

EXECUTIVE COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 17 May 2023

Chair:

Councillor Joe Fagan (ex officio)

Councillors Present:

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

Councillor's Apology:

Councillor Kenny McCreary

Attending:

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

T McDaid, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; C Fergusson, Head of Finance (Transactions); T Little, Head of Communications and Strategy; P MacRae, Administration Adviser; G McCann, Head of Administration and Legal Services; K McLeod, Administration Assistant; K McVeigh, Head of Personnel Services

Housing and Technical Resources

S Gibson, Executive Director

Health and Social Care/Social Work Resources

S Sengupta, Director, Health and Social Care

Order of Business

The Committee decided:	that the items of business be dealt with in the order minuted below.
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1 Declaration of Interests

No interests were declared.

2 Item of Urgent Business – Data Breach

In terms of Standing Order No 4(c) of the Council's Standing Orders on Procedures, the Chair decided that, in view of the nature of the matter, consideration be given to the following item of urgent business.

The Executive Director (Finance and Corporate Resources) advised of a data breach by the Council in responding to a Freedom of Information (FOI) request. He indicated that:-

- ◆ 2 sets of data had been provided in the response, 1 of which contained data which identified Council officers
- ◆ the information had now been removed from the public domain and destroyed
- ◆ external advice had indicated that the risk that the data could be used in a way which would be harmful to officers was assessed as low
- ◆ full disclosure to the Information Commissioner's Office (ICO) had been made by the Council and advice had been taken from the ICO regarding the breach
- ◆ arrangements were in place to provide advice and support to affected officers
- ◆ action had been taken to ensure that no similar breach could take place in the future
- ◆ an apology had been extended to affected officers

In response to members' questions, the Executive Director:-

- ◆ assured members of the commitment to transparency in dealing with the breach
- ◆ referred to the sensitivity of the matter and offered to address members' questions individually following the meeting

The Committee decided: to note the position.

3 Item of Urgent Business – South Lanarkshire Leisure and Culture (SLLC)

In terms of Standing Order No 4(c) of the Council's Standing Orders on Procedures, the Chair decided that, as the Board of South Lanarkshire Leisure and Culture was meeting that afternoon, consideration be given to the following motion, as a matter of urgency:-

Councillor Brown, seconded by Councillor Devlin, moved the following:-

"As an Item of Urgent Business, the Executive Committee is asked to agree the following recommendations are made to the next scheduled full Council meeting:-

- (1) that the introduction of new concessionary rates for under-16s sports clubs be phased over three financial years as set out in Table 1 (below)
- (2) that the Director of Finance and Corporate Resources work with officers of SLLC to identify and address financial implications, noting the Committee's wish that there be 'no detriment' to SLLC services, facilities or workers in the phasing of new concessionary rates.
- (3) that a request be made to the Scottish Government on behalf of the Committee through the Chief Executive to introduce a Scottish Swimming Pool Fund for municipal leisure providers following the creation of a Swimming Pool Fund in the UK Government's Budget.
- (4) that the energy industry should be asked to fund additional support for municipal leisure providers, such as SLLC, from industry profits.
- (5) that South Lanarkshire Council reaffirms its support for fair funding for local government by central government and, specifically, a settlement that reflects the demands of the cross-party COSLA 'Budget SOS' lobbying campaign.
- (6) that the SLLC Board be asked to routinely publish board agendas and papers online to assist with transparency, scrutiny and understanding of matters of concern to the community.

Statement of Reasons

Concerns raised by elected members and local community sports clubs led SLLC to defer the new concession rates for under-16s clubs pending a process of further engagement.

It is anticipated that SLLC will consider a revised approach to the implementation of new rates and that board members will be updated at their meeting later today.

Meetings have now been held with clubs, which have explored the implications of the proposed pricing changes on different sorts of clubs and client groups. It is clear that phasing of the removal of the under 16s discount would be of considerable assistance to clubs in managing their budgets.

To assist SLLC and to help address both the need to manage budget pressures and a desire to support under-16s clubs in the transition to new concessionary rates, the Executive Committee is asked to recommend a phased implementation plan in advance of today's board meeting. This plan would be notified to the board and approval sought at the next ordinary meeting of the Council. Any financial implications will be considered by the Director of Finance and Corporate Resources in conjunction with officers of SLLC, with budget implications and solutions for the Council reported at that point.

