

## EXECUTIVE COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 26 February 2020

### Chair:

Councillor John Ross (ex officio)

### Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Robert Brown, Councillor Jackie Burns, Councillor Stephanie Callaghan, Councillor Maureen Chalmers (Depute), Councillor Gerry Convery, Councillor Margaret Cooper, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Isobel Dorman, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Lynsey Hamilton, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Joe Lowe, Councillor Kenny McCreary, Councillor Colin McGavigan, Councillor Jim McGuigan, Councillor Gladys Miller, Councillor Lynne Nailon (*substitute for Councillor Ann Le Blond until item 9*), Councillor Richard Nelson, Councillor David Shearer, Councillor Margaret B Walker (*substitute for Councillor Monique McAdams*), Councillor Josh Wilson

### Councillors' Apologies:

Councillor Ann Le Blond, Councillor Monique McAdams

### Attending:

#### Chief Executive's Service

C Sneddon, 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; J Burke, Administration Assistant; G McCann, Head of Administration and Legal Services; K McVeigh, Head of Personnel Services

#### Housing and Technical Resources

D Lowe, Executive Director

#### Social Work Resources/Health and Social Care

V de Souza, Director

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## 1 Declaration of Interests

The following interest was declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Chalmers	Representation on Committees, Partnerships and Outside Bodies	Chief Officer, Hamilton Citizens' Advice Bureau

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 29 January 2020 were submitted for approval as a correct record.

There was discussion regarding the Committee's decision at Item 10, as minuted, in relation to the reference to "concerning reports from at least 2013" in part (1) of the Committee's decision.

**The Committee decided:** that the minutes be approved as a correct record subject to confirmation in relation to the accuracy of the wording “concerning reports from at least 2013”.

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### **3 Capital Budget Monitoring for Period 10 – 1 April 2019 to 3 January 2020**

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A report dated 3 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on the physical and financial progress at 3 January 2020 on the various capital programmes.

The General Fund Capital Programme totalled £76.804 million and the Housing Capital Programme £61.835 million.

At 3 January 2020, £41.139 million had been spent on the General Fund Capital Programme and £32.622 million on the Housing Capital Programme.

For financial year 2019/2020, the anticipated outturn for the General Fund Capital Programme was £67.900 million and the Housing Capital Programme £58.471 million. The reasons for those projections were detailed in the report.

**The Committee decided:** that the position of the various capital programmes for 2019/2020, as detailed in the report, be noted.

*[Reference: Minutes of 29 January 2020 (Paragraph 3)]*

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### **4 Revenue Budget Monitoring for Period 10 – 1 April 2019 to 3 January 2020 and Probable Outturn**

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A report dated 13 January 2020 by the Executive Director (Finance and Corporate Resources) was submitted comparing actual expenditure against budgeted expenditure for the period ending 3 January 2020.

The figures included an underspend, after transfers to reserves, of £2.650 million on the General Fund Revenue Account and a breakeven position on the Housing Revenue Account.

The main factors contributing to the underspend on the General Fund Revenue Account were detailed in the report.

Following a probable outturn exercise, it was forecast that there would be an underspend of £2.658 million at the year end, after transfers to Reserves.

A detailed analysis of each Resource’s position was provided in the report.

**The Committee decided:**

- (1)** that, following a probable outturn exercise, the forecast to 31 March 2020 for the General Fund Revenue Account, after transfers to Reserves, of an underspend of £2.658 million, as detailed in Appendix 1 to the report, be noted;

- (2) that the underspend of £2.650 million on the General Fund Revenue Account, after transfers to Reserves, at 3 January 2020, as detailed in Appendix 1 to the report, be noted; and
- (3) that the breakeven position on the Housing Revenue Account at 3 January 2020, as detailed in Appendix 3 to the report, and the forecast to 31 March 2020 of breakeven, be noted.

*[Reference: Minutes of 29 January 2020 (Paragraph 4)]*

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## **5 Additional Funding from the Scottish Government and Other External Sources**

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A report dated 23 January 2020 by the Executive Director (Finance and Corporate Resources) was submitted on additional revenue funding, totalling £0.051 million, for advice and assistance to empty home owners made available from the Scottish Empty Homes Partnership.

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 29 January 2020 (Paragraph 5)]*

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## **6 Scottish Government Consultation on the Replacement of European Structural Funds in Scotland Post European Union Exit**

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A report dated 4 February 2020 by the Executive Director (Community and Enterprise Resources) was submitted on:-

- ♦ the Council's response to the Scottish Government's consultation on the Replacement of European Structural Funds in Scotland post European Union (EU) Exit
- ♦ updated information on the Nomenclature of Units for Territorial Statistics (NUTS 2) covering the South of Scotland and its potential importance for future funding arrangements

On 5 November 2019, the Scottish Government commenced a consultation on the replacement of European Structural Funds in Scotland following the UK's exit from the EU. The consultation was seeking views on how replacement funding vehicles could best be developed to meet the needs of citizens, business and communities. The Council's response, which was detailed in an appendix to the report, had been forwarded to the Scottish Government by the due date with the qualification that it had still to be considered by this Committee and any additional comments following its consideration would be added.

