

## EXECUTIVE COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 20 March 2024

### **Chair:**

Councillor Joe Fagan (ex officio)

### **Councillors Present:**

Councillor Alex Allison, Councillor John Anderson, Councillor Robert Brown, Councillor Andy Carmichael, Councillor Ross Clark, Councillor Gerry Convery, Councillor Margaret Cooper, Councillor Andrea Cowan, Councillor Maureen Devlin, Councillor Gladys Ferguson-Miller, Councillor Susan Kerr, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Ian McAllan, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Elaine McDougall (*substitute for Councillor Maureen Chalmers*), Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor John Ross, Councillor Graham Scott (*substitute for Councillor Lynsey Hamilton*), Councillor David Shearer, Councillor Margaret B Walker

### **Councillors' Apologies:**

Councillor Maureen Chalmers, Councillor Lynsey Hamilton

### **Attending:**

#### **Chief Executive's Service**

P Manning, Chief Executive; T Little, Head of Communications and Strategy

#### **Community and Enterprise Resources**

D Booth, Executive Director; A Brown, Head of Enterprise and Sustainable Development

#### **Finance and Corporate Resources**

J Taylor, Executive Director; C Fergusson, Head of Finance (Transactions); P MacRae, Administration Adviser; K McLeod, Administration Assistant; M Milne, Head of Personnel Services; I Strachan, Head of Administration and Legal Services

#### **Housing and Technical Resources**

S Gibson, Executive Director; L Meek, Anti-Social Behaviour Manager

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

S Sengupta, Director, Health and Social Care

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### **Chair's Opening Remarks**

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The Chair, on behalf of the Committee:-

- ♦ welcomed Iain Strachan, Head of Administration and Legal Services to his first meeting of the Executive Committee
- ♦ congratulated Jackie Taylor on her recent appointment as Executive Director (Finance and Corporate Resources)
- ♦ referred to the forthcoming retirement of Pauline MacRae, Administration Adviser, and extended best wishes to her for a very happy retirement

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### **1 Declaration of Interests**

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No interests were declared.



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## **2 Minutes of Previous Meeting**

The minutes of the meeting of the Executive Committee held on 21 February 2024 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 Revenue Budget Monitoring for Period 1 April 2023 to 26 January 2024 and Probable Outturn**

A report dated 11 March 2024 by the Executive Director (Finance and Corporate Resources) was submitted on the overall financial position of the General Fund Revenue Account and the Housing Revenue Account for the period 1 April 2023 to 26 January 2024 and a projection for the year to 31 March 2024.

The report:-

- ◆ summarised the previously reported probable outturn position for the Council's General Fund Revenue Account to 31 March 2024
- ◆ provided details of the forecast position on the Housing Revenue Account for the financial year
- ◆ provided details of the position on the General Fund Revenue Account and the Housing Revenue Account respectively to 26 January 2024

The outturn position for the General Fund, after proposed transfers to reserves totalling £14.985 million, resulted in an underspend of £9.000 million. Full details of the transfers to reserves had been reported to the meeting of the Executive Committee held on 24 January 2024. The forecast position before and after transfers to reserves was detailed in appendices 1 and 2 to the report. Appendix 2 included the probable outturn underspend of £9.000 million as a transfer to reserves, resulting in a breakeven position for the Council's 2023/2024 probable outturn.

It was confirmed that withheld grant of £2.934 million in respect of teacher numbers had now been received by the Council.

At 26 January 2024, the position on the General Fund Revenue Account, after transfers to reserves, was an underspend of £2.617 million.

At 26 January 2024, the Housing Revenue Account showed a breakeven position and the forecast to 31 March 2024 on the Housing Revenue Account was also a breakeven position.

Officers responded to a member's question on the position regarding Barnett consequentials coming forward for Scotland.

**The Committee decided:**

- (1) that the Council's breakeven probable outturn position after transfers to reserves, as detailed in section 4.1 of the report, be noted;
- (2) that the underspend of £2.617 million on the General Fund Revenue Account at 26 January 2024, as detailed in section 5.1 of the report, be noted; and
- (3) that the breakeven position on the Housing Revenue Account at 26 January 2024 and the forecast to 31 March 2024 of breakeven, as detailed in sections 6.1 and 6.2 of the report, be noted.

*[Reference: Minutes of 21 February 2024 (Paragraph 3)]*



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#### **4 Capital Budget 2023/2024 and Monitoring for Period 11 - 1 April 2023 to 26 January 2024**

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A report dated 11 March 2024 by the Executive Director (Finance and Corporate Resources) was submitted on progress of the General Fund Capital Programme and the Housing Capital Programme for the period 1 April 2023 to 26 January 2024.

At its meeting on 21 February 2024, the Committee had approved a General Fund Capital Programme for 2023/2024 totalling £78.296 million. There were no proposed adjustments to the programme and, as a result, the budget, as detailed in Appendix 1 to the report, remained at £78.296 million. Programmed funding for the year also amounted to £78.296 million and the funding available to support the overall 2023/2034 Capital Programme was detailed in Appendix 2 to the report.