SLLC and SLC will continue to build on the support and advice provided to clubs at the engagement meetings to help build club capacity and signpost to grant and other support.

Table 1 – phased implementation

Would apply to 19 June 2023	Apply 19 June 23 to 31 March 2024	Apply 1 April 24 to 31 March 2025	Apply from 1 April 2025
2022/23 price (75% of adult rate)	2023/24 price (66.7% of adult rate)	2024/25 price (58.33% of adult rate – excludes any % change for 24/25)	2025/26 (50% of adult rate – excludes any % changes for 24/25 and 25/26)

Following discussion, Councillor Ross, seconded by Councillor Loudon, moved the following as an amendment:-

“Delete Recommendation 1

Add after Point 6:

‘Council notes with concern that the UK Government’s decision on 9th January to exclude community leisure from the Energy Bills Discount Scheme.

Council notes with alarm the figures published by Scottish Swimming that Energy Prices for swimming pools and leisure centres have increased from £500 million in 2019 to £1.2 billion in 2022.

Given that energy price regulation is a matter wholly reserved to the UK Parliament, Council backs Scottish Swimming’s Save Our Pools campaign, and the organisation’s call for the UK Government to support the sector by taking action on inflationary energy costs.

As such Council calls on the CEO to write to the relevant UK minister.”

On a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, Robert Brown, Andy Carmichael, Gerry Convery, Margaret Cooper, Maureen Devlin, Joe Fagan, Lynsey Hamilton, Ross Lambie, Eileen Logan, Catherine McClymont, Lesley McDonald, Davie McLachlan, Richard Nelson, Mo Razzaq, Margaret B Walker

Amendment

John Anderson, Maureen Chalmers, Ross Clark, Andrea Cowan, Gladys Ferguson-Miller, Mark Horsham, Katy Loudon, Hugh Macdonald, Ian McAllan, Kirsten Robb, John Ross, David Shearer

16 members voted for the motion and 12 for the amendment. The motion was declared carried.

The Committee recommended to the Council:

- (1) that the introduction of new concessionary rates for under-16s sports clubs be phased over 3 financial years as set out in Table 1;
- (2) that the Executive Director (Finance and Corporate Resources) work with officers of SLLC to identify and address financial implications, noting the Committee's wish that there be 'no detriment' to SLLC services, facilities or workers in the phasing of new concessionary rates;
- (3) that a request be made to the Scottish Government, on behalf of the Committee, through the Chief Executive to introduce a Scottish Swimming Pool Fund for municipal leisure providers following the creation of a Swimming Pool Fund in the UK Government's Budget;
- (4) that the energy industry be asked to fund additional support for municipal leisure providers, such as SLLC, from industry profits;
- (5) that South Lanarkshire Council reaffirm its support for fair funding for local government by central government and, specifically, a settlement that reflected the demands of the cross-party COSLA 'Budget SOS' lobbying campaign;
- (6) that the SLLC Board be asked to routinely publish board agendas and papers online to assist with transparency, scrutiny and understanding of matters of concern to the community; and
- (7) that the above recommendations be submitted to the next scheduled full Council meeting.

In terms of Standing Order No 14, the Chair adjourned the meeting during this item of business at 10.30am for a 15 minute period. The meeting reconvened at 10.45am without the attendance of Councillor McGeever

4 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 29 March 2023 were submitted for approval as a correct record.

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

5 Additional Funding from Scottish Government and Other External Sources

A report dated 26 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted on additional funding, totalling £2.798 million, which had been made available to the Council by the Scottish Government and other external sources.

The funding had been allocated as follows:-

Revenue Funding

Resource	2022/2023 (£m)
Education	2.146
Total	2.146

Capital Funding

Resource	2023/2024 (£m)
Community and Enterprise	0.652
Total	0.652
Overall Total	2.798

The Committee decided: that the report be noted.

[Reference: Minutes of 29 March 2023 (Paragraph 5)]

6 Glasgow City Region City Deal – A72 Lanark Road/M74 Junction 7 Signalisation - Full Business Case

A report dated 27 April 2023 by the Executive Director (Community and Enterprise Resources) was submitted on the Full Business Case (FBC) for the A72 Lanark Road/M74 Junction 7 Signalisation element of the Larkhall Community Growth Area (CGA) City Deal project.

