



Council Offices, Almada Street
Hamilton, ML3 0AA

Tuesday, 15 August 2023

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, 23 August 2023
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

Cleland Sneddon
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** 5 - 16
Minutes of the meeting of South Lanarkshire Council held on 24 May 2023 submitted for approval as a correct record. (Copy attached)
- 3 **Minutes of Risk and Audit Scrutiny Committee - 7 March 2023** 17 - 22
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 7 March 2023 submitted for noting. (Copy attached)
- 4 **Minutes of Risk and Audit Scrutiny Committee - 23 May 2023** 23 - 28
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 23 May 2023 submitted for noting. (Copy attached)

Item(s) for Noting

- 5 **Standards Commission's Hearing Outcome** 29 - 32
Report dated 27 July 2023 by the Chief Executive. (Copy attached)
- 6 **Outcome of Local Government By-election and Changes to Committee Membership** 33 - 54
Report dated 10 August 2023 by the Chief Executive. (Copy attached)

Item(s) for Decision

- 7 **Notice of Motion - Baby Loss Units** 55 - 56
Motion received in terms of Standing Order No. 20 on 8 August 2023, proposed by Councillor Hamilton and seconded by Councillor Lennon. (Copy attached)
- 8 **Notice of Motion - Release of Untreated Sewage into Local Environment** 57 - 58
Motion received in terms of Standing Order No. 20 on 7 August 2023, proposed by Councillor McGeever and seconded by Councillor Brown. (Copy attached)
- 9 **Notice of Motion - Future of Local Care Services** 59 - 60
Motion received in terms of Standing Order No. 20 on 7 August 2023, proposed by Councillor Brown and seconded by Councillor Rae. (Copy attached)
- 10 **Notice of Motion - Time for Inclusive Education** 61 - 62
Motion received in terms of Standing Order No. 20 on 7 August 2023, proposed by Councillor Calikes and seconded by Councillor Loudon. (Copy attached)

- 11 **Notice of Motion - Feminist Led Town Plannning** 63 - 64
Motion received in terms of Standing Order No. 20 on 8 August 2023,
proposed by Councillor Donnelly and seconded by Councillor
Frame. (Copy attached)
- 12 **Notice of Motion - Assess Sustainability Impact of Budget Motions** 65 - 66
Motion received in terms of Standing Order No. 20 on 7 August 2023,
proposed by Councillor Robb and seconded by Councillor Clark. (Copy
attached)

Urgent Business

- 13 **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 the Council Chamber on 24 May 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 Janine Calikes, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Ross Clark, Councillor Gerry Convery, Councillor Poppy Corbett, 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 Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Julia Marrs, 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 Carol Nugent, 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

Councillor's Apology:

Councillor Monique McAdams

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

S Nicolson, Head of Education (Senior Phase)

Finance and Corporate Resources

P Manning, Executive Director; T Little, Head of Communication and Strategy; G McCann, Head of Administration and Legal Services; K McLeod, Administration Assistant; S Somerville, Administration Manager

Housing and Technical Resources

S Gibson, Executive Director

Social Work Resources/Health and Social Care

S Sengupta, Director, Health and Social Care

Provost's Opening Remarks

The Provost advised:-

- ◆ that this would be the last meeting that Kay McVeigh, Head of Personnel would be attending as she was retiring. The Provost, on behalf of the Council, thanked Mrs McVeigh for her many years of public service and wished her a happy retirement. Councillors Ross and Fagan, in turn, echoed the Provost's sentiments
- ◆ that, in terms of Standing Order No 4(c), she had agreed to requests for items of urgent business, 2 of which would be dealt with at the start of the meeting and 2 at the end of the meeting

Order of Business

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

1 Declaration of Interests

No interests were declared.

2 Item of Urgent Business – Home Care Job Evaluation

Councillor Fagan, seconded by Councillor Ross, moved the following:-

“The Council is asked to agree the following recommendations:-

- 1) That the decision of the hearing panel on 4 May 2023 to uphold the home carer stage 2 appeal by trade unions under Job Evaluation Scheme be noted.
- 2) That the grade outcome for a Home Carer of Grade 2 Level 3 SCP 46-48 be noted.
- 3) That the Council recognises the critical role of the council's care at home staff in supporting the most vulnerable members of our communities and believes that the contribution of care staff has been traditionally undervalued.
- 4) That concerns regarding the implementation date of 1 April 2023 advised to trade unions and the condition that home carers work towards SVQ level 3 qualifications are noted and urgent clarification is sought.
- 5) That, in light of the Council's concerns, the Director of Finance and Corporate Resources be asked to initiate an immediate review of the outcome and engage with the joint trade unions representing home care staff to identify a means of implementing the grade outcome that can retain the confidence of the workforce and the Council.”

In moving the motion, Councillor Fagan referred to the Council being united, when the matter was previously considered in December 2022, in its support for the home carers' efforts to achieve better pay, grading and recognition through the job evaluation process. He acknowledged that the process was, rightly, independent of politicians, however, its outcomes had profound implications for the Council's workforce, services and service users. He advised that home carers had won their appeal and would rank among the best paid in the country, which would help the Council in addressing the recruitment challenges faced in the sector and the wider undervaluing of care in society. He advised that the home care workers were demonstrating outside Council Offices as they considered that the implementation date advised to trade unions was not the one agreed earlier in the process and were concerned that the pay and grade uplift to Grade 2, Level 3, while positive, was not backdated to that implementation date, as achieving SVQ Level 3 was now a condition of the outcome. While there was considerable support to move to SVQ Level 3, currently registration for the Scottish Social Services Council only required SVQ Level 2. In this instance, the attainment of SVQ Level 3 and the lack of any means to demonstrate competency retrospectively had been presented to the trade unions as justification for an implementation date of 1 April 2023. He advised that councillors were constrained in the type of action they could mandate today in terms of the Standing Orders and the Code of Conduct and, while recognising that, he asked that the Council join him in acknowledging the profound concerns there were in terms of the outcome, not the positive movement in the grade, but the implementation date, the condition that SVQ Level 3 be achieved and the consequent impact on backdating.

Councillor Ross seconded the motion and advised that, while members were happy to see the home carers achieving a positive outcome in terms of the job evaluation appeal, it was only right that a review be held as quickly as possible to try to resolve the matter. He advised that his Group fully supported the Administration in achieving that result for the benefit of all.

Councillor Convery moved that 2 points be added to the motion in terms of backdating and SVQ Level 3. At the invite of the Provost, the Head of Administration and Legal Services advised that the additional points would not be competent as it was an operational decision and, while councillors had a strategic role to scrutinise, which had been done today, they could not instruct officers to backdate this to a particular date as it would be a breach of the Councillors' Code of Conduct. If the review found anything different, then that would be brought back to Council.

Councillor Allison spoke in support of the home carers and requested more clarity on procedure, policy and funding of the outcome. The Head of Administration and Legal Services advised that, in terms of procedure, she could not go into detail today as 2 disputes had been lodged which had still to be resolved and it would be sub judice. The matter would be looked at again but no further detail could be given in public until those disputes had been resolved.

In terms of funding, the Executive Director (Finance and Corporate Resources) advised that, as he had been asked to review the position, he would report back on the outcome of any review and, as part of that report, how it would be funded. He was currently discussing future implications with the Director, Health and Social Care and his Chief Financial Officer.

A number of other councillors were heard in support of the home carers.

In concluding, the Provost advised that, speaking in a personal capacity, she was confident that, in time and through good working relationships being maintained between officers and care workers, a resolution to everyone's satisfaction would be reached. She confirmed that a paper would be brought back to the Council meeting in August 2023.

The Council decided: that the motion be agreed and a report providing an update be brought to the next meeting of the Council scheduled for 23 August 2023.

In terms of Standing Order No 14, the Provost adjourned the meeting at 10.38am following this item of business. The meeting reconvened at 10.44am

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

The Provost advised that, in order for this item to be considered at today's meeting, there was a requirement to suspend Standing Orders. The decision to suspend Standing Orders was unanimously agreed.

A report dated 22 May 2023 by the Chief Executive was tabled on the recommendations referred to the Council by the Executive Committee of 17 May 2023. The recommendations were as follows:-

- ♦ **South Lanarkshire Leisure and Culture (SLLC)**
 - ♦ 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):-

Table 1 – phased implementation

| Would apply to 19 June 2023 | Apply 19 June 2023 to 31 March 2024 | Apply 1 April 2024 to 31 March 2025 | Apply from 1 April 2025 |
|-------------------------------------|--|--|--|
| 2022/2023 price (75% of adult rate) | 2023/2024 price (66.7% of adult rate) | 2024/2025 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) |

- ◆ 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
- ◆ 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
- ◆ that the energy industry should be asked to fund additional support for municipal leisure providers, such as SLLC, from industry profits
- ◆ 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
- ◆ 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

Councillor Brown, seconded by Councillor Fagan, moved the recommendations in the report.-
Councillor Ross, seconded by Councillor Loudon, moved the following as an amendment:-

“Delete point 1, insert at start:

1. Council agrees to reverse the recommendations approved at the Special Council Meeting held on 22nd February 2023, which were as follows, with immediate effect:
 1. The individual general concession for SLLC services being reduced from 50% to 25% of the adult rate
 2. That the additional U16s Club discount (75% of the adult rate) be reduced to 50%
 3. That the Halls under 5’s and over 60’s group discounts (75% of the full rate) be reduced to 50%

Delete point 2, insert:

2. Council asks that the Director of Finance and Corporate Resources work with officers of SLLC to identify and address financial implications. Council further asks that a report is brought forward to the relevant committee detailing how clubs, teams, and the vast numbers of volunteers they encompass, can and will be supported to sustain and develop their activities which support the health and wellbeing of our communities. This will include details of clear, regular, and ongoing channels of communication that will be open between clubs and teams, SLLC and the Council, in order, for all parties to work together to ensure sustainability.

