

## EXECUTIVE COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 5 October 2011

**Chair:**

Councillor Edward McAvoy

**Councillors Present:**

David Baillie, Jackie Burns (Depute), Peter Craig, Jim Docherty, Hugh Dunsmuir, Beith Forrest, Ian Gray, Jim Handibode, Eileen Logan, Jim McGuigan, Alex McInnes, Henry Mitchell, Patrick Ross-Taylor, David Shearer, Mary Smith, Hamish Stewart, George Sutherland, Chris Thompson, Sheena Wardhaugh

**Councillors' Apologies:**

Tommy Gilligan, Anne Maggs, David Watson, Pat Watters

**Attending:****Chief Executive's Service**

A Strang, Chief Executive

**Community Resources**

N Anderson, Executive Director

**Education Resources**

L Forde, Executive Director

**Enterprise Resources**

J McCaffer, Head of Regeneration Services; G Mackay, Head of Roads and Transportation Services

**Finance and Corporate Resources**

P Manning, Executive Director; G Bow, Administration Manager; C McIlquham, Clerical Assistant; H McNeil, Head of Audit and Improvement; A Morton, Central Research Unit Manager

**Housing and Technical Resources**

L Freeland, Executive Director

**Social Work Resources**

H Stevenson, Executive Director

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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**

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The minutes of the meeting of the Executive Committee held on 7 September 2011 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 Capital Budget Monitoring 2011/2012**

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A report dated 9 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on both physical and financial progress at 2 September 2011 on the various Capital Programmes.

The General Fund Capital Programme included Education Resources, Social Work Resources, Roads and Transportation and General Services. The General Fund Capital Programme, including the proposed adjustments detailed in the report, totalled £129.798 million and the Housing Capital Programme £41.928 million. At 2 September 2011, £41.460 million had been spent on the General Fund Capital Programme and £9.780 million on the Housing Capital Programme.

Details were also given on the progress of the Hamilton Ahead Capital Programme.

Ongoing monitoring of the Capital Programmes would be carried out by the Financial Resources Scrutiny Forum and reports submitted to this Committee on a regular basis.

**The Committee decided:**

- (1) that the adjustments to the General Fund Capital Programme to take account of projects carried forward from 2010/2011 and amendments proposed by Resources be approved; and
- (2) that the position on the various Capital Programmes, as detailed in the report, be noted.

*[Reference: Minutes of 7 September 2011 (Paragraph 3)]*

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#### **4 Revenue Budget Monitoring for Period 1 April to 2 September 2011**

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A report dated 12 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted comparing actual expenditure against budgeted expenditure for the period ending 2 September 2011.

The figures included an underspend on the General Fund Revenue Account of £0.322 million and an underspend of £0.043 million on the Housing Revenue Account.

The forecast outturn for the General Fund Revenue Account and the Housing Revenue Account to 31 March 2012 was a breakeven position.

Ongoing monitoring of the Revenue Budget would be carried out by the Financial Resources Scrutiny Forum and reports submitted to this Committee on a regular basis.

**The Committee decided:**

- (1) that the underspend on the General Fund Revenue Account of £0.322 million at 2 September 2011 and forecast to 31 March 2012 of a breakeven position be noted; and
- (2) that the underspend on the Housing Revenue Account of £0.043 million at 2 September 2011 and forecast to 31 March 2012 of a breakeven position be noted.

*[Reference: Minutes of 7 September 2011 (Paragraph 4)]*

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#### **5 Trading Services Financial Performance for Period 1 April to 2 September 2011**

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A report dated 12 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on the projected financial results for 2011/2012 for the Council's Trading Services. Minor budget adjustments in the period to 2 September 2011 had resulted in a revised budget of £9.649 million. At 2 September 2011, surpluses of £3.744 million had been achieved.

Officials were working to maximise the levels of surplus for each Trading Service using the projected figure as a minimum target.

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

*[Reference: Minutes of 7 September 2011 (Paragraph 5)]*

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

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A report dated 7 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on additional capital funding totalling £3.935 million made available to Enterprise Resources to undertake various initiatives.

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

*[Reference: Minutes of 11 May 2011 (Paragraph 6)]*

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## **7 Control of Top Council-Wide Risks at end of August 2011**

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A report dated 27 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on the most significant risks to the Council and measures and controls in place to govern those risks.