Governance arrangements for the City Deal Initiative were defined within the associated City Deal Assurance Framework. This set out the requirements for the development of Business Cases for individual projects. The Larkhall CGA had received approval at both Strategic and Outline Business Case stages and a Full Business Case had now been produced for the A72 Lanark Road/M74 Junction 7 Signalisation element of the Larkhall CGA project.

The A72 Lanark Road/M74 Junction 7 Signalisation project would provide:-

- ◆ 2 new traffic light-controlled junctions at the M74/A72 on and off ramp slip roads
- ◆ 2,300 square metres of new carriageway created or improved via widening works/resurfacing works
- ◆ improved LED street lighting installed (40 columns)
- ◆ 10,000 square metres of existing carriageway improved
- ◆ 2 new/improved vehicle restraint systems along the length of the M74/A72 overbridge parapets

The FBC continued to make the case for the Larkhall CGA project in terms of:-

- ◆ strategic fit
- ◆ commercial case
- ◆ economic case
- ◆ financial case
- ◆ management case

The Executive Summary of the FBC was attached as Appendix 1 to the report. The production of the FBC provided the basis for full delivery and construction of the A72 Lanark Road/M74 Junction 7 Signalisation. If approved by the Committee, the FBC for the project would then be considered by the Glasgow City Region Deal Programme Management Office which had delegated powers to confirm its approval under the Assurance Framework.

Officers:-

- ◆ responded to members' questions on various aspects of the report
- ◆ undertook to provide local members with a breakdown of community benefit funding in the Larkhall area
- ◆ undertook to advise members in the Clydesdale area if any slippage occurred in the project

The Committee decided:

- (1) that the A72 Lanark Road/M74 Junction 7 Signalisation Full Business Case be approved;
- (2) that grant funding be sought in accordance with the City Deal Grant Distribution Process outlined in the Assurance Framework in relation to the delivery of the project; and
- (3) that it be noted that the precise arrangements would be agreed by the City Deal Chief Executive's Group (CEG) and City Deal Cabinet.

Councillor McGeever joined the meeting during consideration of this item of business

In terms of Standing Order No 14, the Chair adjourned the meeting at 11.30am for a 10 minute period. The meeting reconvened at 11.40am without the attendance of Councillor Cooper

7 Update on Proposal to Conduct a Consultation to Realign the Catchment Areas of Glengowan Primary, Machanhill Primary and Robert Smillie Primary Schools, Larkhall

A report dated 28 April 2023 by the Executive Director (Education Resources) was submitted on a statutory consultation in relation to the proposed catchment realignment of Glengowan, Machanhill and Robert Smillie Primary Schools, Larkhall.

On 25 March 2020, under arrangements made as a result of the COVID-19 pandemic, the Chief Executive, in consultation with Group Leaders, agreed that a statutory consultation exercise under the Schools (Consultation) (Scotland) Act 2010 be undertaken to propose a change to the catchment areas of Glengowan, Machanhill and Robert Smillie Primary Schools, Larkhall. Due to the pandemic and subsequent lockdowns, the legislative public consultation had not taken place. As a result, it was proposed that the Committee be advised of the updated position in relation to the school rolls/projected rolls and the developments in the area to allow the proposal to be reconsidered.

The current catchment areas for Glengowan, Machanhill and Robert Smillie Primary Schools in Larkhall were detailed in Appendix 1 to the report, together with information on the 2 main housing development areas within Larkhall which were currently within the catchment area for Machanhill Primary School but were geographically closer to Glengowan and Robert Smillie Primary Schools. The pupil data for each school was detailed in section 3 of the report.

Details were also given on the following proposed catchment realignments:-

- ◆ from Machanhill Primary School to Glengowan Primary School
- ◆ from Machanhill Primary School to Robert Smillie Primary School

Given the physical capacity of both Glengowan and Robert Smillie Primary Schools and the assumptions of expected pupil numbers coming from the new housing developments, it was anticipated that the realignment would allow both Glengowan and Robert Smillie Primary Schools to accommodate the predicted numbers of pupils generated from the new housing developments.