Retain existing points 3,4,5 & 6

Insert after item 6:

7. Council asks that the results of any consultation with clubs and teams to date are fully collated, summarised, and published, and reported to the next relevant meeting.
8. 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 and asks the Executive Director to write to the relevant Minister to ask that the decision to exclude community leisure from the Energy Bills Discount Scheme is reversed.
9. Council carries out a full impact assessment of the proposed policy changes taking into consideration planned and linked policy changes announced by SLLC.

Statement of Reasons

When the changes to concessionary rates were decided, no thought had been given to the unintended consequences, that in practice some clubs, teams, and individuals would face price rises of 114%. These decisions were taken without consultation with any clubs, teams, organisations, or members.

1. Financial Impact

The proposal to phase this price rise "over three financial years" is disingenuous – it would actually be over a period of 21 months. Furthermore, the Administration motion makes no attempt to outline a process of engagement or support over this time. In practice, with the Administration's motion clubs and teams would face up to a 42.5% increase in costs for 10 months, and at the start of the second phase, they would face at least a 78.4% increase in costs, which the motion states may be subject to further uplifts.

Not a shred of evidence has been presented by the Administration to suggest that clubs and teams agree that in 10 short months, they can manage a nearly 80% increase in costs. These changes, agreed without thought of their consequences, are deeply unwelcome and threaten the sustainability of grassroots sport and activities across South Lanarkshire.

Indeed, there has been a complete lack of openness and transparency from the Administration over the implementation of the pause and the subsequent consultation.

2. Engagement / Consultation with clubs, families, and young people

The promised engagement has been highly unsatisfactory. There is no evidence of any Council engagement on the changes to concession rates. The sessions referred to by the administration were not advertised by SLLC as a chance to discuss the situation but rather as workshops on other topics. The National Standards for Community Engagement were not met despite being council policy.

There has been no attempt to co-design the engagement process with stakeholders, nor engage directly with the young people affected – despite the Council's previous commitment to involve our young people in decision-making.

On 22nd May, a member of the Administration claimed in a written report to a Community Council that the Administration had intervened directly to request consultation of SLLC. But both the SNP group, and constituents who have contacted us, have been met with a wall of silence and deflection when we have raised questions and concerns about the consultation process.

The administration motion takes no cognisance of the under 5's or over 60's reduction in discounts and fails to mention if an equalities impact assessment has been carried out.

3. Equality Impact Assessment

An EIA should be done when the need for a new policy or practice is identified, or when an existing one is reviewed, and this is a revision of a current council policy.

Failing to carry out an assessment of impact on equality of the proposal creates risk leaving the council open to legal challenges, which are both costly and time-consuming.

In exercising our duties as an elected member, we must ensure that the relevant equality implications are considered in decision making processes within the council. We must also ensure that we have sufficient information to satisfy the legal requirement to pay 'due regard' to equality. The SNP Group has not been provided with any information to enable us to take a decision with due regard to equality."

The Head of Administration and Legal Services referred to paragraph 9 on page 1 of the amendment which related to policy and impact assessments and page 2, number 2, engagement/consultation with clubs, as well as page 3, equality impact assessments. She advised that her understanding was that it was a concession scheme and not a policy and, as such, any consultation on the scheme would be carried out by SLLC and not by the Council. Also, as it was not a policy, an equality impact assessment would not be necessary, however, there might be other assessments deemed necessary but that would be for SLLC to determine.

In response to the points made by the Head of Administration and Legal Services, Councillor Chalmers advised that the amendment was referring to a decision taken by the Council on changes to concession rates and not the broader service provision of SLLC. She then quoted the terms of the Equality and Human Rights Commission's guidance on terminology when referring to policy.

The Provost ruled that the issues raised by Councillor Ross and Councillor Clark were not Points of Order. She advised that members were allowed to express their opinions in a manner of their choosing so long as it was not offensive.

In response to a point made by Councillor Loudon, the Executive Director (Community and Enterprise Resources) advised that the SLLC Board met on 17 May 2023. The proposals that were brought forward by the Administration to the Executive Committee had been relayed to the SLLC Board. The Board was informed that the Council was meeting today and it would be for the Council to decide on the recommendations made by the Executive Committee.

Following a full and lengthy discussion, on a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, Ralph Barker, Walter Brogan, Robert Brown, Mathew Buchanan, Andy Carmichael, Gerry Convery, Margaret Cooper, Poppy Corbett, Margaret Cowie, Maureen Devlin, Joe Fagan, Allan Falconer, Ross Gowland, Lynsey Hamilton, Celine Handibode, Martin Hose, Gavin Keatt, Susan Kerr, Ross Lambie, Martin Lennon, Richard Lockhart, Eileen Logan, Catherine McClymont, Kenny McCreary, Lesley McDonald, Mark McGeever, Davie McLachlan, Richard Nelson, Norman Rae, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker, David Watson

Amendment

John Anderson, John Bradley, Archie Buchanan, Janine Calikes, Maureen Chalmers, Ross Clark, Andrea Cowan, Colin Dewar, Mary Donnelly, Grant Ferguson, Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Geri Gray, Graeme Horne, Mark Horsham, Cal Johnston-Dempsey, Katy Loudon, Hugh Macdonald, Julia Marrs, Ian McAllan, Elaine McDougall, Carol Nugent, Kirsten Robb, John Ross, David Shearer, Helen Toner

35 members voted for the motion and 27 for the amendment. The motion was declared carried.

The Council decided:

- (1) that Standing Orders on Procedures be suspended; and
- (2) that the recommendations of the Executive Committee of 17 May 2023 in relation to South Lanarkshire Leisure and Culture be approved.

[Reference: Minutes of the Executive Committee of 17 May 2023 (Paragraph 2)]

In terms of Standing Order No 14, the Provost adjourned the meeting at 11.00am during this item of business. The meeting reconvened at 11.05am

4 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 8 March 2023 were submitted for approval as a correct record.

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

5 Minutes of Special Meeting

The minutes of the special meeting of South Lanarkshire Council held on 17 May 2023 were submitted for approval as a correct record.

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

6 Minutes of Risk and Audit Scrutiny Committee

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 6 December 2022 were submitted for noting.

The Council decided: that the minutes be noted.

7 Councillor McAdams – Attendance at Council Meetings

A report dated 19 April 2023 by the Chief Executive was submitted on an application for a further extension to the period of non attendance by Councillor McAdams at Council meetings due to ill health.

With reference to Section 35(1) of the Local Government (Scotland) Act 1973 and in terms of Standing Order No 7 of the Council's Standing Orders on Procedures, if a councillor did not go to any Council meetings for a period of 6 months, he or she would stop being a member of the Council unless he or she had:-

- ◆ the Council's permission; or
- ◆ a good reason approved by the Council

The 6 month period started from the date of the first meeting which the councillor failed to attend.

Due to ill health, Councillor McAdams had been unable to attend Council meetings for a period of time and, at its meeting held on 7 December 2022, the Council agreed to an extension of up to 6 months' non attendance at Council meetings. This 6-month period was due to expire on 21 June 2023. Councillor McAdams had indicated that she was still unable to return to Council duties and had requested that the Council consider her request for a further extension to her period of absence for up to 6 months in terms of Standing Order No 7, effective from 21 June 2023.

The Council decided: that a further extension of up to 6 months non attendance at Council meetings be approved for Councillor McAdams, effective from 21 June 2023.

[Reference: Minutes of 7 December 2022 (Paragraph 9)]

8 Notice of Motion - Banning the Use of Single-Use Disposable Vapes

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

"South Lanarkshire Council is concerned at the health and environmental harm caused by the increasing use, particularly by young people, of Disposable Nicotine Vapour Products (DNVPs / vapes).