Since 2015, the Council, along with 5 other local authorities, Scottish Borders, Dumfries and Galloway, East Ayrshire, South Ayrshire and North Ayrshire, had been working at officer level to review EU Cohesion Policy and to establish the grouping of the 6 local authorities within a new NUTS 2 level of statistical analysis. This work had been successful and was considered important as it provided statistical evidence on which to support and direct potential funding streams at a UK and Scottish level.

The consultation response focused on the overarching message that post EU funding should aim to address the social and economic inequalities as evidenced statistically, at a South of Scotland level, with flexibility for individual local authorities to define local priorities. This would require greater funding being targeted to the 6 local authority areas within the South of Scotland area.

**The Committee decided:**

- (1) that the Council's response to the Scottish Government's consultation on the Replacement of European Structural Funds in Scotland post European Union exit be approved;
- (2) that the Council support the position outlined in the response that the South of Scotland Region should have priority for funding within any replacement of European funding; and
- (3) that the Leader of the Council sign a joint letter with the Leaders of the other 5 South of Scotland authorities to the Minister for Trade Investment and Innovation supporting the response and endorsing the case for additional investment in Southern Scotland.

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## **7 South Lanarkshire's State of the Environment Report 2019**

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A report dated 16 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on the development and content of South Lanarkshire's State of the Environment Report.

The Report had been prepared using data from across the Council, partner agencies and government bodies. The findings of the State of the Environment Report, detailed in Appendix 1 to the report, showed that:-

- ◆ 24 indicators had a 'Good' rating, with 15 of those showing improvement
- ◆ 23 indicators had a 'Fair' rating, with 12 of those showing improvement
- ◆ 8 indicators had a 'Poor' rating, with 6 of those showing improvement

A copy of the full State of the Environment Report was available on the Council's website and could be made available to members on request.

**The Committee decided:** that the State of the Environment Report 2019 be approved and disseminated across the Council and to relevant Council partners and external agencies.

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## **8 Recommendations Referred by Housing and Technical Resources Committee**

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A report dated 14 February 2020 by the Chief Executive was submitted on recommendations referred to this Committee by the Housing and Technical Resources Committee of 5 February 2020.

The recommendations of the Housing and Technical Resources Committee were as follows:-

- ◆ that the revenue estimate proposals for the Housing Revenue Account Budget 2020/2021 be endorsed
- ◆ that the rent increase of 3.95% for Council houses, travelling persons' sites, lockups and garage sites be endorsed

- ◆ that the next stage of rent harmonisation be endorsed
- ◆ that, based on the proposed rent increase, the 2020/2021 Housing Capital Programme of £97.303 million, as detailed in Appendix 2 to the report, be endorsed
- ◆ that the revised South Lanarkshire Council Gypsy/Traveller Pitch Allocation Policy be approved and implemented from 1 May 2020

**The Committee decided:** that the revised South Lanarkshire Council Gypsy/Traveller Pitch Allocation Policy be approved and implemented from 1 May 2020.

**The Committee recommended to the Council:**

- (1) that the revenue estimate proposals for the Housing Revenue Account Budget 2020/2021 be approved;
- (2) that the rent increase of 3.95% for Council houses, travelling persons' sites, lockups and garage sites be approved;
- (3) that the next stage of rent harmonisation be approved; and
- (4) that, based on the proposed rent increase, the 2020/2021 Housing Capital Programme of £97.303 million be approved.

*[Reference: Minutes of Housing and Technical Resources Committee of 5 February 2020 (Paragraphs 8 and 9)]*

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## **9 Representation on Committees, Partnerships and Outside Bodies**

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A report dated 3 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on:-

- ◆ the proposed appointment of the Council's elected representative to the Board of Hamilton Citizens' Advice Bureau
- ◆ a proposed change to the memberships of the Sustainability Partnership, Tackling Poverty Working Group and Executive Committee

**The Committee decided:**

- (1) that the Council's representative to the Board of Hamilton Citizens' Advice Bureau be Councillor Wilson;
- (2) that Councillor Wilson be replaced by Councillor Craig as a full member and Chair of the Sustainability Partnership, with Councillor Wilson taking Councillor Craig's position as a substitute member;
- (3) that Councillor Corbett be replaced by Councillor Harrow as a member on the Tackling Poverty Working Group, with Councillor Corbett taking Councillor Harrow's position as a substitute member; and

- (4) that Councillor Le Blond be replaced by Councillor Nailon as a full member of the Executive Committee, with Councillor Le Blond taking up Councillor Nailon's position as a substitute member.

*[Reference: Minutes of South Lanarkshire Council of 18 May 2017 (Paragraph 7) and 19 December 2018 (Paragraph 5)]*

*Councillor Chalmers, having declared an interest in this item, withdrew from the meeting during its consideration*

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## **10 Living Wage Implications**

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A report dated 18 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on the current living wage arrangements and options available to achieve a living wage within the Council of £10.00 per hour, together with the implications of implementing those arrangements.

