



Council Offices, Almada Street  
Hamilton, ML3 0AA

Tuesday, 23 January 2024

Dear Councillor

## **South Lanarkshire Council**

The Members listed below are requested to attend a meeting of the Council to be held as follows:-

**Date:** Wednesday, 31 January 2024  
**Time:** 10:00  
**Venue:** Hybrid - Council Chamber, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Paul Manning**  
**Chief Executive**

### **Members**

Margaret Cooper (Provost), Bert Thomson (Depute Provost), Alex Allison, John Anderson, Ralph Barker, John Bradley, Walter Brogan, Robert Brown, Archie Buchanan, Mathew Buchanan, Janine Calikes, Andy Carmichael, Maureen Chalmers, Ross Clark, Gerry Convery, Poppy Corbett, Andrea Cowan, Margaret Cowie, Maureen Devlin, Colin Dewar, Mary Donnelly, Joe Fagan, Allan Falconer, Grant Ferguson, Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Ross Gowland, Geri Gray, Lynsey Hamilton, Celine Handibode, Graeme Horne, Mark Horsham, Martin Hose, Cal Johnston-Dempsey, Gavin Keatt, Susan Kerr, Ross Lambie, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Hugh Macdonald, Julia Marrs, Monique McAdams, Ian McAllan, Catherine McClymont, Kenny McCreary, Lesley McDonald, Elaine McDougall, Mark McGeever, Davie McLachlan, Richard Nelson, Carol Nugent, Norman Rae, Mo Razzaq, Kirsten Robb, John Ross, Graham Scott, David Shearer, Helen Toner, Margaret B Walker, David Watson, Kirsty Williams

## BUSINESS

### 1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 3 - 16  
Minutes of the meeting of South Lanarkshire Council held on 1 November 2023 submitted for approval as a correct record. (Copy attached)

- 3 **Minutes of Risk and Audit Scrutiny Committee** 17 - 20  
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 22 August 2023 submitted for noting. (Copy attached)

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#### Item(s) for Decision

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- 4 **The Armed Forces Community Covenant Duty** 21 - 40  
Report dated 19 January 2024 by the Chief Executive. (Copy attached)
- 5 **Composition of the Council and Membership Places** 41 - 44  
Report dated 8 January 2024 by the Chief Executive. (Copy attached)
- 6 **Notice of Motion - South Lanarkshire's Nature Emergency** 45 - 46  
Motion received in terms of Standing Order No. 20 on 16 January 2024, proposed by Councillor Kirsten Robb and seconded by Councillor Ross Clark. (Copy attached)
- 7 **Touch a Life, Make A Difference Initiative** 47 - 48  
Report dated 17 January 2024 by the Chief Executive. (Copy attached)

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#### Item(s) for Noting

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- 8 **Recommendation Referred by Executive Committee – Reduction in Number of Specialist Palliative Care Beds at Kilbryde Hospice** 49 - 52  
Report dated 17 January 2024 by the Chief Executive. (Copy attached)
- 9 **External Auditor's Annual Report to South Lanarkshire Council** 53 - 54  
Report dated 12 January 2024 by the Chief Executive. (Copy attached)

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#### Urgent Business

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- 10 **Urgent Business**  
Any other items of business which the Provost decides are urgent.

#### ***For further information, please contact:-***

|                  |  |
|------------------|--|
| Clerk Name:      | Susan Somerville                         |
| Clerk Telephone: | 07557323097                              |
| Clerk Email:     | susan.somerville@southlanarkshire.gov.uk |

Minutes of the meeting held via Confero and in the Council Chamber on 1 November 2023

## **Chair:**

Provost Margaret Cooper

## **Councillors Present:**

Councillor Alex Allison, Councillor John Anderson, Councillor Ralph Barker, Councillor John Bradley, Councillor Walter Brogan, Councillor Robert Brown, Councillor Archie Buchanan, Councillor Mathew Buchanan, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Ross Clark, Councillor Gerry Convery, Councillor Andrea Cowan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Gladys Ferguson-Miller, Councillor Elise Frame, Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Celine Handibode, Councillor Graeme Horne, Councillor Mark Horsham, Councillor Martin Hose, Councillor Cal Johnston-Dempsey, Councillor Gavin Keatt, Councillor Susan Kerr, Councillor Ross Lambie, Councillor Martin Lennon, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Julia Marrs, Councillor Monique McAdams, Councillor Ian McAllan, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Elaine McDougall, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Norman Rae, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner, Councillor Margaret B Walker, Councillor David Watson

## **Councillors' Apologies:**

Councillor Janine Calikes, Councillor Poppy Corbett, Councillor Richard Lockhart, Councillor Carol Nugent

## **Chief Executive's Service**

C Sneddon, Chief Executive

## **Community and Enterprise Resources**

D Booth, Executive Director

## **Education Resources**

C McKenzie, Executive Director

## **Finance and Corporate Resources**

P Manning, Executive Director; N Docherty, Administration Assistant; G McCann, Head of Administration and Legal Services; S Somerville, Administration Manager; J Taylor, Head of Finance (Strategy)

## **Housing and Technical Resources**

S Gibson, Executive Director

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

S Sengupta, Director, Health and Social Care

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## **Provost's Opening Remarks**

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The Provost:-

- ◆ congratulated Paul Manning following confirmation of his appointment as Chief Executive, with effect from January 2024
- ◆ referred to the forthcoming retirement of Cleland Sneddon as Chief Executive and Geraldine McCann as Head of Administration and Legal Services and thanked both for their hard work and commitment to the Council. She wished them well for the future

Councillors Fagan, Ross, Brown and Allison, in turn, echoed the sentiments of the Provost. Mr Manning, Mr Sneddon and Mrs McCann responded in suitable terms.

The Provost then asked that the Council pause for a moment and reflect on the tragic events that were ongoing in Gaza and Israel. While recognising there were very strong opinions and high emotions on both sides, and without wishing to enter into any political debate, she acknowledged the huge pain, suffering and loss.

At the Provost's invitation, all present observed a minute's silence to remember the dead and hope and pray for the living.

Following the minute's silence, the Provost ruled that she did not accept a Point of Order raised by Councillor Cowan in respect of a proposed emergency motion to discuss the crisis as she considered it was not a matter for political debate in this Chamber.

Following advice from the Head of Administration and Legal Services that it would never be appropriate to discuss the outcome of an employment tribunal involving another body at a meeting held in public as it might lead to a breach of either the Councillors' Code of Conduct, the Data Protection Act, the UK General Data Protection Regulations or defamatory comments being made against individuals, the Provost ruled that the Point of Order raised by Councillor Watson in respect of South Lanarkshire Leisure and Culture (SLLC) was not competent and would not be discussed.

Councillor Allison expressed his disappointment that his motions on SLLC were not included on the agenda. He advised that he had taken external advice which suggested that it was up to Council members whether the matter be taken forward, therefore, his Point of Order was in relation to the Council not being able to decide rather than the matter, in general, being discussed. The Provost invited the Head of Administration and Legal Services to respond in which she stated that the question of competency was a matter for officers to decide in terms of the Local Government and Housing Act 1989. She advised that there were a number of statutory positions in that Act that related to governance, 2 of which were the Head of the Paid Service and the Monitoring Officer. The decision, taken based upon the powers within that Act, was that the motion was not competent to be added to that agenda. She advised that this was no different to what had been done in the past where members were advised in advance that motions were not competent and they did not appear on the agenda.

In response to a point made by Councillor Watson, the Provost reiterated that she had ruled that the Council was not going to discuss the matter and highlighted that the motions were overruled by the Head of Administration and Legal Services. The Chief Executive also clarified that officers were subject to a Code of Conduct and there had been no breach by officers of this Code when reflecting legal advice given. He advised that decisions on competence sat with the Monitoring Officer and the Head of the Paid Service, as outlined within the Local Government and Housing Act 1989.

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## **1 Declaration of Interests**

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The following interest was declared:-

| <b><i>Councillor(s)</i></b> | <b><i>Item(s)</i></b>   | <b><i>Nature of Interest(s)</i></b> |
|-----------------------------|---|-------------------------------------|
| Logan                       | Notice of Motion – Downgrading of Neonatal Care Unit at University Hospital, Wishaw | Member of NHS Board                 |

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## **2 Minutes of Previous Meeting**

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The minutes of the meeting of South Lanarkshire Council held on 23 August 2023 were submitted for approval as a correct record.

The Provost, in responding to a point made by Councillor Loudon, clarified that she considered the use of laptops was acceptable, however, asked that the volume be turned down to avoid any distractions and for them not to be used for anything not relating to the business of the meeting.

In response to a comment made by Councillor Lambie in relation to the intentions of Councillor Watson when raising his Point of Order, the Provost advised that she had previously made a ruling not to discuss matters in relation to South Lanarkshire Leisure and Culture.

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

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### **3 Minutes of Risk and Audit Scrutiny Committee**

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 27 June 2023 were submitted for noting.

**The Council decided:** that the minutes be noted.

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### **4 Standards Commission's Hearing Outcome**

A report dated 4 October 2023 by the Chief Executive was submitted advising of the decision of the Standards Commission of Scotland following the Hearing into a complaint against Councillor Monique McAdams held on 30 August 2023.

Complaints had been received by the Commissioner for Ethical Standards in Public Life in Scotland (ESC) that, on 4 May 2021, Councillor McAdams disclosed to social media, confidential information about leisure and culture facilities that had been identified for potential closure.

Following an investigation, the ESC referred the complaint to the Standards Commission for Scotland on the basis that Councillor McAdams had failed to comply with the provisions of the 2018 edition of the Councillors' Code of Conduct, being the version in place at the time of the events, and that, in particular, she had contravened paragraphs 3.16 and 3.17 of the Code, details of which were outlined in the report. The Hearing Panel Decision was to censure Councillor McAdams.

The full decision was available on the Standards Commission for Scotland's website, a link to which was provided in the report.

In response to a comment made by Councillor Loudon that the 8<sup>th</sup> point of the recommendations had been omitted, the Head of Administration and Legal Services advised that the report was never intended to be a verbatim account of what happened at the Standards Commission's Hearing. The Standards Commission had asked that she, as Monitoring Officer, bring the report to the attention of the Council and, therefore, her report was a summary of the Standards Commission's recommendations which contained a link to access the full details of its findings. She further advised that the decision of a councillor to take certain action was a personal decision, therefore, that was what was commented on by the Standards Commission. She confirmed that there was no attempt to conceal any information because there was a link containing the Standards Commission's full decision and there had already been a report to Council on the related issue which she considered did not need repeating. The Provost then ruled that she was not accepting an amendment, moved by Councillor Loudon and seconded by Councillor Ross, as the Standards Commission only required that the Council note its report.

In response to a Point of Order raised by Councillor Loudon in terms of whether an amendment could be accepted for an item for noting, the Head of Administration and Legal Services advised that routinely it was not accepted as it was only for noting and not asking members to make a decision. She advised that it was not within members' powers to make a decision on this matter as it was the Standards Commission who made the decision and it was only being reported to members for their information.

The Provost reiterated her decision not to accept the amendment and, in response to a point made by Councillor Ross, she confirmed that Councillor Convery had apologised for the manner in which he had addressed Council.

**The Council decided:**

- (1) that the decision of the Hearing Panel of the Standards Commission for Scotland that Councillor Monique McAdams had breached paragraphs 3.16 and 3.17 of the 2018 edition of the Councillors' Code of Conduct be noted; and
- (2) that the decision of the Hearing Panel to censure Councillor McAdams be noted.