The Council notes:

1. that there is increasing e-cigarette use amongst young people – with an 18 fold rise in disposable vapes amongst vape users from January 2021 to April 2022, and that the last Health and Wellbeing Census showed one in 10 S4 pupils regularly vape, a rate which has tripled in the last five years;
2. that disposable vapes, far from being a cessation tool for existing cigarette smokers, have the potential to create a whole new generation of young people addicted to nicotine products;
3. that refillable vape kits are available, which are affordable, recyclable, do not have the same environmental impact, and are less likely to be an impulse purchase made by children and young people;
4. that over 1.3 million vapes are discarded in the United Kingdom every week (which are not able to be recycled) and consequently the equivalent of 10 tonnes of lithium reaches landfill or incinerators each year (enough to make batteries for 1200 electric cars);
5. that damaged batteries from vapes cause hundreds of fires each year at recycling plants and during waste transportation in bin lorries, probably including the recent fire at the Altens recycling plant in Aberdeen;

6. that discarded vapes present a leak risk of toxic chemicals which are harmful to children, pets, wildlife and water systems, and are contrary to the principles of a circular economy;
7. that 90% of vape retailers are failing to comply with WEEE (Waste Electric and Electronic Equipment) regulations, meaning recycling is near impossible for consumers; and
8. that a ban on their use is supported by Glasgow, Dundee, Renfrewshire, North Ayrshire and Falkirk Councils.

South Lanarkshire Council welcomes the review of the impact of single-use disposable vapes instructed by the Scottish Government and calls on it to take urgent action to ban their sale. Council also welcomes the forthcoming publication of the Scottish Government's Tobacco Action Plan, which will consider a range of interventions with an emphasis on reducing smoking and vaping among children and young people.

Therefore, the Council requests:

- that the Chief Executive writes to the Minister for Green Skills, Circular Economy and Biodiversity to convey the Council's view that a ban on the sale of DNVPs be introduced as soon as is practicable; and
- that a paper is brought forward to a future meeting of an appropriate committee regarding issues which educational establishments are currently experiencing with vaping, the actions which the Council and its partners are taking and could take to reduce the use of **vaping products** amongst children and young people and the potential of a communications campaign to raise awareness of such issues."

In moving the motion, Councillor Brown highlighted that it was an important issue, both in terms of health and the effect on the environment. He spoke in respect of the success of previous campaigns to substantially reduce the number of people smoking and how one of the tools to stop people smoking was by moving on to e-cigarettes or vapes. Part of that growth, he considered, however, was a deliberate move to attract young people to vape by introducing a wide choice in flavours, therefore, rather than discouraging young people from smoking, there was now a growing generation of young people, including schoolchildren, who were into vaping. He advised that, while vaping was less harmful than tobacco, it was still harmful to health. He then spoke on the harmful effects to the environment in terms of Disposable Nicotine Vaping Products (DNVPs) which were effectively non-recyclable, with the lost lithium equating to 10 tonnes going to landfill or incinerators every year across the UK. Councillor Frame, in seconding the motion, echoed the sentiments of Councillor Brown in terms of the products being made attractive to young people through the array of flavours and the associated problems faced in secondary schools.

Councillor Razzaq advised that he was supportive of the motion as vapes were an addictive product but also cautioned in terms of the risk of driving the practice underground as a recent BBC report found that illicit vapes contained harmful chemicals.

Councillor Watson highlighted the need for enforcement action, where appropriate, in future.

In response to a question from Councillor Hose in terms of what the Council could legally do to address the issue, the Head of Administration and Legal Services advised that the Council worked in liaison with the Police in relation to checks associated with alcohol issues, therefore, it was something perhaps that could be discussed by Trading Standards, Licensing and the Police to look at a programme going forward that would consider wider issues than alcohol. This could be included in the future report to committee.

The Head of Communications and Strategy advised that communications work had been done in the past in relation to the illegal sale of alcohol and it could also be extended to vaping.

Councillor Robb advised that she had suggested to Councillors Brown and Frame that the following wording be included as an addendum to their motion:-

“Notes that: Environmental Services have an ongoing programme of work designed to prevent the sale of tobacco and Nicotine Vapour Products (NVPs) to children (under 18s) which assists in the prevention of children taking up smoking. This includes carrying out inspections to business which sell such products. From April 2022 to February 2023 officers have visited 63 businesses and discovered 55 contraventions of tobacco, and NVP related legislation, an increase on previous years.

And to add to ‘requests that’: Information be provided to elected members on what action the Trading Standards team are taking to address this rise in contraventions to enforce current legislation so vaping products are not sold to under 18s. “

Both councillors confirmed their acceptance of the additional wording.

In response to Councillor Allison’s question on whether the Council could require that vapes be hidden from view in the same way as cigarettes, the Head of Administration and Legal Services advised that was it was not currently included in legislation and was not something that the Council could introduce. She understood, however, that it was an issue that governments were currently considering.

Councillor Razzaq confirmed that there was a cross-party group set up in Westminster to tackle the issue. In response to his point that the Council consider installing vape bins, the Executive Director (Community and Enterprise Resources) confirmed that a review of waste was currently being undertaken and, therefore, this was something that could be looked at in more detail as part of that review.

The Council decided:

- (1) that the terms of the motion, as amended, be supported;
- (2) that the Chief Executive write to the Minister for Green Skills, Circular Economy and Biodiversity to convey the Council’s view that a ban on the sale of DNVPs be introduced as soon as was practicable
- (3) that a paper be submitted to a future meeting of an appropriate committee regarding:-
 - ♦ issues which educational establishments were currently experiencing with vaping
 - ♦ the actions which the Council and its partners were taking, and could take, to reduce the use of vaping products amongst children and young people
 - ♦ actions which the Trading Standards team was taking to address the rise in contraventions to enforce current legislation in order that vaping products were not sold to under 18s
 - ♦ the potential of a communications campaign to raise awareness of such issues; and
- (4) that, as part of the review of waste, consideration be given to installing vape bins.

In terms of Standing Order No 14, the Provost adjourned the meeting at 11.59am during this item of business. The meeting reconvened at 12.14pm

9 Notice of Motion - Women Against State Pension Injustice (WASPI)

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

“In the 1995 Pensions Act, the UK Government increased State Pension age for women from 60-65, with a further increase to 66 in the 2011 Pensions Act, this change was not properly communicated, and it is estimated that 3.8 million women have been affected.

Council notes the campaign of the Women Against State Pension Injustice (WASPI) group together with similar campaign groups, to achieve fair and fast compensation arrangements for all women who were born in the 1950s and were affected by these changes to the state pension age.

Council will be aware that the Parliamentary and Health Service Ombudsman (PHSO) has found that the Department for Work and Pensions was guilty of maladministration in its handling of the State Pension increase for women born in the 1950s and its findings were published in their Stage 1 report. The PHSO are currently revisiting their Stage 2 decision and have committed to dealing with this urgently.

In turn, Council calls for the UK Government to accept the reported findings of the PHSO and to take swift action to provide compensation to the 1950s women and to the beneficiaries of those who are sadly deceased and failed to receive a pension.

Council fully supports the WASPI campaign and supports the 1950s women across South Lanarkshire who have suffered a gross injustice, affecting their emotional, physical and mental circumstances in addition to causing financial hardship and calls for a swift resolution to this ongoing injustice.”

In moving the motion, Councillor Nugent advised of an update since the motion was first submitted. The Court had now ordered that the Parliamentary and Health Service Ombudsman Stage 2 Report be quashed, meaning that the Ombudsman’s reconsideration process would now proceed. She advised that the WASPI campaign would be pressing for the Ombudsman to complete the investigation in a way that was as rapid as possible but also thorough and fair. WASPI had outlined 10 steps that it wanted the Ombudsman to follow to conclude the matter. She advised that 14,370 women had been affected in South Lanarkshire and requested that the Chief Executive write to the Parliamentary and Health Services Ombudsman, on behalf of the women of South Lanarkshire who were affected by state pension inequality, to convey the request of the WASPI campaign and to reiterate the need for a swift, thorough and fair investigation. Councillor Calikes seconded the motion.

Councillor Hamilton thanked Councillor Nugent for bringing the motion forward which built upon the work both she and Councillor Devlin had undertaken in 2017 in respect of this matter. She highlighted the injustice faced by women she knew who had to continue working and welcomed the update in terms of the Ombudsman’s reconsideration process.

The Council decided:

that the terms of the motion be supported and the Chief Executive write to the Parliamentary and Health Service Ombudsman, on behalf of the women in South Lanarkshire who were affected by state pension inequality, to convey request of the WASPI campaign and to reiterate the need for a swift, thorough and fair investigation.

10 Local Government By-Election – Electoral Ward 9 (East Kilbride West)

A report dated 2 May 2023 by the Chief Executive, in his capacity as Returning Officer, was submitted on arrangements for the by-election for Electoral Ward 9 (East Kilbride West).

The Returning Officer advised that:-

- ♦ the by-election would be held on Thursday 6 July 2023
- ♦ polling hours would be from 7.00am to 10.00pm and, at close of poll, the votes would be counted electronically in Committee Room 1, Council Offices, Almada Street, Hamilton
- ♦ a pre-nomination session, which was recorded and available online, had been held the previous night
- ♦ a further 2 sessions would be held, post nomination and pre-poll and count session.

