



MINUTES OF MEETING of the CLACKMANNANSHIRE COUNCIL held in the Council Chamber, Kilncraigs, Alloa, on Thursday 5 October 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 William Keogh
Councillor Fiona Law
Councillor Darren Lee
Councillor Graham Lindsay
Councillor Kathleen Martin
Councillor Mark McLuckie
Councillor Jane McTaggart
Councillor Janine Rennie
Councillor Bryan Quinn
Mr George Marcinkiewicz, Roman Catholic Church Representative (Item 11)

IN ATTENDANCE

Nikki Bridle, Chief Executive
Pete Leonard, Strategic Director (Place)
Lorraine Sanda, Strategic Director (People)
Stuart Crickmar, Strategic Director (Partnership & Performance)
Lee Robertson, Senior Manager, Legal and Governance (Partnership & Performance) (Clerk to the Council)
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)
Elizabeth Hutcheon, Management Accountancy Team Leader (Partnership & Performance)
Karen Payton, Team Leader, Communications and Community (Partnership & Performance)
Emma Fyvie, Senior Manager – Development (Place)
Murray Sharp, Senior Manager – Housing (Place)
Colin Bruce, Chief Education Officer (People)
Robbie Stewart, Senior Manager, Sport and Leisure (People)
Michael Boyle, Improving Outcomes Business Manager (People)
Johan Roddie, Senior Manager, Permanence (People)
Gillian Scott, Senior Manager, Early Intervention (People)
Adrienne Aitken, Improving Outcomes Team Leader (People)
Kirsteen Carmichael, Education Support Officer (People)
Lesley Robertson, Business Support, Wellbeing Hub (People)
Gillian White, Committee Services (Partnership & Performance)
Melanie Moore, Committee Services (Partnership & Performance)

CC(23)92 APOLOGIES

None.

CC(23)93 DECLARATIONS OF INTEREST

Councillor Kathleen Martin declared an interest in Item 11 Provision of Free School Meals for Looked After Children. Councillor Martin advised that she would not participate in that item of business and would withdraw from the meeting during that item.

CC(23)94 MINUTES OF CLACKMANNANSHIRE COUNCIL – 14 SEPTEMBER 2023

The minutes of the meeting of the Clackmannanshire Council held on 14 September 2023 were submitted for approval.

Decision

The minutes of the meeting of Clackmannanshire Council held on 14 September 2023 were agreed as a correct record and signed by the Convener.

CC(23)95 BE THE FUTURE UPDATE REPORT

The report, submitted by the Chief Executive, provided the latest update in respect of the Council's Be the Future Target Operating Model (BtF TOM) and associated Transformation Programme. The report provided updates in respect of streamlining the Council's Strategic Planning Framework.

Motion

To agree the recommendations as set out in the report.

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

Decision

The Council agreed:

1. To note the work to develop the Council's approach to streamlining its Strategic Planning Framework (Paragraphs 3.1 to 3.7);
2. To note the refreshed Performance Management Framework (Appendix 2); and
3. To approve the Be the Future Annual Statement of Priorities 2023/24 (Appendix 1)

Action

Chief Executive.

CC(23)96 ANNUAL TREASURY MANAGEMENT REPORT 2022/23

The Council is required by regulations issued under the Local Government in Scotland Act 2003 to produce an annual review of treasury management activities. The report, submitted by the Chief Finance Officer, detailed the treasury management activities for the Council for the year ended 31 March 2023 and how this compared to the 2022/23 Treasury Management Strategy Statement set in March 2022.

Motion

To agree the recommendations set out in the report.

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

Decision

Having considered the Annual Report for 2022/23 on the Council's Treasury Management activities, the Council agreed to note the report.

CC(23)97 CORPORATE RISK MANAGEMENT STRATEGY

The report, submitted by the Strategic Director, Partnership and Performance, presented the Council's Corporate Risk Management Strategy for 2023.

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, challenged and commented on the contents of the Corporate Risk Management Strategy 2023; and
2. Approved the Corporate Risk Management Strategy 2023.

