

SOUTH LANARKSHIRE COUNCIL

Minutes of meeting held in the Council Chamber, Council Offices, Almada Street, Hamilton on 26 June 2019

Chair:

Provost Ian McAllan

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Walter Brogan, Councillor Robert Brown, Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Janine Calikes, Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Gerry Convery, Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Isobel Dorman, Councillor Fiona Dryburgh, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Alistair Fulton, Councillor Geri Gray, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Ian Harrow, Councillor Eric Holford, Councillor Graeme Horne, Councillor Mark Horsham, Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Joe Lowe, Councillor Hugh Macdonald, Councillor Julia Marrs, Councillor Monique McAdams, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Colin McGavigan, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Lynne Nailon, Councillor Richard Nelson, Councillor Carol Nugent, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Collette Stevenson (Depute), Councillor Bert Thomson, Councillor Margaret B Walker, Councillor Jared Wark, Councillor David Watson, Councillor Josh Wilson

Councillors' Apologies:

Councillor Graeme Campbell, Councillor Margaret Cooper, Councillor Poppy Corbett, Councillor Martin Grant Hose, Councillor Mo Razzaq, Councillor Jim Wardhaugh

Attending:

Chief Executive's Service

L Freeland, Chief Executive

Community and Enterprise Resources

M McGlynn, Executive Director

Education Resources

T McDaid, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; G Bow, Administration Manager; G McCann, Head of Administration and Legal Services; S Somerville, Administration Manager

Housing and Technical Resources

D Lowe, Executive Director

Social Work Resources/Health and Social Care

I Beattie, Head of Health and Social Care (Hamilton and Clydesdale)

Provost's Opening Remarks

The Provost referred to the death of Councillor Sheena Wardhaugh, elected member for Council Ward 8 (East Kilbride Central North) and extended sincere condolences to Councillor Jim Wardhaugh and family. As a mark of respect, all present stood and observed a minute's silence.

The Provost also extended best wishes to Councillor Marrs following her recent operation.

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Convery	Standards Commission's Hearing Outcome	Subject of the hearing

2 Minutes of Previous Meeting

The minutes of the meeting of the South Lanarkshire Council held on 13 March 2019 were submitted for approval as a correct record.

The Council decided: that the minutes be approved as a correct record.

3 Minutes of Risk and Audit Scrutiny Committee

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 6 February 2019 were submitted for noting.

The Council decided: that the minutes be noted.

4 Recommendations Referred by Executive Committee – Treasury Management Strategy – Repayment of Debt

A report dated 26 June 2019 by the Executive Director (Finance and Corporate Resources) was tabled on a recommendation referred to the Council by the Executive Committee of 26 June 2019. The recommendation was that the change to the Treasury Management Strategy, to reflect the new method of debt repayment to be applied, be approved.

The Executive Director (Finance and Corporate Resources) responded to a question from Councillor Allison on the report and advised that a report on the planned maintenance approach for schools over the life of the assets would be reported to committee as appropriate.

The Council decided: that the recommendation of the Executive Committee of 26 June 2019 in relation to the amendment to the Treasury Management Strategy, to reflect the change to debt repayment, be approved.

[Reference: Minutes of the Executive Committee of 26 June 2019 (Paragraph 6)]

5 Support for Veterans

A report dated 11 June 2019 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ◆ advising on the current range of supports provided to veterans and their families in South Lanarkshire
- ◆ outlining how this support might be developed through the work of the Council, in conjunction with partners on the Lanarkshire Firm Base, including assessing the arrangements that other local authorities had in place

- ◆ providing an update on creating a Guaranteed Interview Scheme for ex-armed forces personnel who applied for vacancies with the Council following a motion approved by the Council on 19 December 2018

As part of Armed Forces Day 2018, the Council had reaffirmed its commitment to the Armed Forces Community Covenant which provided a statement of mutual support between a civilian community and its local Armed Forces Community. Following this, the Council, together with North Lanarkshire Council and other appropriate voluntary sector and military partners, had relaunched Lanarkshire Firm Base to take forward the terms of the Covenant within Lanarkshire. The Council had subsequently hosted a one day seminar on 19 September 2018 for organisations and individuals who were either veterans or were part of organisations who provided support and advice to veterans and their families. One of the outcomes from the event was to identify the key areas which were of most relevance and importance to veterans living in Lanarkshire. Consequently, Firm Base had agreed a work plan based on the following priorities:-

- ◆ mental health
- ◆ access to benefits and education
- ◆ access to housing
- ◆ social inclusion

The priorities within the work plan would be taken forward on a themed basis at future meetings of Firm Base.