*Councillor Lennon joined the meeting during this item of business*

*In terms of Standing Order No 14, the Provost adjourned the meeting following this item of business at 10.58am. The meeting reconvened at 11.05am*

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## **5 Recommendations Referred from Executive Committee – Annual Investment Report 2022/2023**

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A report dated 17 October 2023 by the Chief Executive was submitted on the recommendation which had been referred to the Council by the Executive Committee of 11 October 2023 in relation to the Council's Annual Investment Report 2022/2023. The recommendation was that the Council's Annual Investment Report 2022/2023 be approved.

**The Council decided:** that the recommendation of the Executive Committee of 11 October 2023 in relation to the Council's Annual Investment Report 2022/2023 be approved.

*[Reference: Minutes of the Executive Committee of 11 October 2023 (Paragraph 6)]*

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## **6 Changes to Depute Chairs, Committee and Joint Board Memberships**

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A report dated 12 October 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the proposed changes to Depute Chairs, Committee and Joint Boards' Memberships.

The Head of Administration and Legal Services advised that, although not contained in the report, there was a further recommendation that Councillor Horsham continue in his role as the Council's Armed Forces and Veterans Champion.

**The Council decided:**

- (1) that Councillor Williams replace Councillor McClymont as Depute Chair of Social Work Resources Committee
- (2) that, in relation to Housing and Technical Resources Committee:-

- ◆ Councillor Cowie replace Councillor Walker as a member
  - ◆ Councillor Cowie replace Councillor Lennon as Depute Chair
  - ◆ Councillor Walker replace Councillor Keatt as a substitute member; and
- (3) that Councillor Williams replace Councillor McClymont as a substitute member of the South Lanarkshire Integration Joint Board; and
- (4) that Councillor Horsham continue in his role as the Council's Armed Forces and Veterans Champion.

*[Reference: Minutes of 18 May 2022 (Paragraph 7) and 23 August 2023 (Paragraph 6)]*

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## **7 Review of UK Parliamentary Constituencies – Review of Polling District SL002 and SL007**

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A report dated 13 October 2023 by the Chief Executive was submitted:-

- ◆ advising of Constituency Boundaries for the UK Parliament within South Lanarkshire following the 2023 review by the Boundary Commission for Scotland
- ◆ seeking authority for the creation of 3 additional Polling Districts to take account of the boundary changes and the resultant reduction in size of 2 existing Polling Districts

The Boundary Commission for Scotland was responsible for reviewing Constituencies in Scotland for the UK Parliament. A full review of all UK Parliamentary Boundaries was concluded on 27 June 2023 and the proposals put forward for new Constituencies was approved by Parliament on 28 June 2023.

The new Constituencies for the UK Parliament would come into force once Parliament was next dissolved. Any by-election called before a full General Election was called would use the existing boundaries.

The following new Constituencies would lie wholly within the geographical area of South Lanarkshire Council:-

- ◆ Rutherglen
- ◆ East Kilbride and Strathaven
- ◆ Hamilton and Clyde Valley

The following new Constituencies would take in part of South Lanarkshire Council's geographical area in addition to at least one other council's area:-

- ◆ Dumfriesshire, Clydesdale and Tweeddale
- ◆ Motherwell, Wishaw and Carluke

The UK Government had confirmed that it would be for South Lanarkshire Council to provide the Returning Officer for the new UK Parliamentary Constituencies of Hamilton and Clyde Valley, East Kilbride and Strathaven, and Rutherglen. It had also been confirmed that it would be for North Lanarkshire Council to provide the Returning Officer for the Constituency of Motherwell, Wishaw and Carluke, and for Dumfries and Galloway Council to provide the Returning Officer for the Constituency of Dumfriesshire, Clydesdale and Tweeddale.

In order that arrangements were in place to ensure either an unexpected by-election or a full UK Parliamentary General Election could be administered, there was a requirement for both the existing boundaries and the new boundaries to co-exist within the Electoral Register when the Register was published in December 2023. Three areas within South Lanarkshire Council had been identified within the new boundaries which did not allow for this and, therefore, the proposed new Polling Districts would require approval to rectify that position.

Section 4 of the report outlined the necessary changes required to create 3 additional Polling Districts and reduce in size 2 existing Polling Districts.

It was noted that a full statutory review of Polling Districts and Polling Places was in progress.

**The Council decided:**

- (1) that the new boundaries for the Constituencies of Rutherglen, East Kilbride and Strathaven, Hamilton and Clyde Valley, Motherwell, Wishaw and Carluke, and Dumfriesshire, Clydesdale and Tweeddale be noted;
- (2) that the Returning Officer responsibility for each of the new Constituencies be noted;
- (3) that an additional Polling District, named as SL178, whose boundaries were marked on the plan in Appendix 1, be created;
- (4) that an additional Polling District, named as SL179, whose boundaries were marked on the plan in Appendix 1, be created;
- (5) that an additional Polling District, named as SL180, whose boundaries were delineated on the plan in Appendix 2, be created;
- (6) that the boundary for Polling District SL002 be redrawn to reflect removal of new Polling Districts SL178 and SL179 from its area; and
- (7) that the boundary for Polling District SL007 be redrawn to reflect removal of the new Polling District SL180 from its area.

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## **8 Notice of Motion – Downgrading of Neonatal Unit at University Hospital Wishaw**

In terms of Standing Order No 20, a motion proposed by Councillor Nelson, seconded by Councillor Corbett, was submitted as follows:-

“This council expresses significant concerns about the award-winning neonatal unit at University Hospital Wishaw being downgraded from an established Neonatal Intensive Care Unit to a Local Neonatal Unit.

This decision followed the release of the 'Neonatal Intensive Care Options Appraisal Report' by the Scottish Government on July 23, 2023.

The downgrading of this unit would result in NHS Lanarkshire, the third-largest health board, losing a highly functional, essential service for babies and their families. This affects not only Lanarkshire families but also those who have been transferred from across Scotland and England as part of the Scottish Perinatal Network.

Families in Lanarkshire have already expressed significant concerns about these changes through an online petition signed by over 12,000 people.



There are concerns that the correct process was not followed, and we believe that these key factors and questions must be addressed by the Scottish Government Health Minister:

This council agrees to formally write to the Scottish Government Health Minister to seek answers to these key factors and calls for a full independent investigation into the decision-making process regarding the downgrade of the Neonatal Care Unit at University Hospital Wishaw, with active participation from NHS Lanarkshire.

Furthermore, we emphasise our commitment to safeguarding babies and families in our communities and our expectation of the highest quality of care for all in Lanarkshire.”

Councillor Nelson, in moving his motion, welcomed baby Kai and his mother, who were in the public gallery, and referred to the fact that the neonatal unit was award winning and commended its success in keeping newborn babies safe. He advised that families had expressed concerns in relation to the proposed changes and had signed a petition, particularly as it could involve moving vulnerable people some distance away. He expressed concern that due process had not been followed.

In the absence of Councillor Corbett, Councillor Handibode seconded the motion and referred to her deep concerns on the impact on local communities as she considered the unit was a lifeline for families and it would mean babies being transferred to as far away as Aberdeen.

Councillor Hamilton referred to this being a very important campaign and spoke on her personal experience of having a premature baby. She referred to families praising the work of the award-winning unit and the support it provided to them during a traumatic time in their lives. She considered that families did not need the added pressure of their sick newborn babies being transferred to a unit potentially some distance away.

|                             |   |
|-----------------------------|---|
| <b>The Council decided:</b> | that the terms of the motion be supported and the Council write to the Scottish Government Health Minister to seek answers to the process followed and call for a full independent investigation into the decision-making process regarding the downgrade of the Neonatal Care Unit at University Hospital, Wishaw, with active participation from NHS Lanarkshire. |
|-----------------------------|---|

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

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## **9 Notice of Motion – Removal of Fire Appliance at Hamilton Fire Station**

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In terms of Standing Order No 20, a motion proposed by Councillor Nelson, seconded by Councillor McGeever, was submitted as follows:-

“That this council raises concerns in regards to the removal of the Fire Appliance at Hamilton Fire Station, putting pressure on a retained service and increasing the risk of a reduced service in the South Lanarkshire communities. The council agrees to write to the Chief Fire Officer and the Scottish Government to request that the removal of this appliance is re-instated.

Furthermore, that this council agrees to write to the Scottish Government Minister to request that the Scottish Fire and Rescue Service receives fair and competent funding to continue to provide a service that is safe and ensures the wellbeing of all in our communities.”

Councillor Nelson, in moving his motion, referred to pressure put on the retained fire service and the recent incident in East Kilbride where a fire had destroyed houses.

Councillor McGeever, in seconding the motion, acknowledged that there had been changes before in relation to emergency service provision, however, considered that this change was fundamentally different in that it was not about doing things in a better way or delivering the same service using a different method, but about saving money. He advised that, while the Fire Service could mitigate the risk, it could not remove it entirely.

Councillors Watson, McLachlan, Buchanan, Ross and the Provost, in turn, were heard in relation to their concerns and giving their support to the motion.

**The Council decided:** that the terms of the motion be supported and the Council write to the Scottish Government Minister to request that the Scottish Fire and Rescue Service receive fair and competent funding to continue to provide a service that was safe and ensured the wellbeing of all in our communities.

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## **10 Notice of Motion – Future of Strathclyde Bus Services**

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In terms of Standing Order No 20, a motion proposed by Councillor Fagan, seconded by Councillor Convery, was submitted as follows:-

“This Council notes:-

- ◆ The ‘Strathclyde Regional Bus Strategy and Delivery Plan: Case for Change’ report presented to Strathclyde Partnership for Transport’s Board on 29 September 2023.
- ◆ That the evidence-based report has found that bus use is in ‘sustained, long-term decline’ in Strathclyde, with bus patronage, the size of bus networks, bus service frequency and network coverage all falling.
- ◆ That despite decline in bus networks, bus fares continue to rise in Strathclyde at a higher rate than inflation and at a higher rate than the cost of travelling by other modes of transport.
- ◆ That the current model of bus service has failed to deliver integrated London-style ticketing or an integrated approach to public transport planning.
- ◆ That in 2021/22 public sector support represented 56 per cent of bus operator revenues in Scotland.

This Council believes:-

- ◆ The current deregulated model of bus provision is inadequate and that there is now a compelling case for changing the model of bus provision across Strathclyde.
- ◆ A new model of bus provision will enable bus services and public transport across Strathclyde to contribute more towards a healthier environment, inclusive economic growth and an improved quality of life for the people and communities of Strathclyde.

This Council agrees to write to SPT and the Scottish Government to communicate its view that:-

- ◆ A new model of bus provision for Strathclyde must be developed that is integrated and democratically accountable.
- ◆ A new model of bus provision must contribute towards Regional Transport Strategy objectives and policies set out by SPT.

- ◆ The Scottish Government must support local authorities and transport authorities seeking to replace deregulated bus models with models of regulation or common ownership, with fair funding and regulation that respects the autonomy and democratic wishes of Scotland's communities and regions.

A democratically accountable Strathclyde-wide bus franchise should be progressed to improve bus services across the region and realise the ambitions of the Regional Transport Strategy."

In moving his motion, Councillor Fagan considered that there was a case for change to a Strathclyde-wide integrated bus network under a common franchise, delivering a level of connectivity and affordability, with the reinvestment of profits back into the network.

Councillor Convery, in seconding the motion, advised that, as a user of the bus service, he considered there had been a decline in the service.

Councillor Gowland spoke in support of the motion and highlighted the importance of public transport in his own ward.