The Council decided: that the report be noted.

11 Items of Urgent Business

In terms of Standing Order No 4(c), the Provost decided that consideration be given to the following 2 items of business:-

- ♦ Councillor Cowan congratulated Rutherglen Glencairn Football Club on their recent success in reaching the Scottish Junior Cup Final for the first time in 48 years and asked that the Council join with her in wishing them good luck in the final against Cumnock Juniors
- ♦ Councillor Allison requested that, as this was the first full Council meeting since the Coronation, the Provost, on behalf of the Council, write to King Charles III to offer congratulations on his Coronation

The Council decided:

- (1) to congratulate Rutherglen Glencairn Football Club in reaching the Scottish Junior Cup Final; and
- (2) that the Provost, on behalf of the Council, write to King Charles III to offer congratulations on his Coronation.

RISK AND AUDIT SCRUTINY COMMITTEE

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 7 March 2023

Chair:

Councillor Elaine McDougall

Councillors Present:

Councillor Mary Donnelly (Depute), Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Cal Johnston-Dempsey, Councillor Susan Kerr, Councillor Richard Lockhart

Councillors' Apologies:

Councillor Mathew Buchanan, Councillor Celine Handibode

Councillor Also Present:

Councillor Gerry Convery (for item 3)

Attending:

Finance and Corporate Resources

P Manning, Executive Director; Y Douglas, Audit and Compliance Manager; G McCann, Head of Administration and Legal Services; E-A McGonigle, Administration Officer; A Norris, Administration Assistant

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 6 December 2022 were submitted for approval as a correct record.

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

3 Good Governance Update

A report dated 17 February 2023 by the Executive Director (Finance and Corporate Resources) was submitted providing an update on the Council's governance arrangements.

Each year, the Council undertook a comprehensive review of the governance arrangements required to support its financial and operational controls. The annual review of governance arrangements informed the Governance Statement which was included within the Council's Annual Accounts. As part of this annual review, the Council's Local Code of Corporate Governance was reviewed, updated and republished. Compliance with the Code was also reviewed on an annual basis and Appendix 1 to the report provided details of the Council's compliance with the Code.

Details of the amendments made to the Code, following the review, were provided and the revised Code was attached as Appendix 2 to the report. Progress on the significant governance areas, as highlighted within the Annual Governance Statement 2021/2022, was detailed in Appendix 3 to the report.

The Chair and Depute, on behalf of the Committee members, expressed appreciation of the work undertaken to prepare the update and the revised Local Code of Corporate Governance.

The Committee decided:

- (1) that the findings from the annual compliance check against the Local Code of Corporate Governance be noted;
- (2) that the updated Local Code of Corporate Governance be approved; and
- (3) that progress against the significant governance areas identified within the Annual Governance Statement 2021/2022 be noted.

[Reference: Minutes of 26 January 2022 (Paragraph 3)]

4 2023/2024 Internal Audit Plan

A report dated 16 February 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the proposed Internal Audit Plan 2023/2024.

In recent years, the Internal Audit Plan had been presented as 2 separate 6-month plans so that the impact of redeployment of the Service to deliver COVID-19 related tasks could be managed. The 2023/2024 Plan had reverted to a proposed programme of work for the full financial year. The Plan included time with the Council's new External Auditor team to provide data, assist with their audit and respond to queries. A copy of the Plan would be shared with Audit Scotland so that areas where they would place reliance on output could be established.

A total of 1,220 audit days, inclusive of days which had been allocated to external clients, had been provided for in the Plan. The proposed Internal Audit Plan, which included a brief outline scope for each proposed assignment, was attached as Appendix 1 to the report. One Auditor post had been deployed full-time to the project and would be supplemented by significant additional time from an Audit Adviser. A detailed plan would be shared with the Committee at a future meeting which would set out how audit time would be used across both pre and post implementation periods.

The content of the Audit Plan each year was determined by the requirement to deliver a programme of work that would inform the annual audit opinion on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control arrangements.

The 2023/2024 Audit Plan would be delivered within the context of the revised Internal Audit Charter, attached as Appendix 2 to the report, and in accordance with the Public Sector Internal Auditing Standards (PSIAS).

The Internal Audit function's compliance with PSIAS was being externally assessed by East Lothian Council in 2022/2023 and the outcome of that assessment would be presented to the Committee in June 2023.

The Chair and Depute, on behalf of the Committee members, thanked officers for the work that had been undertaken to prepare the 2023/2024 Internal Audit Plan.

The Committee decided: that the proposed Internal Audit Plan for 2023/2024 be approved.

[Reference: Minutes of 26 January 2022 (Paragraph 4)]

5 Internal Audit Activity as at 17 February 2023

A report dated 17 February 2023 by the Executive Director (Finance and Corporate Resources) was submitted on work completed by Internal Audit during the period 19 November 2022 to 17 February 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 6 December 2022. Key performance indicators, which reflected quality, on time and within budget as at 31 January 2023, were summarised in Appendix 1 to the report. 100% of draft reports were issued on time and 100% within budget against targets of 80% respectively. Quality continued to be monitored through internal quality control procedures.

As at 17 February 2023, 33% of the 2022/2023 Audit Plan was complete. Of the remaining 67%, 34% related to assignments that were planned to conclude by 31 March 2023 and 33% related to tasks that continued throughout the year and would be closed at financial year end.

Client contributions to the delivery of the audit plan took the form of responding to draft reports, agreeing to close meetings and signing reports timeously once agreed. 100% of audit assignments were concluded to a signed action plan within 4 weeks of the issue of a draft report against a target of 80%.

Assignments completed in the period 19 November 2022 to 17 February 2023, together with a summary of overall assurances, were detailed in Appendix 2 to the report.

The Council formed part of the Glasgow City Region City Deal which funded a range of capital projects within South Lanarkshire. There had been no Internal Audit reports presented at the Cabinet meeting in February 2023. The next meeting of the Cabinet was in May 2023 and an update would be provided to the Committee in June 2023.

The self-assessment for the Public Sector Internal Audit Standards (PSIAS) external review had been passed to East Lothian Council for inspection. The assessment had been submitted 2 months later than intended due to other priorities. The outcome of the exercise would be reported to the Committee in June 2023.

The Committee decided:

- (1)** that the progress and performance be noted; and
- (2)** that the delay in progressing the external assessment of the Council's internal audit service level of compliance with PSIAS be noted.

[Reference: Minutes of 6 December 2022 (Paragraph 5)]

6 Fraud Statistics 6 Monthly Update 2022/2023

A report dated 16 February 2023 by the Executive Director (Finance and Corporate Resources) was submitted on fraud statistics for the 6 month period to 30 September 2022.

Details were given on the number, types, outcomes and costs of fraud investigations, together with performance measures for the 6 month period to 30 September 2022. A comparison with the statistics for the same period in 2021 was also provided. The fraud statistics for the 6 month period to September 2022 highlighted that:-

- ◆ 164 investigations, with a total value of £128,000, had either been reported in the period or carried forward from 2021/2022, representing an increase in number from the same period in 2021
- ◆ of the 164 cases, 9, valued at £5,000, had been closed within the period, representing a decrease when compared to the closed investigations for the same period in 2021
- ◆ 33% of cases closed in the period were founded and none of those involved a Council employee
- ◆ 100% of the founded cases related to fraud committed by a third party

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

The Council's Serious and Organised Crime (SOC) Working Group had developed an action plan to address the impact of COVID-19 on SOC and the challenges that this had brought in the short, medium and long-term. The Group had progressed the delivery of various actions which would be revised if new or emerging threats were identified through the pan Lanarkshire Multi Agency SOC Group. Updates would be presented to the Committee periodically.

Audit Scotland had published a report in July 2022 entitled Fraud and Irregularity 2021/2022 in July 2022 which had set out a number of key messages and recommendations. The Council's Fraud Strategy had been reviewed and would be presented to the next meeting of the Committee.

The Audit and Compliance Manager responded to members' questions on various aspects of the report and, where information was not immediately available, undertook to provide this to the relevant members.

The Committee decided: that the report be noted.

[Reference: Minutes of 26 January 2022 (Paragraph 6)]

7 Update of the 2022/2023 Audit of South Lanarkshire Council and Trusts Registered as Scottish Charities

A letter dated 20 February 2023 by Audit Scotland, the Council's External Auditor, was submitted providing an update on the 2022/2023 audit of South Lanarkshire Council and trusts registered as Scottish charities.

The COVID-19 pandemic had continued to impact upon the completion of the 2021/2022 audits with ongoing statutory deadlines. This, combined with the changeover in the appointed auditor, had impacted on the timing of the planning work for the 2022/2023 audits.

Planning work for the 2022/2023 audits was at an early stage and, therefore, it had not been possible to present the Annual Audit Plan to the Committee at this meeting. The audit strategy letter highlighted key audit matters which included:-

- ◆ risks
- ◆ best value
- ◆ audit fee and timetable
- ◆ independence and objectivity

The Annual Audit Plan 2022/2023 would be circulated to members of the Committee by 31 March 2023 once the audit planning procedures had been concluded.