The Council already had a range of services in place to support veterans and those were detailed in the report.

Premises had been identified in Craigneuk, North Lanarkshire as a potential veterans' hub where veterans could go to network, have access to IT facilities and receive signposting information on services. Further options within the Lanarkshire area would continue to be explored by Firm Base.

Further work would be undertaken with other local authorities to assess any worthwhile initiatives and projects that could be taken forward via Firm Base. Any implications for the Council would be reported through the appropriate committee.

At its meeting held on 19 December 2018, the Council had agreed that a Guaranteed Interview Scheme be introduced for veterans who met the minimum criteria for a post. It was, therefore, proposed that the scheme would operate for all external recruitment and would apply to applicants whose previous long-term employer was the Armed Forces. Details of how the scheme would operate and how it would be communicated were provided in the report.

Councillor Horsham, as Veterans' Spokesperson, welcomed the initiatives within the report and thanked Councillor McGeever for his motion which had led to the introduction of the Guaranteed Interview Scheme. He also thanked officers and, in particular, Gordon Bow, Administration Manager for support given.

Councillors Thomson, Brown and McGeever spoke, in turn, in praise of the work undertaken to support veterans.

Officers responded to members' questions in relation to the hub.

The Council decided:

- (1) that the key areas included in the work plan of Lanarkshire Firm Base be noted;
- (2) that the current range of supports provided by the Council for veterans and their families be noted;

- (3) that the intention to assess initiatives/projects which had been implemented by other local authorities and potentially develop those through Lanarkshire Firm Base be noted; and
- (4) that the Guaranteed Interview Scheme for veterans, as detailed in paragraph 6 of the report, be approved and implemented.

[Reference: Minutes of 19 December 2018 (Paragraph 6)]

6 Best Value Assurance Report

A report dated 11 June 2019 by the Executive Director (Finance and Corporate Resources) was submitted on:-

- ◆ the Best Value Assurance Report (BVAR) published by the Accounts Commission following its audit of the Council
- ◆ a proposed action plan relating to the recommendations contained in the BVAR

The Council was audited by Audit Scotland in October and November 2018, with the final report being published by the Accounts Commission on 28 March 2019.

The BVAR contained the following key messages in relation to the Council:-

- ◆ it performed well and had demonstrated a steady pace of improvement since its last Best Value audit in 2009. It had a comprehensive and structured approach to continuous improvement and had evidenced that service redesign and capital investment were improving outcomes for citizens and resulting in efficiencies that would help ensure financial sustainability
- ◆ it benefited from effective leadership and clear strategic direction, with officers and councillors working well together in the interests of the residents of South Lanarkshire
- ◆ it demonstrated improved performance in many services but there were other areas where improvement was still required. Service satisfaction survey results from service users differed from those from national household surveys and the reasons for this required to be understood and addressed
- ◆ it acknowledged that it needed to review the number and quality of its targets and how it measured progress towards achieving those. This would allow it to provide elected members with a clearer picture of performance against its strategic objectives
- ◆ it worked well with a range of public sector, business and academic partners to improve outcomes for citizens. While partners had a shared vision, the links between the Council's Connect Plan and Community Plan could be clearer and the Community Planning Partnership Board needed to take a more active role in driving forward partnership working
- ◆ it needed to improve how it used community engagement to shape services
- ◆ while understanding its responsibilities under the Community Empowerment Act, the Council and its partners had been slow to progress elements of the Act, including the preparation of locality plans
- ◆ it demonstrated sound financial management, with a strong track record of delivering ambitious capital projects on time and on budget. It had a good process in place for long-term financial planning and was well placed to address future challenges

An action plan, attached as Appendix 1 to the report, had been developed to respond to the 10 recommendations within the BVAR and as detailed at paragraph 4.3 to the report.

Councillor Ross intimated that he welcomed the report and congratulated officers for the positive outcome. He acknowledged that there were areas for improvement, as identified in the action plan, however, steps were already being taken to address those.

Councillor Allison welcomed the fact that targets were being reviewed nationally to allow more realistic comparisons to be made. He also referred to the commitment required from councillors and the need for a fundamental review of councillors' workload.

In response to a member's question on advice on how to improve governance arrangements, D Richardson, External Auditor advised that he was unable to comment as it was a matter for the Council.

The Council decided:

- (1) that the contents of the Best Value Assurance Report be noted; and
- (2) that the action plan, attached as Appendix 1 to the report, be approved.

Councillor Le Blond left the meeting during this item of business

7 Cross-Party Working Group on Tackling Poverty

A report dated 11 June 2019 by the Executive Director (Finance and Corporate Resources) was submitted on the establishment of a cross-party working group on Tackling Poverty.