Estimates from Resources suggested an outturn of around £72 million. Against the revised budget of £78.296 million, the outturn position meant a net underspend of £6.3 million. This comprised project underspends totalling £8.5 million, offset by projects with greater than anticipated spend of £2.2 million. The majority of the variance was due to the timing of spend, resulting in budget required in 2024/2025 rather than 2023/2024. Funding for projects remaining underspent at the financial year-end would be carried forward to allow the projects to be completed in 2024/2025. Details of the underspent projects were provided in section 4.4 of the report and projects scheduled for completion in 2024/2025 were listed in Appendix 3 of the report.

At 26 January 2024, £36.695 million had been spent on the General Fund Capital Programme, against a budget for the period of £37.171 million, resulting in spending being slightly behind programme in the sum of £0.476 million which was as a result of timing of spend on a number of projects. Actual funding received to 26 January 2024 totalled £66.450 million.

The Housing Capital Programme 2023/2024, approved by the Executive Committee at its meeting on 21 February 2024, totalled £67.443 million. Programmed funding for the year also totalled £67.443 million and details of the position of the programme at 26 January 2024 were provided in Appendix 4 of the report.

At 26 January 2024, the budget for the Housing Capital Programme amounted to £43.225 million. Expenditure for the period totalled £45.478 million and actual funding received to 26 January 2024 also amounted to £45.478 million.

Officers responded to members' questions on various aspects of the report.

##### **The Committee decided:**

- (1) that the period 11 position at 26 January 2024 of the General Fund Capital Programme, detailed in Appendices 1 to 3 of the report, and the Housing Capital Programme, detailed in Appendix 4, be noted; and
- (2) that the revised programmes be monitored by the Financial Resources Scrutiny Forum.

*[Reference: Minutes of 21 February 2024 (Paragraph 4)]*

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#### **5 Employability Services**

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A joint report dated 11 March 2024 by the Executive Directors (Community and Enterprise Resources), (Finance and Corporate Resources) and (Education Resources) was submitted providing an update on the transfer of Employability Services and related compliance activity from Education Resources and Finance and Corporate Resources to Community and Enterprise Resources.



A report submitted to the meeting of the Community and Enterprise Resources Committee held on 9 August 2022 highlighted the opportunity for the Council to look across its wider management structure and realign service provision where areas of common benefit could be identified. The proposed transfer of Employability Services to Community and Enterprise Resources built on that aspiration to deliver services in new and innovative ways.

Details of the programmes delivered and managed by the Council across the employability teams were provided in Appendix 1 to the report and included:-

- ◆ School Employability Programmes such as GradU8, GradU8 Work Experience, Foundation Apprenticeships and Aspire
- ◆ Post-school Employability Programmes such as AspireWorks, Gateway to Employment, Supported Employment and Rural Academy - South Lanarkshire College
- ◆ Parental Employability Programmes such as Supporting Families, Making it Work for Parents – Routes to Work South, Upskilling, NHS Demonstrator and Connect 2 Renewables Employability Initiative

It was proposed to transfer responsibility for youth and adult employability from Education Resources and Finance and Corporate Resources to Community and Enterprise Resources, together with Compliance Support, from 1 April 2024. This single team approach would bring a range of benefits to the delivery of Employability Services including:-

- ◆ reduction of duplication
- ◆ increased flexibility
- ◆ maximisation of the impact of Scottish and UK Government employability funding streams
- ◆ opportunities to co-ordinate and jointly promote business grants and employer recruitment incentives
- ◆ support of business growth through the development of skills pathways across the range of youth and adult employability programmes

Regular reports on the progress of school based programmes would continue to be submitted to the Education Resources Committee.

Officers responded to members' questions on various aspects of the report.

**The Committee decided:** that the transfer of Employability Services and related compliance activity from Education Resources and Finance and Corporate Resources to Community and Enterprise Resources, as detailed in sections 4 and 5 of the report, be approved.

*[Reference: Minutes of Community and Enterprise Resources Committee of 9 August 2022 (Paragraph 16)]*

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## **6 Anti-Social Behaviour Strategy 2024 to 2029**

A report dated 22 February 2024 by the Executive Director (Housing and Technical Resources) was submitted on the revised South Lanarkshire Anti-social Behaviour Strategy 2024 to 2029.

The Anti-social Behaviour etc (Scotland) Act 2004 required local authorities to prepare, publish and review a strategy for dealing with anti-social behaviour within the respective local authority areas. The Strategy, covering the period 2024 to 2029, was the fifth Strategy for South Lanarkshire since 2004 and, as with each of the previous Strategies, had been developed as a partnership document between South Lanarkshire Council, Police Scotland and other key community safety partners.



Following a period of pre-consultation to support the development of the draft Strategy, undertaken during the first half of 2023, the formal consultation period took place between 21 November 2023 and 26 January 2024.