Action

Strategic Director, Partnership and Performance

CC(23)98 HR POLICIES – SPECIAL LEAVE PROVISIONS

The report, submitted by the Senior Manager, HR and Workforce Development, sought Council approval to amend the Council's special leave procedures.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Ellen Forson. Seconded by Councillor Wendy Hamilton.

Decision

The Council agreed, with immediate effect, to amend section 16 of the Special Leave Procedure (Appendix 1) to provide paid leave entitlement for staff wishing to serve on the Children's Panel, be a Justice of the Peace or undertake mentoring of a young person with a recognised Youth Mentoring Scheme.

Action

Senior Manager, HR and Workforce Development

CC(23)99 WELLBEING HUB AND LOCHIES SCHOOL PROJECT UPDATE

The report, submitted by the Senior Manager, Sport and Leisure, provided Council with an update on the progress of the Wellbeing Hub & Lochies School project.

Motion

To agree the recommendations set out in the report.

Moved by Councillor Scott Harrison. Seconded by Councillor Fiona Law.

Decision

The Council noted:

1. The conclusion of the supply chain selection process with selection of the Design Team, Tier 1 Contractor and Professional Team;
2. JM Architects have been selected to lead the design team following a thorough and highly competitive selection process;
3. Robertson Construction have been selected as the Main Contractor for the project following a thorough and robust selection process;
4. BakerHicks have been selected as the Mechanical & Electrical Engineers for the project; and
5. Blyth+Blyth have been selected as the Civil & Structural Engineers for the project.

As confirmed at the start of the meeting, Councillor Martin declared an interest in the following item of business. Councillor Martin withdrew from the Chamber for the duration of the item.

CC(23)100 PROVISION OF FREE SCHOOL MEALS FOR LOOKED AFTER CHILDREN

The report, submitted by the Strategic Director, People, sought Council approval to extend entitlement to free school meals to children who are looked after at home and by kinship carers.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council agreed to provide free school meals to children who attend school in Clackmannanshire and are looked after at home or looked after by kinship carers.

Action

Strategic Director, People

Councillor Martin re-joined the meeting at the conclusion of the previous item of business.

CC(23)101 CHILDREN'S SERVICE PLAN ANNUAL REPORT 2022-2023

Publication of an annual report setting out progress against the Children's Services Plan is a requirement under the Children and Young People (Scotland) Act 2014. The report, submitted by the Chair of the Children and Young People's Strategic Partnership (currently Chief Social Worker) and presented by the Strategic Director, People, sought approval of the Children's Services Plan Annual Report 2022/23.

Motion

To agree the recommendation set out in the report.

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

Decision

Having commented on the report, the Council:

1. Approved the content of the Children's Services Plan Annual Report 2022/23 and its submission to the Scottish Government; and
2. Noted that the report will also be submitted to the Alliance Board meeting on 6 October 2023; and that the report will also be submitted to the NHS Forth Valley Board for approval.

Action

Chair of the Children and Young People's Strategic Partnership

In line with Standing Order 10.23, the Convener adjourned the meeting at 11.24 am for a ten minute comfort break. When the meeting resumed at 11.41am, 18 members remained present. Mr George Marcinkiewicz, Religious Representative (Roman Catholic Church) was also in attendance for the undernoted item of business.

CC(23)102 EARLY LEARNING AND CHILDCARE (ELC) REVIEW

The report, submitted by the Senior Manager, ELC, Primary and Libraries, provided details of and sought approval for identified change areas within the Early Learning and Childcare service delivery model. The change areas provide the opportunity to implement a more efficient service delivery whilst retaining high quality Early Learning and Childcare (ELC) for families.

Motion

To agree the recommendations set out in the report.

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

Voting

There were 18 members and 1 religious representative present and eligible to vote:

For the motion	16 votes
Against the motion	2 votes
Abstentions	1 vote

Decision

On a division of 16 votes to 2 with 1 abstention, the Council noted and approved the efficiencies of the proposed changes to early learning and childcare organisation and delivery which incorporates a new centralised admissions process.