The Committee decided: that the information be noted.

8 Forward Programme for Future Meetings

A report dated 17 February 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 30 January 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 30 January 2024 be noted.

[Reference: Minutes of 6 December 2022 (Paragraph 6)]

9 Urgent Business

There were no items of urgent business.

RISK AND AUDIT SCRUTINY COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 23 May 2023

Chair:

Councillor Elaine McDougall

Councillors Present:

Councillor Mary Donnelly, Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Cal Johnston-Dempsey, Councillor Susan Kerr, Councillor Richard Lockhart, Councillor Gavin Keatt (*substitute for Councillor Mathew Buchanan*)

Councillors' Apologies:

Councillor Mathew Buchanan, Councillor Celine Handibode

Attending:

Finance and Corporate Resources

Y Douglas, Audit and Compliance Manager; E-A McGonigle, Administration Officer; A Norris, Administration Assistant; J Taylor, Head of Finance (Strategy)

Also Attending:

Audit Scotland

J Boyd and M Ferris, External Auditors

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 7 March 2023 were submitted for approval as a correct record.

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

3 Review of Counter Fraud, Bribery and Corruption Policy

A report dated 5 May 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the revised Counter Fraud, Bribery and Corruption Policy, together with arrangements for communication of the Policy and a refreshed approach to training.

The Council's Counter Fraud Policy had been in place for a significant period of time and had undergone a series of revisions. The requirement to amend the Policy again to reflect further legislative changes had provided the opportunity to amalgamate various elements of the Council's Fraud Policy into a single document. The revised Policy, which was attached as an appendix to the report, remained mainly unchanged.

Details were provided on the areas covered by the Policy including:-

- ◆ roles and responsibilities of employees and managers
- ◆ fraud detection, investigation and reporting

- ♦ recovery and sanctions

The overarching message was one of a commitment to preventing fraud and corruption through:-

- ♦ robust financial and operational controls
- ♦ guarding against the threat of Serious and Organised Crime
- ♦ developing a counter-fraud culture

The Council would, where justified, take appropriate disciplinary and legal action in all proven cases and good governance would be demonstrated by reporting anti-fraud activity to this Committee.

The summary document 'Fraud Whistle Blowing for Third Parties' was attached as Appendix 1 to the Policy and detailed how members of the public could raise concerns and how the Council would respond. Separately, appended to the Policy, was the proposed approach the Council would adopt to Due Diligence and Anti-Tax Evasion Detection. The Policy, and related appendices, would be uploaded to the Council's intranet and the 'Fraud Whistle Blowing for Third Parties' summary document would be uploaded to the Council's internet.

A Learn on Line fraud course had previously been available to employees. The content of that course was high level and generic to ensure it was applicable to all Council Services. It was proposed that instead of regularly reviewing and updating the content of this online course, fraud awareness would now be raised through periodic bulletins, 'toolbox' talks and Executive Director briefings. This would provide flexibility to allow for more topical issues to be covered.

The Audit and Compliance Manager responded to a member's question in relation to fraud awareness training, specifically:-

- ♦ who was trained in fraud awareness and did that include elected members
- ♦ was fraud awareness training mandatory and were records of completion kept

The Committee decided:

- (1) that the Counter Fraud, Bribery and Corruption Policy be approved;
- (2) that it be noted that the Policy and appendices be uploaded to the Council's intranet and; that separately, the summary document 'Fraud Whistle Blowing for Third Parties' as detailed at Appendix 1 to the Policy, be uploaded to the Council's internet; and
- (3) that the refreshed training approach, as set out at section 5.3 of the report, be noted.

[Reference: Minutes of the Executive Committee of 22 September 2010 (Paragraph 7)]

4 Internal Audit Activity as at 5 May 2023

A report dated 5 May 2023 by the Executive Director (Finance and Corporate Resources) was submitted providing an update:-

- ♦ on work completed by Internal Audit during the period 18 February to 5 May 2023
- ♦ on progress with the external assessment of the Council's internal audit function's level of compliance with the Public Sector Internal Audit Standards (PSAIS)

Findings from internal audit assignments were reported to this Committee throughout the year and the last progress report was considered by this Committee on 7 March 2023. Key performance indicators, which reflected quality, on time and within budget for the 2022/2023 Internal Audit Plan would be presented in the 2022/2023 Internal Audit Assurance report at the 27 June 2023 meeting of the Committee. It was anticipated that all targets would be met.

As at 5 May 2023, 94% of the 2022/2023 Audit Plan was complete with 3 assignments still being progressed at that date. Assignments completed in the period 18 February 2023 to 5 May 2023, together with a summary of overall assurances, were detailed in Appendix 1 to the report.

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

- ◆ the Internal Audit Plan for 2023/2024
- ◆ Change Control and Contract Management (Phase 2)
- ◆ Project Procurement Strategies
- ◆ Follow Up Audit work

Updates were also provided on:-

- ◆ the self-assessment for the PSIAS external review which had been passed to East Lothian Council. The review was in progress and the outcome of the exercise would be reported to the Committee in June 2023
- ◆ meetings of the Chief Internal Auditors' Group which had provided an opportunity to share best practice and attend presentations on topical issues. A copy of the Chief Internal Auditors' Group 2022/2023 Annual Report was provided at Appendix 2 to the report
- ◆ progress against the Audit Strategy which was a requirement of the PSIAS. Delivery of the 2022/2023 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 Audit and Compliance Manager responded to members' questions on various aspects of the report.

The Committee decided: that progress be noted.

[Reference: Minutes of 7 March 2023 (Paragraph 5)]

5 Annual Audit Plan 2022/2023

The Committee considered the South Lanarkshire Council Audit Plan for 2022/2023 submitted by Audit Scotland, the Council's External Auditor.

The Plan set out the audit work necessary to allow Audit Scotland to provide an independent auditor's report and meet the wider scope requirements of public sector audit which included assessing arrangements for:-

- ◆ financial management
- ◆ financial sustainability
- ◆ vision, leadership and governance
- ◆ use of resources to improve outcomes

The planned work on the wider scope responsibilities was risk based and proportionate and in addition to local risks, challenges which were impacting the whole public sector would be considered. In 2022/2023, climate change and responding to cyber security threats would be considered.

The Plan was structured around the following areas:-

- ◆ annual accounts audit planning
- ◆ wider scope and best value
- ◆ reporting arrangements, timetable and audit fee
- ◆ other matters

Details were given on key aspects of those areas.

COVID-19 had continued to impact on the conduct and timeliness of the audit and it was recognised that it was in the best interests of public accountability to get the reporting of audited accounts back to pre-pandemic timelines. Ways of working more efficiently to expedite the 2022/2023 audits whilst maintaining high standards of quality were being identified. A hybrid approach would be taken for the 2022/2023 audit which would include a blend of onsite and remote working.

Audit Scotland had been appointed as the external auditor for the Council for the period 2022/2023 to 2026/2027 inclusive, and a biography of the audit team was provided at Appendix 1 of the report.

The Audit Director responded to a member's questions in relation to the audit fees and the 2 new audit quality standards.

The Committee decided: that the report be noted.

[Reference: Minutes of 7 March 2023 (Paragraph 7)]

6 Audit Scotland – Financial Bulletin 2021/2022

A report dated 4 May 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the Audit Scotland report entitled 'Local government in Scotland: Financial bulletin 2021/2022' which had been published in January 2023.

The report had been divided into 2 parts:-

- ◆ councils' financial summary 2021/2022
- ◆ councils' financial outlook

The key messages from the Audit Scotland report were detailed, together with an assessment of the position in South Lanarkshire Council.

The Committee decided:

- (1) that the key messages and recommendations contained in the Audit Scotland report entitled 'Financial bulletin 2020/2021', as detailed in sections 4 and 5 of the report, be noted; and

- (2) that the commentary on the Council's position, as included in the Audit Scotland report and as detailed in section 6 of the report, be noted.

[Reference: Minutes of 22 June 2022 (Paragraph 6)]

7 Financial Resources Scrutiny Forum Activity

A report dated 5 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted on reports considered by the Financial Resources Scrutiny Forum in the period from September 2022 to April 2023.

A report on the business considered by the Financial Resources Scrutiny Forum would continue to be submitted to the Risk and Audit Scrutiny Committee on an annual basis.

The Committee decided: that the report be noted.

[Reference: Minutes of 22 June 2022 (Paragraph 7)]

8 Forward Programme for Future Meetings

A report dated 27 April 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 26 March 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 26 March 2024 be noted.

[Reference: Minutes of 7 March 2022 (Paragraph 8)]

9 Urgent Business

There were no items of urgent business.

Report

5

Report to: **South Lanarkshire Council**
Date of Meeting: **23 August 2023**
Report by: **Chief Executive**

Subject: **Standards Commission's Hearing Outcome**

1. Purpose of Report

1.1. The purpose of the report is to: -

- Advise the Council of the decision of the Standards Commission of Scotland following the Hearing into a complaint against Councillor Joe Fagan held on 27 June 2023.