Councillor Ferguson-Miller, while welcoming the motion and the contributions made, wished to strengthen its content by including the following wording marked in bold, as an amendment:-

"This Council notes:

- ◆ The 'Strathclyde Regional Bus Strategy and Delivery Plan: Case for Change' report presented to Strathclyde Partnership for Transport's Board on 29 September 2023.
- ◆ That the evidence-based report has found that bus use is in 'sustained, long-term decline' in Strathclyde, with bus patronage, the size of bus networks, bus service frequency and network coverage all falling.
- ◆ That despite decline in bus networks, bus fares continue to rise in Strathclyde at a higher rate than inflation and at a higher rate than the cost of travelling by other modes of transport.
- ◆ That the current model of bus service has failed to deliver integrated London-style ticketing or an integrated approach to public transport planning.
- ◆ That in 2021/22 public sector support represented 56 per cent of bus operator revenues in Scotland.

**As an amendment to the section, 'The Council Notes:'**

**Include three additional bullet points:**

- ◆ **That the free bus travel for under 22s has resulted in 84 million journeys to education, work and leisure across Scotland so far, helping develop a new generation of bus users.**
- ◆ **That SLC has been allocated £303,000 capital from the Community Bus Fund to improve local public transport, including municipal ownership, with additional revenue funding available to help councils develop plans, including municipal ownership and franchising.**
- ◆ **And welcomes an announcement in the 22/23 Programme for Government, that the Scottish Government will work with third sector and local authorities to provide free bus travel to asylum seekers and refugees including displaced people from Ukraine.**

**This Council believes:**

- ◆ The current deregulated model of bus provision is inadequate and that there is now a compelling case for changing the model of bus provision across Strathclyde.
- ◆ A new model of bus provision will enable bus services and public transport across Strathclyde to contribute more towards a healthier environment, inclusive economic growth and an improved quality of life for the people and communities of Strathclyde.

**As an amendment to the section, ‘The Council believes: ‘  
Include the additional bullet point:**

- ◆ **Bus services must be designed by identifying and addressing communities’ needs.**

**This Council agrees to write to SPT and the Scottish Government to communicate its view that:**

**As an amendment to this section, after the second bullet point add two additional bullet points:**

- ◆ A new model of bus provision for Strathclyde must be developed that is integrated and democratically accountable.
- ◆ A new model of bus provision must contribute towards Regional Transport Strategy objectives and policies set out by SPT.
- ◆ **This model must meet the needs of South Lanarkshire’s communities and its rural areas in particular, where there is little or no current service.**
- ◆ **The Regional Transport Strategy must cover all Urban and Rural Areas.**
- ◆ The Scottish Government must support local authorities and transport authorities seeking to replace deregulated bus models with models of regulation or common ownership, with fair funding and regulation that respects the autonomy and democratic wishes of Scotland’s communities and regions.
- ◆ A democratically accountable Strathclyde-wide bus franchise should be progressed to improve bus services across the region and realise the ambitions of the Regional Transport Strategy.”

**As an amendment add a final section:**

This Council instructs:

- ◆ Officers to report on how the council intends to spend its allocation of Community Bus Fund capital, now and into the future, helping to deliver on the aims of this motion.
- ◆ Officers to continue collaboration with other local authorities and Strathclyde Passenger Transport, considering the Community Bus Fund revenue grant to support the exploration of new models of delivery, in line with this motion.
- ◆ Officers to take cognisance of the Local Transport Strategy and Clydesdale STAG (Scottish Transport Appraisal Guidance) currently being progressed by SLC.
- ◆ Officers to ensure that the Council promote South Lanarkshire’s Rural Areas and the information from its public consultation in the proposed further stakeholder communications and engagement between October 2023 – February 2024.
- ◆ Officers to communicate to all South Lanarkshire stakeholders on all appraisal recommendations post-March 2024.”

Councillor Robb, in seconding the amendment, thanked Councillor Fagan. Councillor Fagan confirmed he was happy to incorporate the content of the amendment into his motion.

Councillor McGeever intimated that he was pleased to see that the motion had cross-party support as public transport was crucial for businesses and the public sector.

Councillor Allison cautioned that a new model did not always lead to change and the Council required to be clear on its targets, with a focus on timetables. He advised that, as Chair of the Rural Task Force, transport was a key priority for the rural area and work was currently being undertaken on an initiative in this regard, the recommendations of which would come before the relevant committee in due course.

**The Council decided:**

that the terms of the motion, as amended, be agreed and the Council:-

- ◆ write to Strathclyde Partnership for Transport (SPT) and the Scottish Government to communicate its views that:-
  - ◆ a new model of bus provision for Strathclyde must be developed that was integrated and democratically accountable
  - ◆ a new model of bus provision must contribute towards Regional Transport Strategy objectives and policies set out by SPT
  - ◆ this model must meet the needs of South Lanarkshire's communities and its rural areas in particular, where there was little or no current service
  - ◆ the Regional Transport Strategy must cover all urban and rural areas
  - ◆ the Scottish Government must support local authorities and transport authorities seeking to replace deregulated bus models with models of regulation or common ownership, with fair funding and regulation that respected the autonomy and democratic wishes of Scotland's communities and regions
  - ◆ a democratically accountable Strathclyde-wide bus franchise should be progressed to improve bus services across the region and realise the ambitions of the Regional Transport Strategy
- ◆ instruct officers to:-
  - ◆ report on how the council intended to spend its allocation of Community Bus Fund capital, now and into the future, to help deliver on the aims of this motion
  - ◆ continue collaboration with other local authorities and SPT, considering the Community Bus Fund revenue grant to support the exploration of new models of delivery, in line with this motion
  - ◆ take cognisance of the Local Transport Strategy and Clydesdale STAG (Scottish Transport Appraisal Guidance) currently being progressed by the Council
  - ◆ ensure that the Council promote South Lanarkshire's Rural Areas and the information from its public consultation in the proposed further stakeholder communications and engagement between October 2023 to February 2024
  - ◆ communicate to all South Lanarkshire stakeholders on all appraisal recommendations post-March 2024

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## 11 Notice of Motion – Let’s Value Care

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The Provost advised that the Notice of Motion on Let’s Value Care had been withdrawn at the request of the proposer and seconder.

**The Council decided:** that the position be noted.

*In terms of Standing Order No 14, the Provost adjourned the meeting following this item of business at 11.52am. The meeting reconvened at 11.59am without the attendance of Councillor Lennon*

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## 12 Item of Urgent Business – Response to the Scottish Government’s Proposed Council Tax Freeze

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In terms of Standing Order No 4(c), the Provost decided that consideration be given to the following motion proposed by Councillor Brown, seconded by Councillor McGeever, as a matter of urgency:-

“This Council notes:

- ◆ that, on 30<sup>th</sup> June 2023, COSLA and the Scottish Government signed the [Verity House Agreement](#), and that this Agreement stated specifically *inter alia* that:
  - ◆ “The powers held by local authorities shall normally be full and exclusive. They may not be undermined or limited by another, central or regional, authority except as provided for by the law.”
  - ◆ “From this point onwards, the default position will be **no ring-fencing or direction of funding**, unless there is a clear joint understanding for a rationale for such arrangements.”
  - ◆ “The Scottish Government will recognise and value the roles and responsibilities of Local Government and as such, will work to incorporate into Scots Law the **European Charter of Local Self-Government** as soon as possible.”
  - ◆ “In keeping with the Charter, both parties agree the maxim “**local by default, national by agreement**”

This Council – along with all parties in COSLA - is therefore at a loss to understand the total breach of the Verity House Agreement on the part of the Scottish Government by:

- ◆ the announcement of a council tax freeze for 2024-5 by the First Minister in his speech on 17<sup>th</sup> October 2023 to the SNP Conference;
- ◆ the admission by the Deputy First Minister that this policy had not been signed off by the Scottish Cabinet; and
- ◆ the fact that the proposal had not been raised with or agreed by COSLA.

Council deplores the actions of the First Minister and of the Scottish Government in proposing to ride roughshod in this way over the democratic mandates of South Lanarkshire Council and of councils throughout Scotland.

Council has clearly and repeatedly expressed to the Scottish Government

1. the real terms cut of over 9% suffered by Local Government over the last decade
2. the current desperate financial pressures on local government services, the IJB and the Leisure Trust, and the need for additional resources to provide a fair funding deal for councils and their service delivery partners, if closures and cutbacks impacting severely on the public are to be avoided.

Council is appalled that the Scottish Government is prepared to damage local services, recently agreed and reiterated partnerships with local government, and effective local decision making in this way.

Council notes however that the Scottish Government has now apparently found resources to “fully fund” the council tax freeze, having previously indicated no more resources were available to support local services.

This Council therefore instructs the Chief Executive to write to the First Minister conveying the Council’s huge disquiet at this complete disrespect for local government decision making and to demand that he provides a “no strings” fair funding deal for councils, allowing South Lanarkshire Council and other councils in exercise of their democratic mandates to make the most appropriate arrangements for funding and delivery of their services and cost of living support measures as they see fit.”

Councillor Allison spoke on his concerns in terms of the unknown level to which the Scottish Government would fund a Council Tax freeze and the impact on the Council in potentially having to make more savings.

Councillor Ross, seconded by Councillor Clark, moved the following as an amendment:-

“Insert after para 1 bullet point ending ‘National by Agreement’ and replace remainder of motion with the following:-

While acknowledging the recently signed Verity House Agreement between the SG and COSLA and the details thereof, Council feels it is the responsibility of all levels of government to support households with the financial pressures they are facing right now as a result of the UK Government’s economic policies.

In the face of mounting financial challenges, we welcome the Scottish Government and our councils trying to do all they can with the limited powers at their disposal.

Council welcomes the announcement by the Scottish Government to freeze Council Tax which will benefit all Council Taxpayers in Scotland, in over 2.5m homes.

With household bills rising this freeze will give some certainty to households for the next financial year.

Although inflation is slowly falling, the damage caused by the UK Government’s economic agenda of austerity and Brexit have hurt everyone, but particularly our most vulnerable households.

Council also welcomes the announcement that this freeze will be fully funded and that the Scottish Government has committed to working with COSLA on the details of implementation over the coming weeks.”

Councillors Fagan, Nelson, Watson and Walker, in turn, were head in support of the motion.

On a vote being taken using the electronic voting system, 34 members voted for the motion, 22 for the amendment and 1 abstained. The motion was declared carried.

In response to a Point of Order made by Councillor Loudon, the Provost advised that she had already said that she would allow 3 more speakers prior to asking Councillor Brown to conclude his motion. The member concerned had requested to speak after that.

**The Council decided:** that the motion be agreed and the Chief Executive write to the First Minister in the terms outlined above.

*Councillors Horne and Lambie left the meeting during this item of business and were not present for the vote*

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### **13 Exclusion of Press and Public**

**The Council decided:** that, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following item(s) of business on the grounds that it was likely that there will be disclosure of exempt information in terms of Paragraph 1 and 12 of Part I of Schedule 7A of the Act.

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### **14 Health and Safety Conviction**

A report dated 12 October 2023 by the Executive Director (Community and Enterprise Resources) was submitted advising of a conviction against the Council under the Health and Safety at Work Act 1974.

The Head of Administration and Legal Services responded to members' questions.

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



## RISK AND AUDIT SCRUTINY COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 22 August 2023

### Chair:

Councillor Elaine McDougall

### Councillors Present:

Councillor Colin Dewar (*substitute for Councillor Fulton*); Councillor Mary Donnelly (*Depute*); Councillor Ross Gowland; Councillor Cal Johnston-Dempsey; Councillor Gavin Keatt (*substitute for Councillor Mathew Buchanan*); Councillor Susan Kerr; Councillor Richard Lockhart

### Councillors' Apologies:

Councillor Mathew Buchanan, Councillor Alistair Fulton; Councillor Celine Handibode

### Attending:

#### Finance and Corporate Resources

P Manning, Executive Director; Y Douglas, Audit and Compliance Manager; S Dunsmore, Insurance and Risk Manager; E-A McGonigle, Administration Officer; A Norris, Administration Assistant

### Also Attending:

#### Audit Scotland

M Ferris and R Brough-Mitchell, External Auditors

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## 1 Declaration of Interests

No interests were declared.