At its special meeting held on 27 February 2019, the Council had approved proposals for a cross-party working group to be formed on Tackling Poverty.

In order to progress arrangements, a proposed Terms of Reference for the working group was attached as Appendix 1 to the report.

The Council decided:

- (1) that the Terms of Reference for the cross-party working group on Tackling Poverty, attached as Appendix 1 to the report, be approved; and
- (2) that the Chief Executive, in consultation with the political and Independent Group Leaders, be authorised to finalise the membership of the Working Group.

[Reference: Minutes of special meeting of 27 February 2019 (Paragraph 2)]

Councillor Le Blond re-entered the meeting during this item of business

8 Membership of Committees/Forums, Joint Committees and Outside Bodies etc

A report dated 11 June 2019 by the Executive Director (Finance and Corporate Resources) was submitted confirming membership of the cross-party working group to review South Lanarkshire Leisure and Culture and on proposed changes to the membership of Committee/Forums, Joint Committees and Outside Bodies.

The Council decided:

- (1) that Councillors McLachlan and Watson be replaced by Councillors Scott and Greenshields respectively on the list of 15 members who were not on the Finance and Corporate Resources Committee who could be drawn on to serve on Appeals and Grievance and Dispute Panels;

- (2) that Councillor Callaghan be appointed as the Council's substitute member on the West of Scotland Road Safety Forum;
- (3) that the finalised membership of the Cross Party Working Group to review South Lanarkshire Leisure and Culture (SLLC), as detailed at paragraph 3.3 of the report, be noted;
- (4) that, following Councillor Convery's appointment as Depute Leader of the Labour Group his membership on the Conference Allocation Committee, as detailed at paragraph 3.4 of the report, be noted;
- (5) that Councillor Callaghan be appointed as a full member of the Community and Enterprise Resources Committee and that the Chief Executive be authorised, in consultation with the SNP Group Business Manager, to fill the resultant substitute position and to report the outcome at a later date;
- (6) that Councillor Fulton be replaced by Councillor Dorman as a member of the Executive Committee;
- (7) that Councillor Dorman be replaced by Councillor Donnelly as a member of the Financial Resources Scrutiny Forum; and
- (8) that the proposed changes received from the Labour Group Business Manager, as detailed at paragraph 3.7 of the report, be approved.

9 Notice of Motion – Proposed Wheelchairs (Short-term access) (Scotland) Bill

In terms of Standing Order No 19, a motion proposed by Councillor McAdams, seconded by Councillor Convery, was submitted as follows:-

“That South Lanarkshire Council:-

- 1 support the Proposed Wheelchairs (Short-term access) (Scotland) Bill to ensure the provision of wheelchairs to anyone assessed as needing one on a short-term, as well as on a long-term, basis;
- 2 look at ensuring there is a joined up service between South Lanarkshire Council Social Work department, Glasgow and Edinburgh Sick Kids to ensure smooth discharge; and
- 3 improve signposting for services and aids available to families to ensure safety of the carer and vulnerable child in their home at any hospital a South Lanarkshire constituent is referred to.

At present there is no duty on the NHS, or any other public body, to provide short-term wheelchairs for anyone with a mobility problem that is expected to last for less than 6 months.”

In moving her motion, Councillor McAdams referred to the difficulties experienced by one of her constituents and considered that there was a requirement for better signposting of assistance available. Councillor Convery seconded the motion.

Councillor Holford intimated that although he generally agreed with the terms of the motion, he considered that the Bill required careful scrutiny due to the potential difficulties and financial implications for the NHS.

The Council decided: that the terms of the motion, as detailed above, in relation to the Proposed Wheelchairs (Short-term access) (Scotland) Bill, be supported.

10 Notice of Motion – South Lanarkshire Leisure and Culture Limited (SLLC) Compliance with Building Control Specifications

In terms of Standing Order No 19, a motion proposed by Councillor McAdams, seconded by Councillor Convery, was submitted as follows:-

“That South Lanarkshire Council take steps to ensure that South Lanarkshire Leisure and Culture Limited comply with the building control specifications set out in the relevant guidance and equality legislation for all our community halls and leisure facilities under their care. In particular, we wish to ensure that the toilet facilities are wheelchair accessible.”

In moving her motion, Councillor McAdams referred to difficulties experienced by a wheelchair user at a community hall. Councillor Convery seconded the motion.

The Council decided: that the terms of the motion, as detailed above, in relation to the accessibility of toilet facilities for wheelchair users, be supported.