2. Recommendation(s)

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

- (1) that the decision of the Hearing Panel of the Standards Commission for Scotland that Councillor Joe Fagan 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 suspend Councillor Fagan for a period of two months with effect from 7th July 2023, being the date of their written decision, be noted.

3. Background

- 3.1. Complaints were received by the Commissioner for Ethical Standards in Public Life in Scotland (ESC) that on 30 April 2021, Councillor Fagan disclosed to the press confidential information about leisure and culture facilities that had been identified for potential closure.
- 3.2. Following an investigation, the ESC referred the complaint to the Standards Commission for Scotland on the basis that Councillor Fagan 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 he had contravened paragraphs 3.16 and 3.17 of the Code which are as follows:

Confidentiality Requirements

- 3.16 *Council proceedings and printed material are generally open to the public. This should be the basis on which you normally work but there may be times when you will be required to treat discussions, documents or other information relating to or held by the Council in a confidential manner, in which case you must observe such requirements for confidentiality.*
- 3.17 *You will often receive information of a private nature which is not yet public, or which perhaps would not be intended to be public. You must always respect and comply with*

the requirement to keep such information private, including information deemed to be confidential by statute. Legislation gives you certain rights to obtain information not otherwise available to the public and you are entitled to exercise these rights where the information is necessary to carry out Council duties. Such information is, however, for your use as a councillor and must not be disclosed or in any way used for personal or party-political advantage or in such a way as to discredit the Council. This will also apply in instances where you hold the personal view that such information should be publicly available.

4. Hearing Panel Decision

- 4.1. The Hearing called by the Standards Commission took place in Hamilton on 27 June 2023. As a joint statement of facts had been agreed in advance of the hearing, no witnesses were called.
- 4.2. The Hearing Panel considered the submissions given orally at the Hearing and in writing and found that Councillor Fagan had received the information in his capacity as a member of a Cross -Party Working Group(CPWG) and that the Councillors' Code of Conduct applied to him at the time. The Panel concluded that Councillor Fagan had breached paragraphs 3.16 and 3.17 of the Code.
- 4.3. The Panel found that Council Fagan was fully aware that the CPWG's work in considering the future of the leisure facilities was confidential when he disclosed the information to the press. The Panel determined that he had knowingly and deliberately disclosed the confidential information in breach of paragraph 3.16 of the Code.
- 4.4. The Hearing Panel also noted that paragraph 3.17 of the Code stated that confidential information should not be used for personal or party-political advantage, or to discredit the Council. The Panel noted that Councillor Fagan had disclosed the information a week before the Scottish Parliamentary election and was satisfied that he had done so, at least in part, for party-political gain in breach of paragraph 3.17 of the Code.
- 4.5. In reaching its decision on sanction, the Panel considered and weighed up all relevant mitigating factors. The Panel noted that the requirement for councillors to refrain from disclosing confidential information is a key requirement of the Code and that a failure to do so can damage the reputation and integrity of a Council and can also impede discussions and decision-making. The Panel noted that Councillor Fagan had thought that he was allowed to disclose information in exceptional circumstances if there was a clear public interest in doing so but found that it was clear from the wording of the Code that this was not the case and that the information had been deliberately disclosed in part for party-political gain. The Panel was concerned by this finding, noting that he had been afforded ample opportunity to propose changes to the management of the release of the information as a member of the CPWG. The Panel was particularly concerned that he had sought to amplify the effect of his disclosure to the media, and by consequence its political impact, by emailing his news release to his party colleagues and encouraging them to share it with the public. The Panel was also concerned that Councillor Fagan appeared not to consider the potential impact of his action on officers who would have been responsible for dealing with any resulting press and public enquiries before disclosing the information. It also noted that the disclosure was likely to have resulted in speculation about facilities being closed, which may have caused undue concern, before any final decision had been taken.
- 4.6. The Panel further noted that Councillor Fagan had fully cooperated with the investigation and hearing process and had expressed remorse for breaching the Code. It noted the character references that had been submitted on his behalf, his contribution to public life and that he had undertaken further training on the

confidentiality requirements of the Code and his assurance that he had gained insight into the matter and Code.

4.7. The Panel subsequently expressed disappointment to note the quotes attributed to Councillor Fagan in the press following the Hearing, which appeared to indicate that he did not understand that there are legitimate reasons as to why certain information is deemed confidential for a period and why it should not be disclosed during that time. The Panel warned that any future breach of the confidentiality provisions of the Code by Councillor Fagan will be treated with the utmost seriousness.

4.8. The full decision is available on the Standards Commission for Scotland website.

5. Employee Implications

5.1. There are no employee implications arising from 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 implications for climate change, sustainability or the environment in terms of the information contained in this report.

8. Other Implications

8.1. Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act requires a Council receiving a copy of a Hearing Decision to consider the findings within three months of receipt of the decision.

9. Equalities Impact Assessment and Consultation Arrangements

9.1. This report does not introduce a new policy, function, or strategy and therefore no Equality Impact Assessment is required.

Cleland Sneddon
Chief Executive

27 July 2023

Link(s) to Council Values/Ambitions/Objectives

- ◆ Accountable, effective, efficient and transparent
- ◆ 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:

-

Geraldine McCann Ext: 4658 (Tel: 01698 454658)

E-mail: geraldine.mccann@southlanarkshire.gov.uk

Report

6

Report to: **South Lanarkshire Council**
Date of Meeting: **23 August 2023**
Report by: **Chief Executive**

Subject: **Outcome of Local Government By-election – Electoral Ward 9 (East Kilbride West) - and Amendments to Committee and Outside Body Memberships**

1. Purpose of Report

1.1. The purpose of the report is to:-

- advise of the outcome of the by-election held in Ward 9 (East Kilbride West)
- advise on action taken, in terms of Standing Order No 37(c), because of the timescales involved, by the Chief Executive, in consultation with the Depute Provost and an ex officio member, to approve revised memberships of committees and outside bodies following the by-election

2. Recommendation(s)

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

- (1) that it be noted that, following the by-election held on 6 July 2023, Kirsty Williams has been elected to represent Electoral Ward 9 (East Kilbride West) on South Lanarkshire Council;
- (2) that, to reflect the current political composition of the Council, the breakdown to the committee memberships, as detailed in Appendix 1, be noted;
- (3) that the action taken, in terms of Standing Order No 37(c), by the Chief Executive, in consultation with the Depute Provost and ex officio member, to approve the revised membership of committees and outside bodies, as detailed at paragraph 5. 2, be noted.

3. Background

3.1. Arrangements were made to hold a by-election on Thursday 6 July 2023 to fill the vacancy in Electoral Ward 9 (East Kilbride West), a multi-member ward comprising 3 members.

4. Result of By-Election

4.1. Specific information in relation to the by-election in Ward 9 (East Kilbride West) is as follows:-

Electorate – 13,412

Percentage Poll – 25.7%

Total Valid Votes Cast – 3,423

Quota (number of votes required to be elected) – 1,712

Ballot Papers Rejected - 27

4.2. The number of first preference votes polled for each candidate was as follows:-

| Candidate | Party | No of first preference votes | Elected (Stage No) |
|--------------------------|--|-------------------------------------|---------------------------|
| Bill Dorrian | Scottish Conservative and Unionist | 904 | |
| Cameron Eadie | Scottish Greens – Think Global Act Local | 131 | |
| Robert Gillies | Scottish National Party (SNP) | 778 | |
| Kristofer Keane | Independent | 99 | |
| Jonathan Jack Richardson | Scottish Family Party | 42 | |
| Jake Stevenson | Scottish Liberal Democrats | 83 | |
| Kirsty Williams | Scottish Labour Party | 1,386 | Yes (Stage 6) |

4.3. Kirsty Williams has, therefore, been elected to represent Electoral Ward 9 (East Kilbride West) on South Lanarkshire Council.

5. Places on Committees

5.1. Due to the updated political composition of the Council, the composition of Resource, Planning and the Recruitment Committees required to be amended. A copy of the current and revised breakdown of committee memberships is detailed at Appendix 1, with changes highlighted in red.