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

The Committee decided: that a statutory consultation be conducted to change the catchment areas of Glengowan Primary School, Machanhill Primary School and Robert Smillie Primary School to balance pupil numbers more effectively and better align new housing developments in Larkhall to the school geographically closer.

Councillor Cooper entered the meeting during consideration of this item of business

8 Outcome of the Review of the Safer South Lanarkshire Board

A report dated 26 April 2023 by the Executive Director (Housing and Technical Resources) was submitted on:-

- ◆ the outcome of the review of the Safer South Lanarkshire Board completed during 2022/2023
- ◆ the proposed revised terms of reference for the Safer South Lanarkshire Board

The Safer South Lanarkshire Board had been established in 2012 to ensure that the Council and the Community Safety Partnership (CSP) met statutory requirements arising from the Police and Fire Reform (Scotland) Act 2012.

Following a review of the South Lanarkshire Community Plan in 2022, and the subsequent launch of the new Community Plan 2022 to 2032, the CSP had been advised that the previous reporting requirements directly from the SSLB to the Community Planning Partnership Board (CPPB) were no longer necessary. A review had subsequently been undertaken of the SSLB to ensure that the role and remit remained appropriate and beneficial for partners within the CSP.

Following completion of the review, it was proposed that the SSLB focus on the following key functions:-

- ◆ conducting regular review and scrutiny of police performance against priorities set within the Lanarkshire Local Police Plan
- ◆ conducting regular review and scrutiny of fire performance against priorities set within the Local Fire Plan
- ◆ monitoring progress within the statutory South Lanarkshire Anti-social Behaviour Strategy and associated partnership activity

Additionally, the SSLB, supported by the Safer South Lanarkshire Steering Group (SSLSG), would continue its role as approver for the allocation of the annual budget and continue to receive an annual evaluation report on how the funds had been spent by partners and on the impact made.

The review also identified aspects of the SSLB's remit which were being progressed through different partnership arrangements already in place and proposed outcomes for each of those aspects were detailed in the report.

The revised terms of reference for the SSLB, which took account of the outcome of the review, were detailed in Appendix 1 to the report.

The Committee decided:

- (1) that the report be noted; and
- (2) that the revised terms of reference for the Safer South Lanarkshire Board, attached as Appendix 1 to the report, be approved and implemented from 18 May 2023.

[Reference: Minutes of 21 November 2012 (Paragraph 11)]

9 Land and Property Transfers and Disposals

A report dated 20 April 2023 by the Executive Director (Housing and Technical Resources) was submitted on proposed actions in respect of land and property transactions.

The recommendations had been made in terms of agreed procedures for dealing with surplus land and property.

The Committee decided: that the land and property, as detailed in Appendix A to the report, be declared surplus to Council requirements.

10 Representation on Outside Bodies

A report dated 2 May 2023 by the Chief Executive was submitted on a proposed amendment to the elected member representation on the Safer South Lanarkshire Board.

Following a request received from the Business Manager of the SNP Group on 2 May 2023, it was proposed that Councillor Gray be replaced by Councillor Cowan as a member of the Safer South Lanarkshire Board.

The Committee decided: that Councillor Gray be replaced by Councillor Cowan as a member of the Safer South Lanarkshire Board.

11 External Representation on the Education Resources Committee - Update

A joint report dated 25 April 2023 by the Executive Directors (Education Resources) and (Finance and Corporate Resources) was submitted providing an update on the arrangements for the appointment of representatives other than councillors to serve on the Education Resources Committee.

At its meeting on 29 June 2022, the Committee had approved the selection procedures for specified categories of religious and parent/carers representation on the Education Resources Committee.

With regard to parent/carers representation, all Parent Councils had been invited to submit nominations for representatives to serve on the Education Resources Committee. Each Parent Council could nominate 1 member provided that the nomination was proposed at a formal meeting of the Parent Council.

At the close of nominations, 4 applications had been received for 2 available places. Subsequently, 1 applicant had withdrawn their application. Following an interview process conducted by Education Resources, it was proposed that the following 2 applicants be confirmed as the new parent council representatives on the Education Resources Committee:-

- ◆ Naomi Baxter, Bankhead Primary School
- ◆ Christine Hall, Chapelton Primary School (reappointment)

The Committee decided: that the appointment of Naomi Baxter and the reappointment of Christine Hall as parent/carer representatives on the Education Resources Committee be confirmed.