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 27 June 2023 were submitted for approval as a correct record.

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

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## 3 Internal Audit Activity as at 4 August 2023

A report dated 4 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on work completed by Internal Audit during the period 10 June to 4 August 2023.

Findings from internal audit assignments were reported to this Committee throughout the year and the last progress report was considered by this Committee on 27 June 2023. Key performance indicators, which reflected quality, on time and within budget as at 30 June 2023, were summarised in Appendix 1 to the report. A list of all assignments completed in the period 10 June to 4 August 2023, together with a summary of overall assurances for each area of work, was provided in Appendix 2 to the report. As at 30 June 2023, 6% of the 2023/2024 Audit Plan was completed to draft report stage and a further 18 assignments were in progress at that date.

The Council formed part of the Glasgow City Region City Deal which funded a range of capital projects within South Lanarkshire. At the August 2023 meeting of the Cabinet, audit reports had been presented on:-

- ◆ Internal Audit Review - Programme, Skills, Knowledge and Experience Arrangements
- ◆ Internal Audit Annual Report and Annual Governance Statement 2022/2023

The Internal Audit Annual Report and Annual Governance Statement for 2022/2023 provided a positive audit opinion for the year ended 31 March 2023 based on the work that had been undertaken and the assurances provided by member authorities. A link to the reports was provided in the report.

Updates were also provided on:-

- ◆ the Public Sector Internal Audit Standards (PSIAS) external review which had been concluded. The formal output would be reported to the next meeting of the Committee
- ◆ progress against the Audit Strategy which was a requirement of the PSIAS. Delivery of the 2023/2024 Strategy had been evidenced by the completion of the Internal Audit Plan in year, and monitored during the year by performance indicators which were regularly reported to the Committee

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

*[Reference: Minutes of 27 June 2023 (Paragraph 6)]*

*Councillor Gowland entered the meeting during consideration of the above item of business*

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#### **4 Fraud Statistics Annual Report 2022/2023**

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A report dated 1 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on fraud statistics for the year to 31 March 2023 and comparing those figures with the previous year's statistics.

The number, types, outcomes and costs of fraud investigations, together with performance measures for the year to 31 March 2023, were detailed in the report. A comparison to the statistics for the same period in the previous year was also provided. Those statistics highlighted that:-

- ◆ 36 fraud investigations, with a total value of £11,000, had been reported in the period, representing a decrease in both number and value from the previous year
- ◆ the majority of cases closed in the period were founded and related to thefts
- ◆ one case related to a theft by a South Lanarkshire Council employee which was investigated and passed to Personnel Services so that appropriate action could be taken under the Council's disciplinary procedures

On conclusion of all internal investigations, an assessment would be made on whether improvement actions were necessary. If required, an improvement plan would be issued with recommended actions. The plan would be agreed with the relevant Heads of Service and the actions followed up by Internal Audit to ensure implementation and that gaps had been addressed. Outcomes for concluded investigations would be reported to this Committee as part of Internal Audit's annual assurance report.

The Audit and Compliance Manager responded to a member's question in relation to a failure in internal control which was investigated by Internal Audit.

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

*[Reference: Minutes of 27 September 2022 (Paragraph 6)]*

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## **5 Year End Insured Risk Report 2022/2023**

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A report dated 4 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the Council's insurance claims for the year to 31 March 2023 for the following main classes of insurance:-

- ◆ combined liability (covering both public liability and employer's liability)
- ◆ motor insurance
- ◆ property insurance and other miscellaneous risks

Appendix 1 to the report provided annual comparisons of the numbers and values of claims by Resources for the years 2018/2019 to 2022/2023. The comparison showed an overall downward trend in the number of claims. Claims costs had fluctuated over the last 5 years. On average, over that period, the self-insured cost of claims per annum was £2.157 million, however, the costs for 2022/2023 were above average at £2.475 million. The figures for 2022/2023 had been impacted by a single event property claim loss for escape of water and burst pipes due to severe cold weather in December 2022.

Appendix 2 to the report compared claim numbers and costs for 2022/2023, at 31 March 2023, with the equivalent position for 2021/2022. This showed an increase of 57 claims (7%) on the numbers reported in 2021/2022 and an increase in the cost of claims from £2.242 million in 2021/2022 to £2.475 million in 2022/2023. This represented an increase of £0.233 million (10%) which was a result of the estimated cost of property, motor and employer's liability claims increasing, with the position being offset by reduced estimated costs for public liability claims.

Appendix 3 to the report provided a further breakdown of public liability claims and costs specifically for Roads and other services within Community and Enterprise Resources.

Information was also provided on:-

- ◆ the areas of work which had been progressed over the last year to mitigate insurance hotspots
- ◆ claim highlights for the year
- ◆ positive risk management activity aimed at reducing the number and cost of claims

The Insurance and Risk Management Adviser responded to members' questions on various aspects of the report.

**The Committee decided:**

- (1) that the Insured Risks Report for the year ended 31 March 2023 be noted; and
- (2) that ongoing work to identify and mitigate insurance hotspots, as detailed in section 9 of the report, be noted.

*[Reference: Minutes of 27 September 2022 (Paragraph 5)]*

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## **6 Forward Programme for Future Meetings**

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A report dated 1 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the outline forward programme for the meetings of the Risk and Audit Scrutiny Committee to 24 September 2024.

As part of future arrangements, members were invited to suggest topics for inclusion in the Committee's forward programme.

**The Committee decided:** that the outline forward programme for the meetings of the Risk and Audit Scrutiny Committee to 24 September 2024 be noted.

*[Reference: Minutes of 27 June 2023 (Paragraph 9)]*

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## **7 Urgent Business**

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There were no items of urgent business.

# Report

**4**

|                  |                                  |
|------------------|----------------------------------|
| Report to:       | <b>South Lanarkshire Council</b> |
| Date of Meeting: | <b>31 January 2024</b>           |
| Report by:       | <b>Chief Executive</b>           |

|          |   |
|----------|---|
| Subject: | <b>The Armed Forces Community Covenant Duty</b> |
|----------|---|

## 1. Purpose of Report

1.1. The purpose of the report is to: -

- ◆ advise members of the Armed Forces Covenant Duty (the Covenant Duty), a legal duty introduced by the Armed Forces Act 2021 which came into effect on 22 November 2022.

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s): -

- (1) that the Armed Forces Community Covenant Duty be noted;
- (2) that the Lanarkshire Firm Base Group has been renamed Lanarkshire Armed Forces Community and Veterans Covenant Group be noted;
- (3) that the content of the South Lanarkshire Armed Forces Community Covenant Duty Report 2023, attached at Appendix 1, be noted, and
- (4) that the updated Armed Forces Champion Role Profile, attached at Appendix 2 be, approved

## 3. Background

3.1. On 5 March 2012, the Council together with a range of partners from NHS, the Military, the voluntary and charity sectors signed up to the terms of an Armed Forces Community Covenant for South Lanarkshire. The Leader and the Chief Executive signed the document on the Council's behalf.

3.2. The original Covenant document was set up as a statement of mutual support between the civilian community and its local Armed Forces Community. The Covenant was intended to complement the Armed Forces Covenant which outlined the moral obligation between the Nation, the Government, and the Armed Forces at a local level.

3.3. In summary, the specific aims of the Armed Forces Community Covenant were to:-

- ◆ encourage local communities to support the armed forces community in their areas
- ◆ nurture public understanding and awareness amongst the public of issues affecting the armed forces community
- ◆ recognise and remember the sacrifices faced by the armed forces community
- ◆ encourage activities which help to integrate the armed forces community into local life

- ◆ encourage the armed forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

- 3.4 To take the principles of the original covenant forward, a local group was set up under the co-ordination of the Army entitled the Lanarkshire Firm Base which aimed to bring a range of organisations including North and South Lanarkshire Councils, the NHS, the Military, voluntary sector groups, appropriate charitable organisations and other Community Planning partners to work together to improve services and support to local veterans and their families by progressing the terms of the Covenant.
- 3.5 In 2018, the Armed Forces Covenant was updated and a multi -agency approach, led by both North and South Lanarkshire Councils, was adopted to bring together a reformed Lanarkshire Firm Base Group with the overarching aim to improve the quality of support for veterans in Lanarkshire. Lanarkshire Firm Base was subsequently relaunched to provide an updated focus and ensure a coordinated approach to issues facing veterans and their families in Lanarkshire.
- 3.6 To underline and raise awareness of the Covenant, the Council recommitted to the Armed Forces Community Covenant by signing an updated version of the Covenant document at the Council's Armed Forces Day Flag Raising Event on 23 June 2018.

#### **4. The Armed Forces Covenant Duty**

- 4.1 The Armed Forces Act 2021 further enshrines the Covenant into law and it is intended to help prevent service personnel and veterans being disadvantaged when accessing public services. It does not mandate what organisations must do, only that they must consider the Armed Forces community alongside other legal requirements. It means that decisions about the development and delivery of certain services must be made with conscious consideration of the needs of the Armed Forces community.
- 4.2 The new Covenant duty, requires organisations delivering local services to pay 'due regard' to the Covenant principles when exercising functions in the areas of housing, education, and healthcare. 'Due regard' means informed decision making and means that the council should think about and place appropriate weight on the principles of the Covenant when they consider factors relevant to how they conduct functions which fall within the scope of the Covenant. The Council, will need to consciously consider:
  - (a) the unique obligations of, and sacrifices made by, the armed forces;
  - (b) the principle that it is desirable to remove disadvantages arising for service personnel from membership, or former membership, of the armed forces; and
  - (c) the principle that special provision for service personnel may be justified by the effects on such people of membership, or former membership, of the armed forces.
- 4.3 The Duty does not mean that the Armed Forces community will be placed at the 'front of the queue;' but it does mean that their circumstances should receive a fair assessment when their cases are considered.

In particular, the following Council services areas are covered by the Act:

- 4.3.1 Housing and Technical Resources:
  - ◆ Allocations policy for social housing
  - ◆ Homelessness
  - ◆ Disabled Facilities Grants

#### 4.3.2 Education Resources

- ◆ Admissions
- ◆ Educational attainment and curriculum
- ◆ Child wellbeing
- ◆ Transport
- ◆ Attendance
- ◆ Additional needs support

#### 4.3.4 Health and Social Care

- ◆ Local authority delivered health and social care services, including sexual health services and drug and alcohol misuse services
- ◆ Co-operation between bodies and professionals

- 4.4 The Council is already working hard to recognise and address the circumstances of veterans and members of the Armed Forces.
- 4.5 An update on the Council's progress in each of the above service areas as well as on employment of veterans is included in the annual report attached at Appendix 1 of the Report.
- 4.5 Statutory Guidance to the new Act has been published, which will assist officers to identify any gaps and areas for improvement.
- 4.6 As stated above, it has been identified that there is a real need for more joined up support for veterans in Lanarkshire. This requirement has been raised by voluntary and charity organisation who collaborate with veterans and their families locally.
- 4.7 A Role Profile for Local Government Armed Forces Champions has been drafted to reflect the terms of the legislation, associated guidance and accompanying toolkit. The draft Role Profile is attached at Appendix 2 for consideration for adoption within South Lanarkshire Council
- 4.8 The Lanarkshire Firmbase Group has renamed itself the Lanarkshire Armed Forces Community and Veterans Covenant Group and updated its Terms of Reference to reflect the terms of the Act and associated guidance.