The Living Wage Foundation had announced an increase in the Living Wage, making the new rate £9.30 an hour from April 2020. The Council had achieved Living Wage accreditation and, from April 2020, would pay a minimum rate of pay of £9.60 per hour.

At the Council meeting held on 4 December 2019, officers had been requested to consider, as part of the budget process, measures that would enable the Council to pay all workers a rate of at least £10.00 per hour from April 2020, without having to impose cuts to either jobs or services.

Part of the pay settlement achieved in 2019, was the establishment of a Living Wage Consolidation Group with representatives from the COSLA Employers' Team and Trades Unions. The Group had agreed its Terms of Reference and timescales but had not agreed on the joint guidance to be issued to councils.

Details on the options available and potential costs for the Council in moving to a minimum rate of £10.00 an hour in 2020/2021 were provided in the report and appendices attached, together with the implications for service delivery partners. Any of the options would result in additional costs which would either have to be met through increasing the savings requirement for 2020/2021, or by utilising money from Reserves which would add to the savings requirement for 2021/2022.

There were significant risks for the Council in moving to a minimum wage of £10.00 per hour, given the lack of clarity around the joint guidance on pay consolidation, as it currently might not comply with best practice guidance. Reduced pay differentials and progression against guidance, which stated these should be maintained, might be grounds for litigation. As the form and content of any guidance was not yet known, the significance of the risk could not be fully quantified.

### **The Committee decided:**

- (1) that the current position in terms of the Council paying the Living Wage be noted;
- (2) that the implications for the Council of paying a minimum rate of pay of £10.00 per hour be noted; and
- (3) that the options for a £10.00 minimum wage be reviewed following receipt of guidance from the National Living Wage Consolidation Group.

*[Reference: Minutes of South Lanarkshire Council of 4 December 2019 (Paragraph 4)]*

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## 11 Local Governance Review Report

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A report dated 7 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on the Local Governance Review.

The first phase of the Review had included 2 specific strands, the first strand comprised of a programme of community engagement which invited people to join a conversation about community decision-making, called Democracy Matters. Strand 2 included a consultation with public sector bodies which the Council had responded to in December 2018.

The outcome of the first phase was that there was a clear desire for transformative change, based on a belief that democracy mattered and in the sovereignty of communities.

The next phase of the Review would involve the development and testing of proposals and public sector leaders had been invited to submit proposals to be considered as formal pilots or test of change sites. An update had been received from COSLA on 12 February 2020 advising that any proposals must cover prescribed headings and those were detailed in an appendix attached to the report. The notification also confirmed that submissions must be made by 27 March 2020.

Any proposals must take account of fiscal, functional and community empowerment and be developed in conjunction with public sector partners and local communities. Following submission, the Local Governance Review Joint Programme Board would consider proposals in April 2020 before making recommendations to the Joint Political Oversight Group for decision.

Council officers were currently working to identify whether there were any potential areas of work which could be taken forward under the prescribed headings of the Review.

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 19 December 2018 (Paragraph 13)]*

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## 12 Sustainable Development Update – Quarter 2 2019/2020

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A report dated 3 February 2020 by the Executive Director (Community and Enterprise Resources) was submitted on the status of the Sustainable Development and Climate Change Strategy (SDCCS) actions and measures at 30 September 2019, Quarter 2 of 2019/2020.

The Council's SDCCS covered a 5 year period from 2017 to 2022. Delivery of actions within the Strategy provided the main focus for sustainable development activity over the period and enabled the Council to fulfil its duties under the Local Government (Scotland) Act 2003, the Climate Change (Scotland) Act 2009 and other associated environmental legislation.

The SDCCS action plan for 2019/2020 contained 39 actions which were sub-divided into 68 defined measures that provided the current status for each action. Those measures were rated using a traffic light system of green, amber or red. Of the 68 measures within the SDCCS:-

- ◆ 55 had been achieved or were on course to be achieved (green)
- ◆ 0 had seen some minor slippage against targets (amber)
- ◆ 0 had seen major slippage against timescale or major shortfall against target (red)
- ◆ 13 would be reported later when data was available

A number of highlights from the period April to September 2019 were detailed in the report.

**The Committee decided:** that the report be noted.

*[Reference: Minutes of 6 November 2019 (Paragraph 12)]*

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### **13 Urgent Business**

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There were no items of urgent business.

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### **Chair's Closing Remarks – Retirement of the Clerk**

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The Chair advised that this would be the last meeting of the Committee that Gordon Bow, Administration Manager, would be attending prior to his forthcoming retirement. On behalf of the members of the Committee, the Chair thanked Mr Bow for his dedicated service to the Council, his contribution as Clerk of the Committee and other areas of Council work. Councillors Burns, Fagan, Allison and Brown, in turn, thanked Mr Bow for his support and wished him a long and happy retirement. Mr Bow responded in suitable terms.