[Reference: Minutes of 29 June 2022 (Paragraph 7)]

12 Recommendations Referred from Resource Committees

A report dated 3 May 2023 by the Chief Executive was submitted on recommendations referred to this Committee by the:-

- ◆ Education Resources Committee of 2 May 2023
- ◆ Finance and Corporate Resources Committee of 3 May 2023

The recommendations of the Education Resources Committee were as follows:-

- ◆ that the priorities for admission to all Early Learning and Childcare (ELC) establishments, as detailed in Appendix 1 to the report, be approved
- ◆ that the admissions policy and process for the allocation of places to all Early Learning and Childcare Establishments be implemented from August 2023

The recommendation of the Finance and Corporate Resources Committee was as follows:-

- ◆ that the Procurement Strategy 2023 to 2028, attached as Appendix 1 to the report, be approved

The Committee decided:

- (1) that the recommendations referred by the Education Resources Committee of 2 May 2023 in relation to the Review of Admissions Policy for Early Learning and Childcare Establishments 2023 be approved; and
- (2) that the recommendation of the Finance and Corporate Resources Committee of 3 May 2023 in relation to the Procurement Strategy 2023 to 2028 be approved subject to the insertion of the word “real” before the words “living wage” in the Strategy document.

[Reference: Minutes of Education Resources Committee of 2 May 2023 (Paragraph 7) and Minutes of Finance and Corporate Resources Committee of 3 May 2023 (Paragraph 10)]

13 South Lanarkshire Leisure and Culture Strategy 2022 to 2027

A report dated 28 April 2023 by the Executive Director (Community and Enterprise Resources) was submitted on the South Lanarkshire Leisure and Culture (SLLC) Strategy 2022 to 2027.

South Lanarkshire Leisure and Culture Limited (SLLC) assumed responsibility for the operation, management and development of sports and leisure, community halls, arts venues, country parks, libraries and museums on behalf of South Lanarkshire Council. A Cross Party Working Group (CPWG) review of leisure and culture provision had been undertaken during 2020/2021 to clarify the terms of the relationship between the Council, SLLC and its Board, and its role as a provider of services to the Council. At its meeting on 23 June 2021, the Committee approved the outcomes of the review, including new modernised governance arrangements which had led to the conversion of SLLC Ltd to a Scottish Charitable Incorporated Organisation (SCIO) on 3 April 2023.

The SLLC Strategy 2022 to 2027, approved by the SLLC Board on 22 June 2022, set out its strategic objectives for the next 5 years, which were based on the themes of:-

- ◆ Health and Wellbeing
- ◆ Connected and Engaged
- ◆ Equality and Inclusion
- ◆ Organisational Sustainability

Details were given on arrangements for monitoring and implementation of the Strategy.

Three cross cutting themes within the Strategy aligned with the priorities and key ambitions within the Council Plan Connect (2022 to 2027) and the South Lanarkshire Community Plan (2022 to 2032). Those were:-

- ◆ reduce inequality (people)
- ◆ recover, progress and improve (progress)
- ◆ work towards a sustainable future (planet)

In line with SLLC's conversion to a SCIO, the Council would take the opportunity to develop a Commissioning Plan for SLLC and this would be submitted to the Executive Committee for approval later in 2023. The Commissioning Plan would define the Council's "ask" of SLLC, over the medium to long term, to help ensure that leisure and cultural services remained accessible and sustainable while taking account of projected and available Council funding. The commissioning plan exercise would also review and update the existing suite of documentation which defined the relationship between the Council and SLLC, including Service Level Agreements and other related documentation.

There followed a full discussion during which:-

- ◆ officers responded to members' questions on various aspects of the report
- ◆ officers advised that a report on the Warm Welcome initiative would be submitted to a future meeting of the Committee
- ◆ the Chair advised of proposals for members' engagement with the SLLC management team prior to development of the Commissioning Plan

The Committee decided: that the South Lanarkshire Leisure and Culture Strategy 2022 to 2027, attached as Appendix 1 to the report, be noted.

[Reference: Minutes of 23 June 2021 (Paragraph 11)]

14 Urgent Business

There were no items of urgent business.