### **5 Employee Implications**

- 5.1. There are no employee implications in terms of this report.

### **6. Financial Implications**

- 6.1. There are no financial implications arising from this report.

### **7. Climate Change, Sustainability and Environmental Implications**

- 7.1 There are no Climate Change, Sustainability and Environmental Implications arising from the information presented in this report.

### **8. Other Implications**

- 8.1. There are no significant issues in terms of risk.

### **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. There was no requirement to conduct an Equality Impact Assessment. Some initial discussion has taken place with the membership of the Firm Base Group.

**Paul Manning**  
**Chief Executive**

19 January 2024

**Link(s) to Council Values/Priorities/Outcomes**

- ◆ Accountable, effective, efficient, and transparent
- ◆ Fair, open, and sustainable
- ◆ Improve life and prospects for everyone
- ◆ Focussed on people and their needs.

**Previous References**

- ◆ 26 June 2019

**List of Background Papers**

- ◆ Armed Forces Covenant Duty.
- ◆ Statutory Guidance on the Armed Forces Covenant Duty

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact: -

Geraldine McCann, Head of Administration and Legal Services

Ext: 4568 (Tel: 01698 4568)

E-mail: [geraldine.mccann@southlanarkshire.gov.uk](mailto:geraldine.mccann@southlanarkshire.gov.uk)



## **South Lanarkshire Armed Forces Covenant Duty Annual Report 2023**

### **Foreword by Councillor Mark Horsham**

#### **South Lanarkshire Council's Armed Forces Champion**

As Veterans Spokesperson for South Lanarkshire Council, I would like to welcome this report coming to the full Council meeting.

Signing the Armed Forces Community Covenant in 2012 and re-signing it in 2018, we gave a commitment to our Armed Forces Community with the main mission statement:-

*“Ensuring that the Armed Forces Community face no disadvantage as a result of Service and that those who have given the most are given special consideration where appropriate.”*

This report highlights the progression that South Lanarkshire Council, our Lanarkshire Armed Forces Community and Veterans Covenant Group partners, and other organisations have been making to honour the pledge we made.

In addition, I would like to thank the officers within South Lanarkshire Council who work to plan and deliver initiatives that are put forward. I would like to especially thank Geraldine McCann, Lynne Wyllie and Maureen Greenwood for their support throughout the year in helping deliver our duty to the Armed Forces Covenant and the organisation of our Armed Forces Events.

Thanks should also go to our Lanarkshire Armed Forces Community and Veterans Covenant Group Partners who continue to deliver valuable services to our veterans, many made up of volunteers that give their time to support those that have given so much.

Also there have been numerous events that have been organised over the last year that displays our support for the Armed Forces Community, whether it be remembering and thanking those that have sacrificed and given so much. From the Festival of Remembrance, Freedom of South Lanarkshire to the Royal Regiment of Scotland and Remembrance Day. Instrumental to organising these events, along with South Lanarkshire Council, are The British Legion and Poppy Scotland.

As South Lanarkshire Council elected members and officers, we should be proud of what has been achieved but there is still a lot that can be done to ensure the Armed Forces Community face no disadvantage to service. This can only be achieved with partnership working with the many organisations and individuals that support our veterans, serving Armed Forces personnel and their families.

## Introduction

The 2023 annual report sets out a summary of the achievements and activities of the Council and its partners during the year to ensure that the Armed Forces Covenant is implemented, and our Armed Forces Community are not disadvantaged by their service.

## Education

The table below shows the number of children from the Armed Forces Community being educated in South Lanarkshire schools in 2023. The figures are drawn from two data capture dates February 2023 (black) and October 2023 (red)

| Sector      | Regular  | Regular and Reserve | Regular and Veteran | Reserve  | Reserve and Veteran | Veteran    | Do not identify |
|-------------|----------|---------------------|---------------------|----------|---------------------|------------|-----------------|
| Early Years | *<br>1   | *<br>0              | *<br>0              | *<br>2   | *<br>0              | *<br>3     | *<br>1          |
| Primary     | 56<br>60 | *<br>1              | *<br>9              | 24<br>26 | *<br>3              | 122<br>127 | 8<br>8          |
| Secondary   | 18<br>19 | *<br>1              | *<br>3              | 8<br>13  | *<br>2              | 61<br>69   | *<br>1          |
| Special     | *<br>1   | *<br>0              | *<br>0              | *<br>1   | *<br>0              | *<br>2     | *<br>0          |
| Totals      | 75<br>81 | *<br>2              | *<br>12             | 35<br>42 | *<br>5              | 188<br>201 | 9<br>10         |

## Employment

South Lanarkshire Council offers a guaranteed interview to Veterans. This status is identified through screening questions.

The guaranteed interview approach is monitored within the Council at application, shortleat, interview and appointment stage.

In 2023 ,74 Veterans were interviewed for posts within the Council and 3 were appointed to posts.

The Council also provides special leave of up to 15 days with pay, subject to deduction of service pay, to members of the reserve forces.

The Council was awarded the Defence Employer Recognition Scheme Silver Award in March 2023 for the second time. In achieving this award, the Council met the criteria for the award as it has demonstrated support for Defence, by employing at least one Reservist, actively communicating and upholding a positive stance to employees via established HR policies and procedures. Silver Award holders support Reservists by showing flexibility to allow them to plan for and fulfil their annual training and mobilisation requirements.

The Council is currently working towards the Gold Award.

### **Support for Veterans at Interview**

South Lanarkshire Council held an Awareness Session on 21 April 2023 with various guest speakers including:-

- ◆ Ex-Forces Employment Consultant (West Scotland), Forces Employment Charity
- ◆ Team Leader, Skills Development Scotland
- ◆ Armed Forces Champion for South West Scotland, Department for Work and Pensions
- ◆ Area Director for Scotland, RAF Benevolent Fund

During the session, the speakers and attendees mainly concentrated on recruitment and the Guaranteed Interview Scheme which ensured that candidates would not be disadvantaged in any way.

Following the awareness session, it was agreed that Skills Development Scotland would provide training for South Lanarkshire Council's HR staff for interviewing veterans.

### **Health and Social Care Partnership (H&SCP)**

**V1P (Veterans' First Point)** has provided a bespoke mental health support service for veterans (and their families where eligible) to assist the individuals in managing their service-related mental health issues. The service also benefits from a peer support worker network. The peer support workers will help everyone as necessary, linking them with suitable voluntary/support services in the community as well as ensuring the person gets to the necessary appointments and able to access any follow up treatment plans.

The H&SCP also works with the Defence Medical Welfare Service (MDWS) which aims to provide support to older veterans and their families. This can assist in the provision of equipment to assist in daily life; financial support to undertake house alterations; holidays/respite breaks and things to support the veterans in later life. They also undertook a specific exercise which seeks to improve the visibility of digital solutions in being able to support older people in their own homes.

The 'Armed Forces and Veterans' Champion' for NHS Lanarkshire assists in facilitating priority access to services where eligible to ensure that NHSL (and the H&SCP) is complying with the Armed Forces Covenant Duty. As well as specific access issues, this can also often involve working across services and different agencies such that the individual – and/or their families – receive a 'joined-up' approach to service delivery.

NHSL is also a recipient of the Gold Award for supporting Armed Forces personnel and Veterans in the workplace. As well as supporting former services personnel into employment, this also provides dedicated Terms and Conditions for those in the 'Reserves.'

## **Housing**

Allocations policy for social housing • Homelessness •

### **Housing Allocation Policy**

Since August 2010, South Lanarkshire Council's Housing Allocation Policy has given members of the Armed Forces who meet certain criteria the highest priority for housing, along with homeless applicants and those with an urgent medical need. A key aim of the Council's approach being to prevent homelessness.

The Housing Allocation Policy was reviewed in 2019 and, as part of the consultation process, the draft policy was issued to a number of Armed Forces charities and support organisations, including Haig Housing, Soldiers, Sailors and Airmen's Families Association (SAFFA) and The Armed Services Advice Project (ASAP), for their views and comments, to help shape the finalised policy and ensure that it best served the local Armed Forces and veterans' community.

The Housing Allocation Policy awards 'Urgent Forces' priority to HM Forces personnel who have completed a minimum of three years' service or have been injured in combat or discharged on medical grounds and who meet one of the following requirements:

- ◆ the applicant must have lived in South Lanarkshire prior to the start of service; or
- ◆ the applicant's partner must live in South Lanarkshire or previously lived here immediately before the start of service, or marriage/relationship; or
- ◆ the applicant's parents or kinship care are permanently resident in South Lanarkshire; or
- ◆ the applicant has an offer of full-time employment in South Lanarkshire.

Urgent Forces priority can be awarded up to six months before date of discharge and up to six months following the date of discharge and are queued on the Urgent Housing Need list, where applicants with the highest priority for housing are queued.

The approach taken in South Lanarkshire has been recognised as an example of good practice within the Scottish Government's Social Housing Allocation in Scotland, practice guide.

### **Housing Options and Housing Support**

Housing and Technical Resources provide advice and assistance to veterans and current members of the Armed Forces through the Home Options service which provides access to information and advice on a range of housing and related options. This information ensures that there is help and support for veterans to make informed choices about their housing options.

When an application for housing is received from a veteran or current member of the Armed Forces, Housing Officers will work with them to understand their needs and provide information and advice on housing options suitable to their circumstances.

Housing Support can be provided to veterans or members of the Armed Forces who may need help to prepare for, or manage and sustain their tenancy, by assisting them with developing the skills and confidence for moving into and managing a new home.

Where appropriate, referrals may also be made to specialist support services such as Scottish Veterans Housing Association, SAFFA, ASAP as well as Citizens Advice and NHS services etc.

### **Performance Information – List and Lets**

The table below sets out the number of applications assessed as having Urgent Forces priority (as at the end of each financial year) and the number of lets made to applicants between 2019/20 and 2023/24 (to date). The table also highlights the average number of days taken to provide housing, from date of application to the tenancy start date.

| <b>Year</b>                 | <b>Urgent Forces New Applications Received</b> | <b>South Lanarkshire Council Lets to Urgent Forces List</b> | <b>Ave Days to House<br/>(Date of Award to Date of Entry)</b> |
|-----------------------------|--|---|---|
| <b>2019-20</b>              | 4  | 3   | 99  |
| <b>2020-21</b>              | 2  | 3   | 60  |
| <b>2021-22</b>              | 0  | 1   | 6   |
| <b>2022-23</b>              | 5  | 3   | 66  |
| <b>2023-24(YTD) 5th Oct</b> | 3  | 3   | 59  |

In relation to aids and adaptations, only one required a shower/wet floor installed following the allocation of the property.

### **National support and advice**

The Scottish Government has a dedicated area on its website for veterans and has also published a document for Veterans called 'Scottish Housing guide for people leaving the Armed Forces and ex-service personnel' which is also referenced on the South Lanarkshire Council website.

South Lanarkshire has been recognised as a good practice case study for veterans on the Scottish Government website for prioritising veterans within its Allocation Policy. In addition, the Scottish Government has also acknowledged South Lanarkshire's Housing Allocation Policy within the document which accompanies the third annual update to the Scottish Parliament in 2019 on the support for our veterans and the Armed Forces community in Scotland.

## **Peer Review - Other local authority approaches to allocating housing to veterans**

Earlier this year, a peer review was undertaken to consider the approach taken by six other local authorities in respect of the management and prioritisation of applications for housing from veterans, as detailed within respective Housing Allocations Policies.