11 Notice of Motion – Unfair Practices Being Employed by Integrated Service Solutions at Hospitals Across the UK

In terms of Standing Order No 19, a motion proposed by Councillor McAdams, seconded by Councillor Convery, was submitted as follows:-

“That South Lanarkshire Council write to whomever holds the contract to express concern of the impact on constituents in relation to:-

- 1 the unfair practices being employed by ISS (Integrated Service Solutions) at hospitals across the UK including Hairmyres University Hospital in East Kilbride;
- 2 that ISS plan to move from working 5 days in arrears to working 11 days in arrears meaning that members won't receive that additional week's pay until they leave the service; and
- 3 the new payroll system will mean:-
 - ◆ that workers will work three weeks but only get paid for two;
 - ◆ that workers will have to wait until they leave their employment before they can get the outstanding money owed to them

It is the view of South Lanarkshire Council that these policies represent a contemptuous attitude towards the staff who carry out the work for which ISS is paid. These policies represent standards of business that the Council finds unacceptable for an organisation receiving public money.”

Councillor McAdams moved the motion and it was seconded by Councillor Convery. Councillor Donnelly, seconded by Councillor Gray, moved as an amendment that the final paragraph of the motion be deleted and replaced with the following:-

“We do note, however, that employees are able to receive interest free loans until such times as they are remunerated.

South Lanarkshire Council would like to note the concerns of John White, Director of Human Resources at NHS Lanarkshire: **“we (NHS Lanarkshire) had no input into these pay changes”**, which further exposes the disastrous PFI projects from a previous Labour government.”

Councillor Burns intimated his support for the motion and questioned the competence of the last sentence of the amendment as there was no mention of the NHS in the original motion.

Following a full and frank discussion, on a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, Walter Brogan, Robert Brown, Jackie Burns, Andy Carmichael, Gerry Convery, Margaret Cowie, Maureen Devlin, Fiona Dryburgh, Joe Fagan, Allan Falconer, George Greenshields, Lynsey Hamilton, Ian Harrow, Eric Holford, Ann Le Blond, Martin Lennon, Richard Lockhart, Eileen Logan, Joe Lowe, Monique McAdams, Catherine McClymont, Kenny McCreary, Colin McGavigan, Mark McGeever, Davie McLachlan, Lynne Nailon, Richard Nelson, Graham Scott, Bert Thomson, Margaret B Walker, Jared Wark, David Watson

Amendment

John Anderson, John Bradley, Archie Buchanan, Janine Calikes, Stephanie Callaghan, Maureen Chalmers, Peter Craig, Mary Donnelly, Isobel Dorman, Alistair Fulton, Geri Gray, Graeme Horne, Mark Horsham, Katy Loudon, Ian McAllan, Hugh Macdonald, Jim McGuigan, Julia Marrs, Gladys Miller, Carol Nugent, John Ross, David Shearer, Collette Stevenson, Josh Wilson

24 members voted for the amendment and 33 for the motion which was declared carried.

The Council decided: to support the terms of the motion, as detailed above, and write to the appropriate contractor to express concerns in respect of the impact on constituents as a consequence of the proposed changes to the NHS payroll system.

12 Local Government By-Election – Electoral Ward 8 (East Kilbride Central North)

A report dated 11 June 2019 by the Chief Executive was submitted on arrangements for the by-election for Electoral Ward 8 (East Kilbride Central North) to be held on Thursday 29 August 2019.

Polling hours would be from 7.00am to 10.00pm and, at close of poll, the votes would be counted electronically at Blacklaw Primary School, East Kilbride. The last date and time for lodging nomination papers for the by-election would be Friday 26 July 2019 by 4.00pm.

The Council decided: that the report be noted.

13 Standards Commission’s Hearing Outcome

A report dated 11 June 2019 by the Chief Executive was submitted advising of the decision of the Standards Commission of Scotland following the Hearing into a complaint against Councillor Convery held on 4 April 2019.

The Hearing Panel found that Councillor Convery had breached paragraphs 3.1 and 3.2 of the Councillors' Code of Conduct and, as a consequence, took the decision to censure Councillor Convery under section 19 (1) of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

The full decision was available on the Standards Commission for Scotland's website.

The Council decided:

- (1) that the decision of the Hearing Panel of the Standards Commission for Scotland that Councillor Convery had breached paragraphs 3.1 and 3.2 of the Councillors' Code of Conduct be noted; and
- (2) that the decision of the Hearing Panel to censure Councillor Convery be noted.

Councillor Convery, having declared an interest in the above item, withdrew from the meeting during its consideration

14 Urgent Business

There were no items of urgent business.