5.2. In order to allow the continuity of Council business following the summer recess, consultation was undertaken with the Business Managers of the affected Groups and the following changes made to committee and outside body memberships:-

- ◆ that Councillor Lennon fill the vacant place on the Planning Committee;
- ◆ that Councillor Brown and Councillor Cooper replace Councillor Ferguson-Miller and Councillor Cowan respectively as a member and substitute member of the Recruitment Committee;
- ◆ that Councillor Frame fill the vacant substitute place on the Executive Committee;
- ◆ that Councillor Williams replace Councillors Johnston-Dempsey, Councillor Bradley and Dewar on the Social Work Resources, Housing and Technical Resources and Finance and Corporate Resources Committees respectively;
- ◆ that Councillor Kerr replace Councillor Chalmers on the Community and Enterprise Resources Committee;
- ◆ that Councillor Falconer replace Councillor Bradley on the Education Resources Committee;
- ◆ that Councillor Dewar replace Councillor Donnelly as a member of the Planning Committee;
- ◆ that Councillor Frame fill the vacant place on the Planning Local Review Body;
- ◆ that Councillor Dewar replace Councillor Donnelly on Planning Local Review Body;
- ◆ that Councillor Donnelly replace Councillor Gray on the Licensing Committee;
- ◆ that Councillor Horsham replace Councillor Loudon as a substitute member on the Licensing Committee;

- ◆ that Councillor Toner fill the vacant place on the Climate Change and Sustainability Committee;
- ◆ that Councillor Horsham replace Councillor Calikes as a member of the Climate Change and Sustainability Committee, with Councillor Gray filling the place of substitute member;
- ◆ that Councillor Johnston-Dempsey fill the vacant place on the Equal Opportunities Forum;
- ◆ that Councillor Dewar fill the vacant substitute place on the Finance and Corporate Resources Committee;
- ◆ that Councillor Bradley fill the vacant substitute place on the Housing and Technical Resources Committee;
- ◆ that Councillor Calikes fill the vacant substitute place on the Petitions Committee;
- ◆ that Councillor Anderson and Councillor Williams fill the vacant places on Licensing Division No 2 (East Kilbride); and
- ◆ that Councillor Williams and Councillor Macdonald fill the vacant places as representatives on East Kilbride Sports Council

5.3. A copy of the revised committee memberships is attached as Appendix 2 to the report.

5.4. A copy of the revised outside body memberships is attached as Appendix 3 to the report.

6. Employee Implications

6.1. None.

7. Financial Implications

7.1 None.

8. Climate Change, Sustainability and Environmental Implications

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

9. Other Implications

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

10. Equality Impact Assessment and Consultation Arrangements

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

Cleland Sneddon
Chief Executive

10 August 2023

Link(s) to Council Values/Ambitions/Objectives

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

Previous References

- ◆ South Lanarkshire Council of 24 May 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

Ext: 4197 (Tel: 01698 454197)

E-mail: susan.somerville@southlanarkshire.gov.uk

Breakdown of Committee Memberships

Previous Council Breakdown:

Scottish National Party 27 (42.19%); Labour 24 (37.50%); 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 | Labour | Con | Lib Dems | Ind Group | Green |
|---|------------------|-------------------|-----|--------|-----|----------|-----------|-------|
| Resource and Planning Committees [Provision for up to 4 substitutes from individual groups] | 26 | 1 | 11 | 9 | 3 | 1 | 1 | - |
| Recruitment Committee [Provision for named substitutes]] | 6 | - | 3 | 2 | 1 | - | - | - |

Revised 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%)

I

| Committee | Total Membership | Leader ex officio | SNP | Labour | Con | Lib Dems | Ind Group | Green |
|---|------------------|-------------------|-----|--------|-----|----------|-----------|-------|
| Resource and Planning Committees [Provision for up to 4 substitutes from individual groups] | 26 | 1 | 10 | 10 | 3 | 1 | 1 | - |
| Recruitment Committee [Provision for named substitutes]] | 6 | - | 2 | 2 | 1 | 1* | | |

* Following negotiation between the Lib Dems, Independent Group and Green member, the place was allocated to the Lib Dems, with the substitute member from the Independent Group

Resource Committees and associated Forums

Community and Enterprise Resources Committee (26)

John Anderson, Ralph Barker, Walter Brogan, Robert Brown (Chair), Andy Carmichael, Gerry Convery, Poppy Corbett, Andrea Cowan, Margaret Cowie, Maureen Devlin (Depute), Colin Dewar, Joe Fagan (ex-officio), Gladys Ferguson-Miller, Ross Gowland, Graeme Horne, Cal Johnston-Dempsey, Susan Kerr, Martin Lennon, Richard Lockhart, Hugh MacDonald, Ian McAllan, Kenny McCreary, Davie McLachlan, Carol Nugent, Helen Toner, David Watson

Substitutes

Alex Allison, Ross Clark, Margaret Cooper, Allan Falconer, Alistair Fulton, Lynsey Hamilton, Ross Lambie, Lesley McDonald, Elaine McDougall, Mark McGeever, Richard Nelson, Graham Scott, David Shearer

Roads Safety Forum (10)

John Anderson, Ralph Barker, Margaret Cowie (Depute), Colin Dewar, Cal Johnston-Dempsey, Susan Kerr, Kenny McCreary, Davie McLachlan (Chair), Julia Marrs, Norman Rae

Substitutes

Walter Brogan, Robert Brown, Janine Calikes, Richard Lockhart, Eileen Logan, Helen Toner

Education Resources Committee (26 + External representatives)

Alex Allison, John Anderson, Ross Clark, Margaret Cowie, Joe Fagan (ex-officio), Allan Falconer, Grant Ferguson, Elise Frame, Alistair Fulton, Geri Gray, Lynsey Hamilton (Chair), Mark Horsham, Cal Johnston-Dempsey, Gavin Keatt (Depute Chair), Susan Kerr, Ross Lambie, Richard Lockhart, Eileen Logan, Katy Loudon, Ian McAllan, Mark McGeever, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker, David Watson

Substitutes

Margaret Cooper, Mary Donnelly, Maureen Devlin, Allan Falconer, Martin Hose, Hugh Macdonald, Monique McAdams, Kenny McCreary, Lesley McDonald, Julia Marrs, Carol Nugent, Norman Rae

External Members

Religious: Mr John Mulligan, Mrs Gillian Coulter

Teacher:

Parent Council/Carer:

Education Appeals Committee

15 members serving or acting as a substitute on Education Resources Committee (excluding Chair and Depute Chair)

Margaret Cowie, Mary Donnelly, Grant Ferguson, Elise Frame, Alistair Fulton, Mark Horsham, Susan Kerr, Ross Lambie, Richard Lockhart, Ian McAllan, Mark McGeever, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker

15 members not serving on Education Resources Committee

Ralph Barker, Mathew Buchanan, Andy Carmichael, Maureen Chalmers, Poppy Corbett, Andrea Cowan, Ross Gowland, Celine Handibode, Graeme Horne, Catherine McClymont, Elaine McDougall, Richard Nelson, David Shearer, Helen Toner, Vacancy (Lib Dems)

Finance and Corporate Resources Committee (26)

Alex Allison, Walter Brogan (Depute), Mathew Buchanan, Andy Carmichael, Maureen Chalmers, Margaret Cooper, Andrea Cowan, Maureen Devlin, Mary Donnelly, Joe Fagan (ex-officio), Grant Ferguson, Gladys Ferguson-Miller, Celine Handibode (Depute), Graeme Horne, Martin Hose, Katy Loudon, Hugh Macdonald, Catherine McClymont, Lesley McDonald (Chair), Elaine McDougall, Mark McGeever, Richard Nelson, Mo Razzaq, John Ross, Graham Scott, Kirsty Williams

Substitutes

John Bradley, Archie Buchanan, Colin Dewar, Ross Gowland, Gavin Keatt, Susan Kerr, Ross Lambie, Martin Lennon, Richard Lockhart, Carol Nugent, Norman Rae, David Watson

Employee Issues Forum (10)

John Anderson, Walter Brogan, Archie Buchanan, Gerry Convery, Margaret Cowie (Chair), Geri Gray, Celine Handibode (Depute), Katy Loudon, Richard Nelson, Kirsten Robb

Substitutes

Mathew Buchanan, Mary Donnelly, Catherine McClymont, Elaine McDougall

Equal Opportunities Forum (11)

Janine Calikes, Ross Clark, Poppy Corbett, Grant Ferguson, Cal Johnston-Dempsey, Monique McAdams, Mark McGeever (Depute), Mo Razzaq (Chair), Kirsten Robb, Bert Thomson, Vacancy (Ind Group)

Substitutes

Mathew Buchanan, Gavin Keatt, Katy Loudon, Richard Lockhart, Carol Nugent, Norman Rae

Joint Consultative Forum (10)

Robert Brown, Mathew Buchanan, Gerry Convery, Gladys Ferguson-Miller, Geri Gray, Graeme Horne, Hugh Macdonald, Catherine McClymont (Depute), Richard Nelson, Mo Razzaq

Substitutes

Andrea Cowan, Maureen Devlin, Martin Lennon, Ian McAllan, Mark McGeever

Appeals Panel and Grievance and Disputes Panel

3 members in total to serve on the Panel, comprising the Chair or one of the Depute Chairs of the Finance and Corporate Resources Committee, a member of the Administration, who is not the Chair or Depute Chair(s) of the relevant Resource/Service Committee, and a member of the Opposition Groups to be drawn from the Finance and Corporate Resources Committee and the following 15 members not serving on the Finance and Corporate Resources Committee