Analysis of the information provided, confirmed that South Lanarkshire Council provides a higher level of priority for housing to Armed Forces personnel than other similarly sized local authority landlords.

## **Customer Engagement**

We recognise that the best way to ensure that customers are involved in shaping our housing services is to work in partnership and build on existing relationships. This approach is also in line with the council values outlined in Connect 2022-2027:

- ◆ focused on people and their needs.
- ◆ working with and respecting others
- ◆ accountable, effective, efficient, and transparent
- ◆ ambitious, self-aware, and improving
- ◆ fair, open, and sustainable

Most recently, Military Matters, part of Housing Options Scotland, contributed to the development of the Local Housing Strategy 2022-27 and, more recently, we have contacted a number of armed forces and veterans' organisations to help inform our Customer Involvement Strategy 2024-29.

This is the fifth strategy prepared in accordance with the requirements of the Housing (Scotland) Act 2001. This strategy aims to build upon the achievements of our previous Customer Involvement Strategy and sets out our continued commitment to engaging and involving customers in shaping housing services.

## **Armed Forces Day**

The Armed Forces Day 2023 was incorporated into the Freedom of South Lanarkshire event below. We raised the Armed Forces Day flag during the service conducted by Rev. Blackman. Stalls representing all of the services and veterans' charities were present on the day outside the building.

## **Freedom of South Lanarkshire Awarded to the Royal Regiment of Scotland**

The Freedom of South Lanarkshire was granted for the first time to the Royal Regiment of Scotland (SCOTS) on Armed Forces Day 2023.

At an historic event, the Royal Regiment paraded around the streets of Hamilton and Provost Margaret Cooper handed over a special scroll containing the Freedom of South Lanarkshire document to Major General James Roddis.

A number of other gifts were also handed over to the Royal Regiment to mark the occasion.

Provost Cooper said:

“The whole day was a fantastic, colourful occasion and I would like to thank the Royal Regiment for putting on such a marvellous display. I was filled with an immense sense of pride as they marched with their bayonets fixed, drums beating and pipes playing.

We also had a fantastic turnout, so thank you to the people of South Lanarkshire who came along to witness the historic occasion.

I would like to thank our veterans, who looked wonderful as usual, as well as the cadets who also added to the sense of occasion.

I am delighted that the Royal Regiment are the first to receive the honour of the Freedom of South Lanarkshire.”

Major General Roddis said:

“It was an honour and a privilege for The Royal Regiment of Scotland to be the first recipients of the Freedom of South Lanarkshire.

It was a special day for the people of this vibrant community and for our soldiers and will only further the strong links we already enjoy.

We are immensely grateful to the Provost and her team for enabling this unique occasion.

Soldiers exist to serve their people and for our work, in peace and in war, to be recognised is truly humbling and a great source of strength and pride to us all.”

### **Poppy Scotland**

The Poppy Big Band Tour took place in the Memorial Hall, Lanark on 15 September. The Provost hosted a small Civic Reception before the event where local Councillors and VIPs from Poppy Scotland were present. Tickets were sold for the event through the Memorial Hall. The Council paid for the hire of the venue. Poppy Scotland paid for the band meals etc.

### **Festival of Remembrance**

The Festival of Remembrance was held in the Townhouse on 4 November. This event was organised through the British Legion. Local schools (Hamilton area) performed a set each and the event finished with the Remembrance Service. The event was attended by the Provost and Lord Lieutenant.

### **Armistice Day**

#### **Remembering the fallen ahead of Armistice Day**

Those who made the ultimate sacrifice were remembered ahead of Armistice Day. A service took place at the Victoria Cross Memorial in Hamilton. Wreaths were laid in commemoration and a two-minute silence observed following the Last Post.

Depute Provost Bert Thomson and Deputy Lord Lieutenant of Lanarkshire Louis Munn joined Rev Ross Blackman of Hamilton Old Parish Church, Reverend Joanne Hood of St John's Parish Church, and military veterans for the service.

Pupils from Hamilton College, councillors, council officials and members of the public also attended the service.

Depute Provost Thomson said:

"I was honoured to take part in today's service.

It is always very poignant to reflect in a moment of silence to remember the sacrifice made by those fighting to protect the freedoms we enjoy today.

Remembering their sacrifices not only honours them but reminds us that we all have a part to play to ensure that their deaths were not in vain.

We remember them, and we never forget."

The council's Veterans' Champion, Councillor Mark Horsham, said:

"The service today was very moving and allows us to honour those who gave their lives in conflict.

We thank all who have served and all who currently do so – those who understand more than we ever can."

The Victoria Cross memorial commemorates the residents of Hamilton who were awarded the Victoria Cross in the First World War and the Second World War.

A number of services were scheduled to take place across South Lanarkshire on Remembrance Sunday (12 November) to remember the fallen.

### **Remembrance Day**

#### **Remembering the fallen and their legacy**

Remembrance Sunday services took place across South Lanarkshire, including at the Cenotaph in Hamilton.

Among those in attendance at Bothwell Park were Provost Margaret Cooper and Lord Lieutenant of Lanarkshire, Lady Susan Haughey.

They were joined by Reverend Ross Blackman of Hamilton Old Parish Church, Reverend Joanne Hood of St John's Parish Church, military veterans, pupils from local schools, councillors, council officials and members of the public.

Services also took place at the War Memorials in East Kilbride and Larkhall.



Provost Cooper said:

“I was honoured as Provost to take part in Sunday’s service.

It is always very poignant, and we remember the sacrifice made by those fighting to protect the freedoms we enjoy today.

Remembering their sacrifices not only honours them but reminds us that we all have a part to play to ensure that their deaths were not in vain.

We remember them, and we never forget.”

### **Lanarkshire Firmbase**

Lanarkshire Firmbase, which is jointly chaired by the Armed Forces and Veterans Champions of both North and South Lanarkshire, met three times during 2023. Membership of the group also includes Legal, Personnel, Housing, Education and Corporate Communications representatives of both councils together with representatives of the Royal Air Force Benevolent Fund, Forces Employment Charity, Armed Services Advice Project (ASAP), Skills Development Scotland, BLESMA, Defence Medical Welfare Service (DMWS), REMPLOY, Office of the Lieutenancy, Veterans Scotland, the Veterans Champion, NHS Lanarkshire, CPT, Veterans Welfare Service, Who Dares Cares, Project Nova, DWP, Lowlands Reserve Forces and Cadets Assoc, Veterans 1<sup>st</sup> Point, MOD, C Company (6 SCOTS), Fares4Free and Alcoholics Anonymous.

Matters considered by the Group included

- ◆ **Decade of the Covenant Review** undertaken by the First in Mind Trust (FiMT) focussing on the delivery and impact of ten years of the Armed Forces. The publication of the report, 11 years after the introduction of the Covenant, coincided with the introduction of a legal duty on councils, the NHS, and schools to “have due regard” to the Covenant in relation to healthcare, education, and housing. An awareness session for local authority champions had taken place with discussions focussing on the toolkit and role descriptions.
- ◆ **Employment for Veterans Transitioning from Services** - The Forces Employment Charity arranged an event in the West of Scotland to encourage veterans and early service leavers to attend. Veterans can be registered with the Charity from seven months post discharge, and anyone can register for employment support. The charity supports veterans and spouses with the view that this be extended to looking at supporting dependence in relation to courses, training, CVs, and events in respect of employment relations.
- ◆ **REMPLOY – Open Day**  
REMPLOY advised that to support employability, they were in the process of arranging an open day each month to be held in Quarry Street, Hamilton and that would allow groups of individuals to meet in a relaxed environment. A Jobs Fayre had also been arranged to take place on 22 March and would include a multitude of sectors from care, retail, and hospitality.

- ◆ **Lanarkshire Firm Base – Proposed Change of Name**
  - ◆ **Arrangements for Armed Forces Day**
  - ◆ **Terms of Reference for the renamed** Lanarkshire Armed Forces Community and Veterans Covenant Group (formerly Lanarkshire Firmbase) will be reviewed in 2024.
  - ◆ **Royal Regiment of Scotland -Freedom of North Lanarkshire which would be held on 29 June 2024.**
  - ◆ **Veteran Friendly GP Processes-** Veterans Champion, NHS Lanarkshire advised of the current support and mechanisms in place when a Veteran makes themselves known to their GP, that they have faster access to secondary care via the referral management system, and whilst there are increasing issues to general practice, veterans do get priority and better access, and that there were no outstanding issues.
  - ◆ **The Upskilling Veterans Project-** work currently being undertaken to support veterans.
  - ◆ **Veterans Mentoring Service (Sacro) -** advised of the support being provided for veterans at risk of being involved in the criminal justice system, and that discussions were ongoing with Barlinnie prison with a view to settling up coffee mornings and assistance to assist veterans reintegrate with society and access support available such as benefits and exploring employment opportunities.
  - ◆ **Armed Forces Covenant Duty-Statutory Guidance**  
The Covenant had now been enshrined in law and there was now a statutory duty to give due regard to the Covenant in certain services. The new guidance published by the Ministry of Defence in November 2022, was very helpful in giving advice, with detailed interpretation and good examples of the Duty.
  - ◆ **Support for Veterans at Interviews -** South Lanarkshire Council held an Awareness Session on 21 April 2023 with various guest speakers including:-
    - ◆ Ex-Forces Employment Consultant (West Scotland), Forces Employment Charity
    - ◆ Team Leader, Skills Development Scotland
    - ◆ Armed Forces Champion for South West Scotland, Department for Work and Pensions
    - ◆ Area Director for Scotland, RAF Benevolent Fund

During the session, the speakers and attendees concentrated on recruitment and the Guaranteed Interview Scheme which ensured that candidates would not be disadvantaged in anyway.

Following the awareness session, it was agreed that Skills Development Scotland would provide training for South Lanarkshire Council's HR staff for interviewing veterans.

- ◆ **Scottish Veterans Commissioner** outlined her 3-year strategic plan for 2023 to 2025 which included its mission and mandate, vision and values, and offered an outline of the work that would be pursued during her 3-year appointment as Scottish Veterans Commissioner. It would set a path and priorities, as well as the next steps and approach the Commissioner would be taking. Some of this work may be more long term and would continue beyond the end of Commissioner's tenure and then this would be a decision for her successor.
- ◆ **RBLI Lifeworks-** Royal British Legion Industries (RBLI) gave a presentation on the work of RBLI



## **Local Authority Armed Forces and Veterans Champion Role Description**

### **Definitions:**

The Armed Forces and Veterans Community includes Serving and former members of the Armed Forces, regular and reserve, their families, cadets, the Merchant Navy and may include others with an interest in them.

### **Introduction**

All 32 Local Authorities in Scotland are signatories to the Armed Forces Covenant. This means that each council acknowledges and understands that those who Serve, or who have Served in the Armed Forces, and their families, should be treated with fairness and respect. The Covenant focuses on helping members of the Armed Forces community have the same access to government and commercial services and products as any other citizen and ensures that they suffer no disadvantage as a result of their Service.

### **The Profile**

The Champion should ideally be an Elected Member of the Local Authority and ideally be supported by a Local Authority Officer.

Personal experience of the Armed Forces Community, as a member or former member of the Armed Forces, regular and reserve, or with a direct family connection, can be an advantage, but not essential.

### **The Role**

#### **Advocacy**

1. Advocate on behalf of the Armed Forces Community within the Local Authority area.
2. To raise the profile and needs of the Armed Forces Community, internally and externally, with the Local Authority.
3. To engage with the preparations for Armed Forces Day within the Local Authority area.
4. Regular liaison with the Chief Executive to ensure that all forthcoming military ceremonial events are included in the Local Authority calendar of events, in line with Armed Forces Covenant obligations to recognise Service; and ensuring that other Members and Officers are aware of such events.