The Council's top Risk Register had been updated and now included 24 strategic risks. An analysis of those risks, together with a proposed Risk Control Plan outlining action to govern the top risks, was detailed in appendices to the report.

Overall, the level of control over the Council's top risks was considered to be adequate.

**The Committee decided:** that the Risk Control Plan, as detailed in the appendix to the report, be approved.

*[Reference: Minutes of 8 June 2011 (Paragraph 4)]*

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## **8 School Transport - Review by Member/Officer Task and Finish Group**

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A report dated 22 September 2011 by the Executive Director (Education Resources) was submitted:-

- ◆ providing an update on the work of the Member/Officer Task and Finish Group established to examine current arrangements for the provision of school transport
- ◆ advising on the recommendations arising from the work of the Group

The Task and Finish Group to examine the current arrangements for the provision of school transport had met on 6 occasions and had considered a range of topics including:-

- ◆ distance criteria used to allocate mainstream school transport and transport for children and young people attending Gaelic medium provision
- ◆ the current balance between the use made of taxi contracts and the Council's Fleet Services' vehicles to transport children with additional support needs to school
- ◆ services provided by Strathclyde Partnership for Transport
- ◆ consideration of the potential to make more use of fleet vehicles for school trips
- ◆ the effectiveness of the paid privilege transport scheme

Factors taken into consideration when assessing each of the topics together with the outcomes arising from the Group's discussions were detailed.

The recommendations arising from the work of the Group were as follows:-

- ◆ that the distance criterion for the allocation of transport to primary age pupils be increased to provide transport for children who live more than 2 miles from their catchment school
- ◆ that the distance criterion for the allocation of transport to secondary age pupils be increased to provide transport for pupils who live more than 3 miles from their catchment school
- ◆ that the distance criteria of 2 miles for primary age children and 3 miles for secondary age pupils be applied in the allocation of transport to children attending Gaelic medium provision
- ◆ that appropriate officers carry out a further review of Additional Support Needs (ASN) transport provision, the use of the Council's Fleet Services' vehicles, the paid privilege scheme and of current service delivery arrangements

It had been estimated that efficiency savings of £1.6 million could be achieved through the implementation of the increased distance criteria put forward for consideration by the Group.

**The Committee decided:**

- (1) that the recommendations arising from the work of the Member/Officer Task and Finish Group established to consider the current arrangements for the provision of school transport be rejected; and
- (2) that the work of the Group be discontinued with immediate effect.

*[Reference: Minutes of 23 June 2010 (Paragraph 10)]*

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## **9 Parking Management Strategy - Review by Member/Officer Task and Finish Group**

A report dated 22 September 2011 by the Executive Director (Enterprise Resources) was submitted:-

- ◆ providing an update on the work of the Member/Officer Task and Finish Group established to carry out a review of the current Parking Management Strategy
- ◆ advising on the recommendations arising from the work of the Group

The Group had undertaken a number of site visits and had met on 12 occasions in order to consider the following key issues:-

- ◆ historical background
- ◆ use of parking management measures
- ◆ South Lanarkshire Council's policies and practices relative to others
- ◆ financial aspects
- ◆ appropriateness of current arrangements
- ◆ enforcement capacity
- ◆ "Blue Badge" enforcement
- ◆ extent of existing zones
- ◆ workplace parking charges

The recommendations arising from the work of the Group were as follows:-

- ◆ that a statutory process be commenced with a view to significantly reducing the size of the restricted parking zones in East Kilbride
- ◆ that the Council promote a Traffic Regulation Order to remove the waiting restrictions applicable on Sundays within the restricted parking zones in East Kilbride
- ◆ that residents' parking permits be issued every 2 years and not every year as was current practice
- ◆ that the Council introduce a season ticket valid from 7.30am to 1.30pm or from noon to 7.30pm at 50% of the full day cost
- ◆ that, outwith the East Kilbride area, restricted parking zones remain unchanged
- ◆ that existing car parking management and charging arrangements be maintained
- ◆ that the current sympathetic approach to enforcement adopted in the vicinity of places of public worship at times when weekly services were being undertaken be maintained
- ◆ that the misuse of residents' parking permits continue to be monitored and appropriate action taken to withdraw permits which were being misused

One of the proposals arising from the work of the Group was the reduction in size of the restricted parking zones in East Kilbride which would, if approved, result in a reduction in administration costs from £0.070 million to just under £0.030 million.