Action

Senior Manager, ELC, Primary and Libraries

Mr George Marcinkiewicz, Religious Representative, withdrew from the meeting at the conclusion of the previous item of business.

CC(23)103 WHISTLE BLOWING POLICY

The report, submitted by the Senior Manager, Legal and Governance (Monitoring Officer), invited Council to consider and approve a revised Whistleblowing Policy.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council:

1. Noted, challenged and commented on the contents of the Whistle Blowing Policy ; and
2. Approved the Whistle Blowing Policy as per Appendix 1 of the report..

Action

Senior Manager, Legal and Governance (Monitoring Officer)

CC(23)104 PETITIONS

The report, submitted by the Chief Executive, asked Council to consider proposed changes to the governance arrangements for petitions received from members of the public and businesses within Clackmannanshire and to consider consequential changes to the Standing Orders and the Scheme of Delegation in relation to the treatment of petitions.

The Senior Manager, Legal and Governance suggested that in terms of paragraph 2.3.4, that the Committee, if established, would appoint their Chair and Vice Chair.

Motion

To agree the recommendations set out in the report.

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

Councillor Holden asked for the meeting to be adjourned, to allow elected members to consider a potential amendment to the recommendations set out in the report. The Convener agreed to adjourn the meeting at 12:52 pm. The meeting resumed at 1.00 pm with 18 members present.

Amendment

That Council agrees to defer this item to allow for an escalation of the issues raised including the provision of executive powers to the Petitions Committee and membership of the Committee..

Moved by Councillor Craig Holden. Seconded by Councillor Denis Coyne.

Voting on the amendment

For the amendment	10 votes
Against the amendment	8 votes
Abstain from voting	0 votes

The amendment was carried by 10 votes to 8 with 0 abstentions.

Decision

The Council agreed to defer this item to allow for an escalation of the issues raised including the provision of executive powers to the Petitions Committee and membership of the Committee.

Action

Chief Executive

In line with Standing Order 10.25, the Convener adjourned the meeting at 1.05 pm for 30 minute meal break. Councillor Darren Lee withdrew from the meeting during the break. When the meeting resumed at 1.40 pm, 17 members remained present.

CC(23)105 CUSTOMER CHARTER AND CUSTOMER CONTACT POLICY

The report, submitted by the Strategic Director, Partnership and Performance, presented a refreshed Customer Contact Policy and Customer Charter for consideration by Council.

Motion

To agree the recommendations set out in the report.

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

Amendment 1

Item: Dealings with Councillors

Bullet Point 3 on Page 218 of the Report (page 3 of the Charter)

‘Respond to your phone calls, emails, letters and requests made in person promptly and efficiently’.

The Council agrees to amend the bullet point detailed above within the Customer Charter, to add the words ‘where appropriate’ to the end of the sentence.

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

Amendment 2

Item: Dealings with Councillors

Paragraph 1 on Page 218 of the Report (page 3 of the Charter)

‘Your first point of contact should be with Council services.’

That Council agrees to amend the sentence by inserting the word “normally” after the word “should”.

Moved by Councillor Craig Holden. Seconded by Councillor Denis Coyne.

Decision on Amendment 2

Amendment 2 was unanimously agreed.

Decision on Amendment 1

Amendment 1 was unanimously agreed.

Decision on Motion as amended

Having noted, commented on and challenged the report, the Council approved both the Customer Charter (Appendix 1) and Customer Contact Policy (Appendix 2) subject to Amendments 1 and 2.

Action

Strategic Director, Partnership and Performance.

CC(23)106 LOCAL DEVELOPMENT PLAN AND ALLOA TOWN CENTRE MASTER PLAN UPDATE REPORT

The report, submitted by the Strategic Director, Place, provided Council with an update on the commencement of a new Clackmannanshire Local Development Plan, and the preparation of a masterplan for Alloa Town Centre and to seek approval for the Council's latest Development Plan Scheme.

Motion

To agree the recommendations set out in the report.