5. To ensure close liaison and involvement on all military ceremonial matters in which the Leader/Provost is involved (e.g. Armed Forces Day flag raising, attendance at local Armed Forces events, etc.).
6. Encourage and support local organisations to apply to the Scottish Government's Scottish Veterans Fund and the UK Government's Armed Forces Covenant Trust Fund and similar grants in order to secure funding for local initiatives that will benefit the Armed Forces Community
7. Work with the third sector to promote the support services available to the Armed Forces community and assist with casework as appropriate.
8. Where possible, it is expected that Armed Forces and Veterans Champions will seek to deliver a long-term legacy from their time in the role.

#### Liaison & Communications

9. To raise awareness of the role of an AF Champion across the Armed Forces and civilian communities within the Local Authority area.
10. To form positive working relationships with local Armed Forces Commanders, other AF Champions (e.g. NHS, Police, DWP) and representatives of other Local Authorities within the area of responsibility for those AF Commanders to better understand and address the needs of the Armed Forces Community within the context of local authority roles and responsibilities.
11. Within the local authority area, liaise with the Armed Forces Community (e.g. AF Families Federations), Reserve Forces and Cadet Associations (RFCAs), Third Sector (including Veterans Scotland) and local Veterans Groups to identify issues that need to be addressed and resolved or areas of good practice that could be replicated either locally or nationally. This is likely to include supporting local Firm Base (or similar) meetings where such organisations have the opportunity to network and consider issues faced by members of the Armed Forces community.
12. Engage with the relevant Scottish and UK Government Departments and public/private sector organisations on matters relating to the Armed Forces community.
13. To keep the local MPs and MSPs informed of the activity and issues within the Local Authority in relation to the Armed Forces community on at least a quarterly basis.
14. To stay informed of relevant developments through attendance at conferences (including the annual Veterans Scotland Gathering), seminars and Task Groups, where appropriate.
15. Attend the annual Armed Forces and Veterans Champions Gathering, and encourage attendance by appropriate Local Authority staff.

## Scrutiny and Policy

16. Ensure, where appropriate, that the interests of the Armed Forces Community, within the Local Authority area, are properly considered and prioritised within the Council's policies, strategies and plans in line with the Local Authority's commitment to the Armed Forces Covenant and the legal obligation to have due regard to the principles of the Covenant when exercising specific functions in the areas of health, housing and education.
17. Consider the impact of council decisions and policies on the Armed Forces Community in line with the Armed Forces Covenant and the Covenant Duty
18. Ensure that council services likely to be used by the Armed Forces Community within the Local Authority Area are robust, performing effectively in line with the Armed Forces Covenant and that the specified services in scope are meeting the legal obligation to have due regard to the principles of the Covenant by giving conscious consideration to the needs of the Armed Forces Community.
19. To work closely with other Councillors and senior Local Authority staff with particular reference to the Local Authority's obligations to the Armed Forces Covenant including the Covenant Duty legal obligation.
20. To report Annually to the Executive/Cabinet/Local or Joint Committee detailing the Council's activities and achievements over the previous 12 months in respect of their obligations (including legal) to the Covenant. Such a report should include observations on where policies are falling short of expectation as well as more positive messages.
21. Report to the Leader and Council as appropriate.





# Report

**5**

|                  |                                  |
|------------------|----------------------------------|
| Report to:       | <b>South Lanarkshire Council</b> |
| Date of Meeting: | <b>31 January 2024</b>           |
| Report by:       | <b>Chief Executive</b>           |

|          |   |
|----------|---|
| Subject: | <b>Composition of the Council and Membership Places</b> |
|----------|---|

## **1. Purpose of Report**

1.1. The purpose of the report is to:-

- ♦ advise of a recent change to the composition of the Council following the resignation of Councillor Horsham from the SNP Group and the proposed allocation of committee places

## **2. Recommendation(s)**

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that the current political composition of the Council, as detailed in Appendix 1, be noted;
- (2) that Councillor Marrs replace Councillor Horsham on the Education Resources Committee, with Councillor Horne filling the resulting place as a substitute member;
- (3) that Councillor Marrs replace Councillor Horsham on the Education Appeals Committee;
- (4) that Councillor Anderson replace Councillor Horsham on the Social Work Resources Committee, with Councillor Dewar filling the resulting place as a substitute member;
- (5) that Councillor Horne replace Councillor Horsham and Councillor Donnelly replace Councillor Ferguson-Miller on the Planning Committee, with Councillor Ferguson-Miller becoming a substitute member;
- (6) that Councillor Shearer replace Councillor Horsham on the Planning Local Review Body;
- (7) that Councillor Ferguson-Miller replace Councillor Horsham as a substitute member on the Licensing Committee;
- (8) that Councillor Clark replace Councillor Horsham as a substitute member on the Rural Task Force;
- (9) that Councillor McDougall replace Councillor Horsham as a Trustee on both the South Lanarkshire Charitable Trust and the South Lanarkshire Educational Trust;
- (10) that Councillor Marrs replace Councillor Horsham on the South Lanarkshire Cycling Partnership;
- (11) that Councillor Shearer replace Councillor Horsham as a substitute member on the Standards and Procedures Advisory Forum;
- (12) that Councillor Ross replace Councillor Horsham on the Strathclyde Partnership for Transport Board;

- (13) that, as there is an equality in percentage entitlement for both the Labour and SNP Groups which does not equate to a full number and requires to be rounded up or down in terms of appointments to the Executive Committee, Climate Change and Sustainability Committee, Licensing Committee, Petitions Committee, Equal Opportunities Forum and Standards and Procedures Advisory Forum, consideration be given to whether the place is allocated to the Ruling Group; and
- (14) that authority be delegated to the Chief Executive, in consultation with the Leaders of the relevant political groups, to finalise memberships of those bodies listed in Recommendation (13), or any other outstanding places, on the basis approved by the Council.

### **3. Background**

- 3.1. Following the resignation of Councillor Horsham from the SNP Group, the political composition of the Council has changed and the allocation of committee places requires to be considered.

### **4. Places on Committees**

- 4.1. While there is no statutory requirement in terms of allocating membership places, the Council endeavours to reflect the overall political balance in the membership of its committees, forums, Joint Boards and Outside Bodies insofar as is reasonably practicable.
- 4.2. The political composition of Resource Committees, Planning Committee, Risk and Audit Scrutiny Committee, Recruitment Committee and Planning Local Review Body remains unchanged, as does most of the Forum memberships. It is, therefore, proposed that those places previously filled by Councillor Horsham are allocated to the SNP Group.
- 4.3. There is now an equality in percentage entitlement for both the Labour and SNP Groups which does not equate to a full number and requires to be rounded up or down in terms of appointments to:-
- ◆ Executive Committee
  - ◆ Climate Change and Sustainability Committee
  - ◆ Licensing Committee
  - ◆ Petitions Committee
  - ◆ Equal Opportunities Forum\*
  - ◆ Standards and Procedures Advisory Forum\*

\* As all Groups are represented on both of these forums, the percentages have never calculated exactly in terms of places. As SNP originally had the highest amount of members, they benefited from getting their entitlement, while there was no capacity to increase Labour

- 4.4. In the past, it has been custom and practice to grant any unfilled spaces on committees, forums or boards to the Ruling Group. However, there has never been a situation where the 2 largest groups have had an equality of numbers/percentage entitlement.

- 4.5. A copy of the current and revised breakdown of those committees/forums which are affected is detailed at Appendix 1, with places highlighted in red. Consideration requires to be given as to whether the rounding up of places is allocated to the Ruling Group. In accordance with usual practice, any alternative proposal would require to be proposed and seconded and, in the event of an equal number of votes, Standing Orders would apply.

**5. Employee Implications**

- 5.1. None.

**6. Financial Implications**

- 6.1 None.

**7. Climate Change, Sustainability and Environmental Implications**

- 7.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

**8. Other Implications**

- 8.1 There are no risks or sustainability issues in terms of the information contained in this report.

**9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. There was no requirement for an equality impact assessment or formal consultation in terms of the information contained in this report.

**Paul Manning**  
**Chief Executive**

8 January 2024

**Link(s) to Council Values/Ambitions/Objectives**

- ◆ Fair, open and sustainable
- ◆ Accountable, effective, efficient and transparent

**Previous References**

- ◆ South Lanarkshire Council of 23 August 2023

**List of Background Papers**

None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Susan Somerville, Administration Manager

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E-mail: [susan.somerville@southlanarkshire.gov.uk](mailto:susan.somerville@southlanarkshire.gov.uk)

### Breakdown of Committee Memberships

#### Previous Council Breakdown:

Scottish National Party 26 (40.63%); Labour 25 (39.06%); Conservative 7 (10.94%); Liberal Democrats 3 (4.69%); Independent Group 2 (3.13%); Green 1 (1.56%)

| Committee   | Total Membership | Leader ex officio | SNP | Lab | Con | Lib Dems | Ind Group | Green |
|---|------------------|-------------------|-----|-----|-----|----------|-----------|-------|
| <b>Executive Committee</b><br>* Chair of CCSC   | 28 + 1*          | 1                 | 11  | 10  | 3   | 1 + 1*   | 1         | 1     |
| <b>Climate Change and Sustainability Committee (CCSC)</b>   | 28               | 1                 | 11  | 10  | 3   | 1        | 1         | 1     |
| <b>Licensing Committee</b>  | 10               | 1                 | 4   | 3   | 1   | 1        | -         | -     |
| <b>Petitions Committee</b>  | 9                | -                 | 4   | 3   | 1   | 1        |           |       |
| <b>Equal Opportunities Forum/<br/>Standards and Procedures<br/>Advisory Forum</b><br>[As all Groups are represented on both these forums, the percentages have never calculated exactly in terms of places. As SNP originally had the highest amount of members, they benefited from getting their entitlement, while there was no capacity to increase Labour] | 11               | -                 | 4   | 3   | 1   | 1        | 1         | 1     |

#### Current Council Breakdown:

Scottish National Party 25 (39.06%); Labour 25 (39.06%); Conservative 7 (10.94%); Liberal Democrats 3 (4.69%); Independent Group 2 (3.13%); Green 1 (1.56%)

| Committee  | Total Membership | Leader ex officio | SNP   | Lab   | Con | Lib Dems | Ind Group | Green |
|--|------------------|-------------------|-------|-------|-----|----------|-----------|-------|
| <b>Executive Committee</b><br>* Chair of CCSC  | 28 + 1*          | 1                 | 10.54 | 10.54 | 3   | 1 + 1*   | 1         | 1     |
| <b>Climate Change and Sustainability Committee (CCSC)</b>  | 28               | 1                 | 10.54 | 10.54 | 3   | 1        | 1         | 1     |
| <b>Licensing Committee</b>   | 10               | 1                 | 3.52  | 3.52  | 1   | 1        | -         | -     |
| <b>Petitions Committee</b>   | 9                | -                 | 3.52  | 3.52  | 1   | 1        |           |       |
| <b>Equal Opportunities Forum/<br/>Standards and Procedures<br/>Advisory Forum</b><br>[* One Group would require to drop to 3 members to accommodate the requirement for all groups to be represented, the other would remain at 4] | 11               | -                 | 4.3*  | 4.3*  | 1   | 1        | 1         | 1     |

## **South Lanarkshire's Nature Emergency**

### **Notice of Motion**

Motion received in terms of Standing Order No 20 on 16 January 2024, proposed by Councillor Kirsten Robb, seconded by Councillor Ross Clark, as follows:-

#### **"Council:-**

- 1) Notes the body of evidence which outlines the alarming extent of the global nature and biodiversity crisis due to species extinction, climate breakdown, habitat loss, pesticide use, pollution, invasive species and soil degradation.
- 2) Recognises the inherent value of nature as an integral part of culture and society, as well as its crucial importance for our health, wellbeing, and economy.
- 3) Acknowledges the key role nature will play in meeting climate targets, and for climate adaptation and resilience.