John Anderson, Ralph Barker, Robert Brown, Ross Clark, Gerry Convery, Poppy Corbett, Margaret Cowie, Elise Frame, Geri Gray, Cal Johnston-Dempsey, Monique McAdams, Kenny McCreary, Bert Thomson, Helen Toner, Margaret B Walker

Housing and Technical Resources Committee (26)

Walter Brogan, Archie Buchanan, Mathew Buchanan, Janine Calikes, Gerry Convery, Margaret Cooper, Andrea Cowan, Maureen Devlin, Colin Dewar, Joe Fagan (ex-officio), Allan Falconer, Grant Ferguson, Alistair Fulton, Ross Gowland, Geri Gray, Ross Lambie, Richard Lockhart, Martin Lennon (Depute), Julia Marrs, Ian McAllan, Kenny McCreary, Davie McLachlan (Chair), Norman Rae, David Shearer, Margaret B Walker, Kirsty Williams

Substitutes

John Bradley, Robert Brown, Poppy Corbett, Gladys Ferguson-Miller, Martin Hose, Cal Johnston-Dempsey, Gavin Keatt, Susan Kerr, Eileen Logan, Monique McAdams, Richard Nelson, Helen Toner, David Watson

Social Work Resources Committee (26)

Alex Allison, John Bradley, Walter Brogan, Robert Brown, Archie Buchanan, Mathew Buchanan, Janine Calikes, Maureen Devlin, Mary Donnelly, Joe Fagan (ex-officio), Allan Falconer, Elise Frame, Celine Handibode, Graeme Horne, Mark Horsham, Martin Hose, Eileen Logan, Hugh Macdonald, Catherine McClymont (Depute), Richard Nelson, Carol Nugent, John Ross, Graham Scott, Margaret B Walker (Chair), David Watson, Kirsty Williams

Substitutes

John Anderson, Maureen Chalmers, Margaret Cooper, Poppy Corbett, Margaret Cowie, Geri Gray, Susan Kerr, Ross Lambie, Richard Lockhart, Elaine McDougall, Mark McGeever, Davie McLachlan, Bert Thomson

Area Committees

Cambuslang and Rutherglen Area Committee (12)

John Bradley (Depute), Walter Brogan, Robert Brown, Janine Calikes, Andrea Cowan, Margaret Cowie, Alistair Fulton, Martin Lennon, Katy Loudon, Carol Nugent (Chair), Norman Rae, Margaret B Walker

Clydesdale Area Committee (13)

Alex Allison, Ralph Barker, Poppy Corbett, Ross Gowland (Depute), Lynsey Hamilton, Mark Horsham, Ross Lambie, Richard Lockhart, Eileen Logan, Ian McAllan, Catherine McClymont (Chair), Julia Marrs, David Shearer

East Kilbride Area Committee (18)

John Anderson, Archie Buchanan (Chair), Mathew Buchanan, Gerry Convery, Margaret Cooper, Joe Fagan, Grant Ferguson, Gladys Ferguson-Miller, Elise Frame, Geri Gray (Depute), Susan Kerr, Hugh Macdonald, Monique McAdams, Elaine McDougall, Kirsten Robb, Graham Scott, David Watson, Kirsty Williams

Hamilton Area Committee (21)

Andy Carmichael, Maureen Chalmers, Ross Clark, Maureen Devlin, Colin Dewar, Mary Donnelly, Allan Falconer (Chair), Celine Handibode, Graeme Horne, Martin Hose, Cal Johnston-Dempsey, Gavin Keatt, Kenny McCreary, Lesley McDonald, Mark McGeever, Davie McLachlan, Richard Nelson, Mo Razzaq (Depute), John Ross, Bert Thomson, Helen Toner

Other Committees and associated Forums

Climate Change and Sustainability Committee (28)

Alex Allison, John Anderson, Ralph Barker, Maureen Chalmers, Ross Clark, Margaret Cooper, Colin Dewar, Joe Fagan (ex-officio), Ross Gowland, Lynsey Hamilton, Mark Horsham, Gavin Keatt, Ross Lambie, Richard Lockhart, Katy Loudon, Julia Marrs, Monique McAdams, Lesley McDonald, Elaine McDougall, Mark McGeever (Chair), Carol Nugent, Mo Razzaq, Kirsten Robb (Depute), John Ross, Graham Scott, Bert Thomson, Helen Toner, Margaret B Walker

Substitutes

Walter Brogan, Robert Brown, Andy Carmichael, Gerry Convery, Poppy Corbett, Andrea Cowan, Allan Falconer, Gladys Ferguson-Miller, Elise Frame, Geri Gray, Martin Hose, Richard Nelson, David Watson

Conference Allocation Committee (6)

Maureen Chalmers, Gerry Convery (Chair), Maureen Devlin (Depute), Mark Horsham, Ross Lambie, Kirsten Robb

Executive Committee (29)

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

Substitutes

John Bradley, Walter Brogan, Poppy Corbett, Margaret Cowie, Elise Frame, Graeme Horne, Martin Hose, Susan Kerr, Ross Lambie, Elaine McDougall, Norman Rae, Graham Scott, David Watson

Financial Resources Scrutiny Forum (10)

Mathew Buchanan, Colin Dewar, Ross Gowland, Gavin Keatt, Grant Ferguson (Chair), Richard Lockhart, Monique McAdams, Julia Marrs (Depute), Carol Nugent, Vacancy (Lib Dem/Green/Ind Group)

Substitutes

Archie Buchanan, Elise Frame, Celine Handibode, Susan Kerr

Performance and Review Scrutiny Forum (10)

John Anderson, Maureen Chalmers, Gerry Convery (Depute), Maureen Devlin, Joe Fagan (Chair), Richard Lockhart, Katy Loudon, Davie McLachlan, Kirsten Robb, John Ross

Substitutes

Andrea Cowan, Gladys Ferguson-Miller, Martin Hose, Eileen Logan, Margaret B Walker

Standards and Procedures Advisory Forum (11)

Alex Allison, Maureen Chalmers, Gerry Convery, Margaret Cooper, Andrea Cowan, Maureen Devlin, Joe Fagan (Chair), Ian McAllan, Mark McGeever, Kirsten Robb, John Ross

Substitutes

Robert Brown, Lynsey Hamilton, Mark Horsham, Eileen Logan, Julia Marrs, Richard Nelson, David Watson

Rural Task Force (10)

Alex Allison (Chair), Andy Carmichael, Margaret Cooper, Elise Frame, Ross Gowland, Ross Lambie, Eileen Logan, Catherine McClymont, Julia Marrs, David Shearer

Substitutes

Poppy Corbett, Lynsey Hamilton, Mark Horsham, Susan Kerr, Ian McAllan, Richard Nelson

Licensing Committee (10)

Andy Carmichael (Chair), Poppy Corbett, Mary Donnelly, Joe Fagan (ex-officio), Monique McAdams, Mark McGeever, Julia Marrs, David Shearer, Bert Thomson (Depute), Helen Toner

Substitutes

Robert Brown, Janine Calikes, Margaret Cowie, Mark Horsham, Kenny McCreary, Davie McLachlan

Public Processions Panel (3)

3 members of Licensing Committee with Chair and Depute Chair being given first option of participating

Petitions Committee (9)

Mary Donnelly, Alistair Fulton (Chair), Mark Horsham, Susan Kerr, Eileen Logan, Richard Nelson (Depute), Norman Rae, Graham Scott, Helen Toner

Substitutes

Alex Allison, Robert Brown, Archie Buchanan, Janine Calikes, Allan Falconer, Lesley McDonald

Planning Committee (26)

Alex Allison, Ralph Barker, Archie Buchanan, Ross Clark, Gerry Convery (Depute), Margaret Cowie, Maureen Devlin, Colin Dewar, Joe Fagan (ex-officio), Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Celine Handibode, Mark Horsham, Ross Lambie, Martin Lennon, Monique McAdams, Lesley McDonald, Davie McLachlan, Richard Nelson (Chair), Norman Rae, John Ross, Graham Scott, David Shearer, Helen Toner, David Watson

Substitutes

Walter Brogan, Robert Brown, Mathew Buchanan, Margaret Cooper, Poppy Corbett, Allan Falconer, Grant Ferguson, Graeme Horne, Martin Hose, Ian McAllan, Kenny McCreary, Julia Marrs, Bert Thomson

Planning Local Review Body (Panel of 10 members with named substitutes)

Alex Allison, Gerry Convery (Depute), Colin Dewar, Gladys Ferguson-Miller, Elise Frame, Mark Horsham, Lesley McDonald, Richard Nelson (Chair), Norman Rae, Graham Scott

Substitutes

Robert Brown, Maureen Devlin, Grant Ferguson, Alistair Fulton, Graeme Horne, Ross Lambie, Monique McAdams, Ian McAllan, Kenny McCreary, Davie McLachlan

Recruitment Committee (Panel of 6 members with named substitutes)

Alex Allison, Robert Brown, Maureen Chalmers, Gerry Convery (Depute), Joe Fagan (Chair), John Ross

Substitutes

John Anderson, