAL BUDGET COMMITMENT**

The report, submitted by the Strategic Director (Place), provided an update to Council on the Capital Budget requirement for the Westhaugh Travelling Persons Site redevelopment. There has been a 25% increase in costs from the £4.195m previously approved by a Special Meeting of Council on the 16th of February 2023. The value of the increase is £1.305m, bringing the total project cost to £5.5m. Therefore, further governance was required to confirm if this project is to go ahead in its current scope and if so, to allocate the additional capital funding from the HRA account.

### **Motion**

To agree the recommendations set out in the report.

Moved by Councillor Jane McTaggart. Seconded by Councillor Fiona Law.

### **Decision**

Having commented on and challenged report, the Council agreed to:

1. Approve a further £1.305m to be allocated to the project by increasing the approved total HRA Capital allowance (2023/24) from £15.261m to £16.566m;
2. Approve that this will be delivered in line with the HRA approved borrowing for 2023/24 (3.24); and
3. Note the report.

### **Action**

Strategic Director (Place)

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The Convener gave notice that as it is likely that meetings of Clackmannanshire Council will take a similar length of time in future; that the meeting will be structured in such a way that adequate breaks are provided during the day.

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Ends: 4.30 pm