#### **Further, Council:-**

- 4) Welcomes the Edinburgh Declaration, signed by South Lanarkshire Council, which recognised local authorities' important role in delivering biodiversity and notes there will be forthcoming statutory targets for public bodies to halt biodiversity loss by 2030 and restore it by 2045.
- 5) Acknowledges the progress made in South Lanarkshire, with the designation and expansion of nature reserves and award of Nature Restoration Fund of £1million to date.
- 6) Recognises the role that the public have played and must play in the future to meet biodiversity targets and notes the important role of the council's Countryside and Greenspace team who between 2011 and 2022 facilitated around £2m worth of environmental volunteering.
- 7) Notes the results of the 2022 Grounds Participatory Budgeting exercise where the majority of respondents said they would like to see more areas developed for wildflowers and pollinators.
- 8) Congratulates young people in Holy Cross and Carluke High Schools for their work on the Scottish Curriculum and Qualification Framework accredited Forestry and Outdoor Learning Award (FOLA), preparing them for green economy jobs and enhancing their employability skills.

#### **Therefore, Council agrees:-**

- 9) To declare a Nature Emergency recognising the current state of nature, its value to society and the crucial role its recovery and restoration will play in ameliorating climate breakdown.

**Further, Council requests reports to appropriate committees to:-**

10) Ensure Council strategies, Resource plans and initiatives align with the Scottish Biodiversity Strategy and address any changes, data and capacity required to develop and monitor action.

11) Adopt a partnership approach at a landscape scale, maximising opportunities for biodiversity improvement and external funding, and propose and support the link between the South Lanarkshire Biodiversity Partnership and the South Lanarkshire Community Planning Partnership being reinstated.

12) Highlight council action which would improve biodiversity, such as: ceasing the use of peat and plastic grass in landscaping, reducing glyphosate use, planting only pollinator friendly species and incorporating nest boxes and minimising light pollution in the Residential Design Guide.

13) Ensure the current and future workforce understands the importance of biodiversity, how it impacts their role and how nature-connected organisations improve staff wellbeing. This would also determine additional skills or knowledge needed by the workforce, offer biodiversity training to all elected members, and promote and support FOLA in more schools.

14) Build on existing corporate communications highlighting changes that will be put in place to improve biodiversity, why they are happening and what benefits they will bring.”

# Report

7

Report to: **South Lanarkshire Council**  
Date of Meeting: **31 January 2024**  
Report by: **Chief Executive**

Subject: **Touch a Life, Make a Difference Initiative**

## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ seek approval to launch a “Touch a Life, Make a Difference” initiative within South Lanarkshire which is intended to encourage and recognise the work of local fundraisers who raise money for local good causes and benefit people within their community

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that the launch of the “Touch a Life, Make a Difference” initiative to encourage local organisations, community groups, local people and schoolchildren to raise money for good causes within their own and the wider South Lanarkshire area for the benefit of people be approved;
- (2) that it be approved that Kilbryde Hospice be promoted as the beneficiary of fundraising initiatives in 2024; and
- (3) that a Provost Charitable Award and South Lanarkshire Council Roll of Honour for Local Fundraising is established to honour local fundraisers and ensure that they receive the publicity they deserve.

## 3. Background

3.1. The Provost suggested that a new approach be taken within the Council to encourage local businesses, groups, organisations and schoolchildren to fundraise for local good causes which benefit people within their communities or within the wider South Lanarkshire Council area.

3.2. The “Touch a Life, Make a Difference” initiative has been developed to reach out to local people, schoolchildren, groups, businesses and other organisations to encourage fundraising or fundraising events and activities for local good causes operating within their own area or the wider South Lanarkshire area. Each year one beneficiary will be recommended as the recipient of fundraising activities, although individuals, groups etc will be free to choose their own good cause. Kilbryde Hospice has been suggested as the beneficiary in 2024.

## 4. South Lanarkshire Council Roll of Honour for Local Fundraising

4.1. It is proposed that a South Lanarkshire Council Roll of Honour for Local Fundraising and Provost Charitable Award is established to recognise the hard work of local fundraisers who raise much needed funds for the benefit of local good causes and to give them the publicity they deserve. Ward councillors would be invited to submit

names of individuals, groups etc for inclusion in the Roll of Honour and to be recipients of the Provost Charitable Award.

- 4.2. It is proposed that a civic reception is held at the end of the calendar year to honour local fundraisers included in the Roll of Honour.

## **5. Employee Implications**

- 5.1. None.

## **6. Financial Implications**

- 6.1. The costs of the proposed Provost Charitable Award and civic reception will be met from existing budgets.

## **7. Climate Change, Sustainability and Environmental Implications**

- 7.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

## **8. Other Implications**

- 8.1. None.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. There is no requirement to carry out an Equality Impact Assessment or consultation in terms of the proposals contained in this report.

**Paul Manning**  
**Chief Executive**

17 January 2024

## **Link(s) to Council Values/Priorities/Outcomes**

- ◆ Focused on people and their needs

## **Previous References**

- ◆ None

## **List of Background Papers**

- ◆ None

## **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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# Report

8

Report to: **South Lanarkshire Council**  
 Date of Meeting: **31 January 2024**  
 Report by: **Chief Executive**

Subject: **Recommendation Referred by Executive Committee –  
 Reduction in Number of Specialist Palliative Care Beds  
 at Kilbryde Hospice**

## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ provide an update on a matter considered by the Executive Committee at its meeting on 22 November 2023

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that the update following on from the Executive Committee of 22 November 2023 in relation to Kilbryde Hospice be noted.

## 3. Recommendation Referred by the Executive Committee – Item of Urgent Business – Reduction in Number of Specialist Palliative Care Beds at Kilbryde Hospice, East Kilbride – Extract of Minute

3.1. In terms of Standing Order 4(c) of the Council's Standing Orders on Procedures, the Chair decided that consideration be given to the following item of business as a matter of urgency.

Councillor Fagan referred to an item of urgent business which had been tabled, requesting that the Committee, on a cross party basis, refer the terms of a motion in relation to the Reduction in the Number of Specialist Palliative Care Beds at Kilbryde Hospice, East Kilbride, to the next meeting of the Council:-

- ♦ seeking reassurance from NHS Lanarkshire officials that the full complement of Specialist Palliative Care Beds at Kilbryde Hospice be reinstated at the earliest opportunity
- ♦ urging that senior officers of NHS Lanarkshire work with Kilbryde Hospice to secure a sustainable model of care and skill mix based on learning from other parts of the country
- ♦ requesting agreement to write to Jenni Minto, the Scottish Government Minister for Public Health and Women's Health, requesting that hospices receive fair and competent funding to enable them to continue to provide highly valued exceptional specialist palliative care for those who required it across our communities. This included highlighting the national shortage of palliative care consultant staff available to support the operation of hospices throughout the country

Following discussion and members having stressed the urgent need to address the current situation in respect of Kilbryde Hospice, it was proposed that:-

- ♦ the Chief Executive write to the Minister for Public Health and Women's Health and the Chair and Chief Executive of NHS Lanarkshire respectively highlighting the concerns detailed in the terms of the motion circulated to members
- ♦ NHS colleagues be asked to arrange a briefing session for members in relation to the issues raised in respect of Kilbryde Hospice and that consideration be given to inviting the Chief Executive of Kilbryde Hospice to attend the session
- ♦ the matter be considered at the next full Council meeting

**The Committee decided:**

- (1) that the Chief Executive write to the Minister for Public Health and Women's Health and the Chair and Chief Executive of NHS Lanarkshire respectively highlighting the concerns detailed in the terms of the motion circulated to members;
- (2) that NHS colleagues be asked to arrange a briefing session for members in relation to the issues raised in respect of Kilbryde Hospice and that consideration be given to inviting the Chief Executive of Kilbryde Hospice to attend the session; and

**The Committee recommended** that the matter be considered at its next meeting.  
**to the Council:**

*Councillor Logan, having declared an interest in this item, left the meeting prior to its consideration*

**4. Progress Update**

- 4.1. As instructed by the Executive Committee, the Chief Executive wrote to the parties concerned on 22 November 2023. A response was received on 22 December 2023 from the Minister for Public Health and Women's Health advising that, as the temporary reduction in beds was for clinical and operational reasons, it was a matter for local governance and decision-making. As such, the Minister had convened a round table for Health and Social Care Partnerships and hospices on 5 December 2023 to discuss how the Scottish Government could support local governance and partnerships in the context of Integration Joint Board planning and commissioning of independent hospice care. She advised that the 2023/2024 Scottish Government Budget underlined its ongoing commitment to prioritise investment in health and social care, providing additional funding of over £1billion and taking the health and social care budget to over £19billion. She further advised that the request from the Scottish Hospice Leadership Group and Hospice UK for remedial funding to address their estimated deficits currently remains unaffordable.
- 4.2. A members' briefing session, led by NHS Lanarkshire, on End of Life Care and Support was held on Friday 19 January 2024.

**5. Employee Implications**

- 5.1. None.

**6. Financial Implications**

- 6.1. None.

**7. Climate Change, Sustainability and Environmental Implications**

- 7.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

**8. Other Implications**

- 8.1. None.

**9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. There is no requirement to carry out an Equality Impact Assessment or consultation in terms of the proposals contained in this report.

**Paul Manning**  
**Chief Executive**

17 January 2024

**Link(s) to Council Values/Priorities/Outcomes**

- ◆ Accountable, effective, efficient and transparent

**Previous References**

- ◆ Executive Committee of 22 November 2023

**List of Background Papers**

- ◆ None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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# Report

9

Report to: **South Lanarkshire Council**  
Date of Meeting: **31 January 2024**  
Report by: **Chief Executive**

Subject: **External Auditor's Annual Report to South Lanarkshire Council**

## 1. Purpose of Report

1.1. The purpose of the report is to:

- ♦ advise members of the External Auditor's, Audit Scotland, Annual Report to the Council for 2022/2023

## 2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):

- (1) that the External Auditor's Annual Report 2022/2023 to the Council be noted.

## 3. Background

3.1. The Risk and Audit Scrutiny Committee considered the External Auditor's Annual Report to the Council at its meeting on Tuesday, 31 October 2023.

3.2. A copy of Audit Scotland's letter and report for the Council and Charitable Trusts can be accessed at the following links (Agenda Items 4a and 4b of the Risk and Audit Scrutiny Committee refers):

- [External Auditor's Letter and Report - Council](#)
- [External Auditor's Letter and Report - Charitable Trusts](#)

## 4. Employee Implications

4.1. None.

## 5. Financial Implications

5.1. None.

## 6. Climate Change, Sustainability and Environmental Implications

6.1. There are no climate change, sustainability or environmental implications in terms of this report.

## 7. Other Implications

7.1. There are no issues in terms of risk in relation to the content of this report.

## 8. Equality Impact Assessment and Consultation Arrangements

8.1. No equality impact assessment or consultation is required in terms of the recommendation contained within this report.

**Paul Manning**  
**Chief Executive**

12 January 2024

**Link(s) to Council Values/Priorities/Outcomes**

- ◆ Accountable, effective, efficient and transparent

**Previous References**

- ◆ Risk and Audit Scrutiny Committee of 31 October 2023

**List of Background Papers**

- ◆ None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:

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