As part of the consultation process, the Council engaged directly with a wide range of partners and stakeholders, as detailed in the report, who provided constructive and positive feedback. Views were also sought from a number of specialist organisations as well as 150 individuals who shared their views on the draft Strategy. Views and comments received throughout the consultation process were considered and, where appropriate, incorporated to inform the preparation of the finalised Strategy.

The revised Strategy would continue to build on the Council's approach to tackling anti-social behaviour, with the following key changes:-

- ◆ revised context to reflect the outcome of the recent review of the Safer South Lanarkshire Board and the removal of the Community Safety priorities that guided previous Strategies
- ◆ clearer focus on the 4 pillars of responding to anti-social behaviour – prevention, intervention, enforcement, and rehabilitation
- ◆ greater emphasis on embedding a person-centred approach and delivering trauma-informed practice
- ◆ alignment with new or updated Strategies and Plans, including the Council's Litter Strategy

The revised Strategy aimed to contribute to the South Lanarkshire Community Planning vision of 'improving the quality of life for all' in South Lanarkshire by ensuring equal access to opportunities and services to meet people's needs.

The Strategy proposed to deliver the following outcomes:-

- ◆ people behaved responsibly in their attitude towards alcohol and were educated in relation to the impact of drugs
- ◆ people behaved responsibly in relation to fire safety
- ◆ domestic noise had less impact on people's lives
- ◆ litter and household waste was reduced, improving the safety and attractiveness of communities
- ◆ people could live safely in communities, with levels of disorder reduced
- ◆ services for people affected by anti-social behaviour were easily accessible

The Anti-social Behaviour Strategy 2024 to 2029 was attached as Appendix 1 to the report.

If approved, the Strategy would be implemented on 1 April 2024. The new Strategy would be monitored through the Anti-social Behaviour Strategy Implementation Group with an annual review scheduled to be brought to the Executive Committee in the summer of 2025.

There followed a full discussion during which officers responded to members' questions on various aspects of the report and undertook to provide information in relation to areas designated as "high risk".

**The Committee decided:**

- (1) that the revised South Lanarkshire Anti-social Behaviour Strategy, attached as Appendix 1 to the report, be approved; and
- (2) that the revised Strategy be implemented with effect from 1 April 2024.



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## 7 Council Tax – Second Home Dwellings

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A report dated 11 March 2024 by the Executive Director (Finance and Corporate Resources) was submitted outlining the powers available to the Council to vary council tax on second home dwellings and requesting consideration of the implementation of a change to the current approach from 1 April 2024.

At its meeting held on 21 February 2024, the Committee agreed to continue consideration of the potential variation of council tax on second home dwellings to a future meeting and, consequently, a further report on the matter had been submitted to this meeting of the Committee, providing additional information on:-

- ◆ rural areas
- ◆ possible economic impacts and ownership arrangements
- ◆ billing arrangements for affected properties

A change in the law, through the Council Tax (Variation for Unoccupied Dwellings) (Scotland) Amendment Regulations 2023, enhanced the Council's discretionary powers under the Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013. This meant that the Council could add up to a maximum 100% surcharge on second homes, effectively doubling the council tax on second homes. Those enhanced powers would become effective from 1 April 2024 and did not apply to water and wastewater charges.

Second homes could restrict or reduce the availability of housing in local authorities, particularly given the national housing crisis and the unprecedented current levels of homelessness. This coincided with the Scottish Government announcement that the Affordable Housing Supply Programme for 2024/2025 would be cut by 26% and the Chartered Institute of Housing declaring a Scottish Housing Emergency at its national conference on 5 March 2024. The application of a surcharge could potentially help to bring more properties into the housing market.

Details were given on:-

- ◆ the number of homes in South Lanarkshire categorised as second homes in the council tax system
- ◆ annual council tax property charges levied on second homes
- ◆ council tax bandings of current second homes

If the proposal to implement a 100% surcharge on second home properties, effective from 1 April 2024, was agreed:-

- ◆ a 200% council tax charge would apply to second homes
- ◆ operational procedures would be developed to ensure that the additional levy was accurately administered
- ◆ consistent with the objective of supporting the Local Housing Strategy, the additional income generated would be allocated to the Affordable Housing Supply Programme

Following discussion, during which officers responded to members' questions on various aspects of the report, Councillor Fagan, seconded by Councillor Convery, proposed that the word "consider" in recommendation 1 of the report be replaced by "agree", that the words "if (1) is agreed" be deleted from recommendation 2 and that a third recommendation be added to the effect that a further report on the housing emergency and housing pressures being faced by the Council be submitted to the next meeting of the Committee. This was accepted by the Committee.

### **The Committee decided:**

- (1) that the implementation of a 100% council tax surcharge on all second homes from 1 April 2024 be approved;



- (2) that the additional revenue generated be used to benefit the Council's Affordable Housing Supply Programme, as detailed in section 5 of the report; and
- (3) that a report on the housing emergency and the housing pressures faced by the Council be submitted to the next meeting of this Committee.

*[Reference: Minutes of 21 February 2024 (Paragraph 8)]*

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## **8 Urgent Business**

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There were no items of urgent business.