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

Decision

The Council:

1. Noted the new format and processes for the Development Plan, particularly the new statutory status of the National Planning Policies in NPF4;
2. Noted the significant changes to the Development Plan system and associated additional areas to be addressed;
3. Approved the Development Plan Scheme consulted on in July/August 2023 for publication;
4. Noted the reasons for developing a town centre masterplan for Alloa; and
5. Agreed that a masterplan will be developed, led by the Council and be prepared in accordance with Scottish Futures Trust's "Place Guide: A process for Improved Place-based decision making"

Action

Strategic Director, Place

CC(23)107 SCOTTISH HOUSING REGULATOR ANNUAL ASSURANCE STATEMENT

The report, submitted by the Strategic Director, Place, referenced the 2019 changes to the regulatory framework for social housing in Scotland and asked Council to approve the submission of Clackmannanshire Council's Annual Assurance Statement to the Scottish Housing Regulator (SHR) due to be submitted on 31st October 2023.

Motion

To agree the recommendations set out in the report.

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

Councillor Mark McLuckie withdrew from the meeting following debate on this item of business. 16 members remained present.

Decision

The Council:

1. Approved the 2022/23 submission of the Annual Assurance Statement to the Scottish Housing Regulator;
2. Approved that the development of the Clackmannanshire Anti Social Behaviour Strategy (ASB) and subsequent Housing landlord specific policy is incorporated into the Place Business Plan detailing responsible leads and resource requirements;
3. Approved that the Council's Risk Register is updated to note that the ASB Strategy requirement remains extant and note the mitigating actions to be completed with relevant stakeholders within the following year;
4. Approved the approach proposed by the Housing service to ensure our stock is fully compliant with current fire regulation and note that Electrical Installation Condition Reports (EICR) monthly updates will be provided to SHR;
5. Noted the areas of service delivery highlighted as being materially non-compliant with regulatory requirements; and
6. Noted the improvement actions outlined to redress areas of non-compliance,

Action

Strategic Director, Place

CC(23)108 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – SUSPENSION OF STREAMLINED EVICTIONS

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Craig Holden.

Motion

“Council agrees to suspend all future streamlined evictions for a period of 12 weeks to allow for the production and consideration of a Streamlined Eviction Policy Report.”

Moved by Councillor Craig Holden. Seconded by Councillor Bryan Quinn.

Voting on the Motion

For the Motion	4 votes
Against the Motion	12 votes
Abstain from Voting	0 votes

On a division of 12 votes to 4 with 0 abstentions, the motion was defeated.

CC(23)109 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – HOUSING APPOINTMENTS, POLICIES AND PROCEDURES

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Craig Holden.

Motion

“Council agrees that Officers will present a report to the next meeting of the Council providing timescales for the appointment of a Policy Officer and Service Planning & Participation Officer with details of the policies and procedures (where required) to be reviewed by the Housing Service and presented to Council over the course of the next two years.”

Moved by Councillor Craig Holden. Seconded by Councillor Kenneth Earle.

Amendment to the Motion

On line 2, to insert the words “advertisement for the” before the word “appointment”.

Moved by Councillor Denis Coyne. Seconded by Councillor Martha Benny.

Councillor Holden and Councillor Earle confirmed they would accept the amendment to the original motion.

Decision

The motion, as amended, was unanimously agreed by Council.

Action

Strategic Director, Place

CC(23)110 NOTICE OF MOTION IN TERMS OF STANDING ORDER 16 – HOUSING SERVICE APPROACH TO EVICTIONS

A notice of motion in terms of Standing Order 16.0 was submitted by Councillor Craig Holden.

Motion

“Council agrees that Officers will present a report to the next meeting of the Council outlining the Housing Service approach to evictions following confirmation of a 350% increase in Council evictions between the period 2021/22 and 2022/23.”

Moved by Councillor Craig Holden. Seconded by Councillor Bryan Quinn.

Councillor Donald Balsillie withdrew from the meeting during debate on this item of business. 15 members remained present.

Decision

The motion was unanimously agreed by Council.

Action

Strategic Director, Place

Ends: 3.45 pm