Although the Group had considered the principle of charging for residents' parking permits, it had failed to reach a consensus view on this issue.

**The Committee decided:**

- (1) that the recommendations arising from the Member/Officer Task and Finish Group established to review the Parking Management Strategy be approved; and
- (2) that charges for residents' parking permits be not implemented.

*[Reference: Minutes of 23 February 2011 (Paragraph 9)]*

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## **10 Land and Property Transfers and Disposals**

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A report dated 9 September 2011 by the Executive Director (Enterprise Resources) was submitted on recommendations to declare certain areas of land and property surplus to operational requirements.

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

**The Committee decided:**

- (1) that land at 57 Argyle Drive, Hamilton (0.138 hectares) be declared surplus to the Council's requirements and transferred to the Corporate Land Bank for disposal on the open market;
- (2) that land at 10 Lammermoor, East Kilbride (80 square metres) be declared surplus to the Council's requirements; and
- (3) that land at Village Road, Dunsyre (485 square metres) be declared surplus to the Council's requirements and referred to the Executive Director (Enterprise Resources) to negotiate its disposal.

*[Reference: Minutes of 7 September 2011 (Paragraph 9)]*

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## **11 Property Transfer to Third Sector Organisations - Uddingston Village Hall**

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A report dated 16 September 2011 by the Executive Director (Enterprise Resources) was submitted on the application by Uddingston Community Trust for the transfer of the former hall at 83 Old Mill Road, Uddingston.

At its meeting on 6 July 2011, this Committee had decided to continue consideration of the application to allow the Trust additional time to develop its proposals.

The Trust had taken on board the Council's initial suggestion that it should develop its application in liaison with Business Gateway. Having carried out a wider community engagement exercise and in view of the cost implications, the Trust had advised the Council that it no longer wished to proceed with the public asset transfer of the hall.

It was proposed that the hall be circulated in the Council's Property Bulletin prior to being transferred to a Council Resource or partner for redevelopment or placed on the open market.

### **The Committee decided:**

- (1) that the information received from Uddingston Community Trust that it no longer wished to proceed with its application for public asset transfer of the former hall at 83 Old Mill Road, Uddingston be noted; and
- (2) that the proposals to manage the property through the Council's Property Bulletin and disposal process be approved.

*[Reference: Minutes of 6 July 2011 (Paragraph 13)]*

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## **12 Property Transfer to Third Sector Organisations - Jubilee Hall, Lesmahagow**

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A report dated 19 September 2011 by the Executive Director (Enterprise Resources) was submitted on the application made by Lesmahagow Development Trust for the transfer of the former Jubilee Hall, 1 Wellwood Road, Lesmahagow.

At its meeting on 6 July 2011, this Committee had continued consideration of the application to allow the Trust additional time to develop its proposals.

The initial proposal was for the property to be transferred to the Trust to allow it to sublet it to a newly formed organisation, Lesmahagow Amateur Boxing Club.

The initial assessment of the application highlighted concerns regarding the:-

- ◆ capacity of the Development Trust, which had been in existence for less than 2 years, to deliver a property based project
- ◆ viability and sustainability of the boxing club proposal

Currently, a number of serious concerns remained in relation to the viability of the application and those were detailed in the report. In an effort to overcome some of those concerns, the Development Trust had suggested, as an alternative to immediate transfer, that the property be leased to it for a period of one year with permission to sublet the property to the boxing club.

It was recognised that both the Development Trust and Lesmahagow Amateur Boxing Club had made considerable efforts to develop their proposals. However, the business model relied on donations, sponsorship and subletting which was considered to carry significant risk and on this basis, the Public Asset Transfer Steering Group had recommended refusal of lease or transfer of the Jubilee Hall to Lesmahagow Development Trust.

**The Committee decided:** that consideration of the application by Lesmahagow Development Trust for the lease or transfer of the former Jubilee Hall, 1 Wellwood Road, Lesmahagow be continued to allow the terms of any future leasing arrangement to be considered in detail.

*[Reference: Minutes of 6 July 2011 (Paragraph 13)]*

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### **13 Additional Holiday - Queen's Diamond Jubilee**

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A report dated 29 August 2011 by the Executive Director (Finance and Corporate Resources) was submitted on the arrangements for an additional holiday on 5 June 2012 to mark the Queen's Diamond Jubilee.

In order to accommodate the celebration of the event, it was proposed that the public holiday scheduled for 28 May 2012 be moved to 4 June 2012. Additionally on 5 June 2012, non essential services would not be provided and Council offices closed where possible.

Employees would be granted a fixed annual leave day on 5 June 2012 where services were not being provided. For those employees required to work as part of an essential service, an additional floating day would be given. Employees unable to take the additional leave day would have their additional day calculated in the normal way. This arrangement would include a pro rata calculation for part-time employees.

**The Committee decided:**

- (1) that the public holiday scheduled for 28 May 2012 be moved to 4 June 2012; and
- (2) that a reduced service be provided on 5 June 2012 and an additional fixed annual leave day granted for employees.

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### **14 Recommendations Referred by Finance and Information Technology Resources Committee**

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A report dated 22 September 2011 by the Chief Executive was submitted on the following recommendations which had been referred to this Committee by the Finance and Information Technology Resources Committee of 13 September 2011:-

#### **Procurement Strategy**

- ◆ that the Procurement Strategy be approved

#### **Annual Investment Report 2010/2011**

- ◆ that the Annual Investment Report 2010/2011 be endorsed and referred to the Council for formal approval in line with the Local Government Investments (Scotland) Regulations 2010

#### **Treasury Management Activity and Prudential Code Indicators for 2010/2011**

- ◆ that the Treasury Management activity and interim Prudential Code Indicators for 2010/2011 be noted

**The Committee decided:** that the recommendations of the Finance and Information Technology Resources Committee in relation to the Procurement Strategy and Treasury Management Activity and Prudential Code Indicators for 2010/2011 be approved.

**The Committee recommended to the Council:** that the Council's Annual Investment Report 2010/2011 be approved.

*[Reference: Minutes of Finance and Information Technology Resources Committee of 13 September 2011 (Paragraphs 8, 11 and 12)]*

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## **15 Response to Consultation on Aspects of the Proposed National Police Service for Scotland**

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A report dated 19 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on the Council's response to the Scottish Government's consultation on certain aspects of its proposals to establish a National Police Service in Scotland.

The key issues raised in the Council's response were detailed in the report and its responses to specific questions raised by the Scottish Government were provided in an appendix to the report.

**The Committee decided:** that the Council's response to the Scottish Government's consultation on certain aspects of its proposals to establish a National Police Service in Scotland be approved.

*[Reference: Minutes of 11 May 2011 (Paragraph 12)]*

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## **16 Response to Consultation on Aspects of the Proposed National Fire and Rescue Service in Scotland**

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A report dated 19 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on the Council's response to the Scottish Government's consultation on certain aspects of its proposals to establish a National Fire Service in Scotland.

The key issues raised in the Council's response were detailed in the report and responses provided to specific questions raised by the Scottish Government were provided in an appendix to the report.

**The Committee decided:** that the Council's response to the Scottish Government's consultation on certain aspects of its proposals to establish a National Fire and Rescue Service in Scotland be approved.

*[Reference: Minutes of 11 May 2011 (Paragraph 11)]*

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## **17 Single Outcome Agreement Annual Report 2010/2011**

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A report dated 22 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted providing an overview of the South Lanarkshire Council and Community Planning Single Outcome Agreement (SOA) 2010/2011 Annual Report which had been submitted to the Scottish Government by the end of September.

Details were provided on:-

- ◆ how the 2010/2011 Annual Report had been compiled
- ◆ a summary of the performance trends contained in the Annual Report
- ◆ performance indicator trends as they related to each of the 15 National Outcomes

In terms of the 94 performance indicators:-

- ◆ 59 had shown an improvement in performance
- ◆ 27 had shown a decline in performance
- ◆ a baseline had been established on 7 of the indicators
- ◆ 1 indicator currently had no trend information

In terms of performance against the 15 National Outcomes, a wide range of interventions by individual Council Resources had been implemented and much of the information collated for the Council Plan, Connect and Resource Plans was included in the SOA.

The South Lanarkshire Partnership Board had approved the content of the 2010/2011 Annual Report at its meeting on 7 September 2011 and the report had been submitted to the Scottish Government by the due date of 30 September 2011.

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

*[Reference: Minutes of 22 September 2010 (Paragraph 19)]*

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## **18 Urgent Business**

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There were no items of urgent business.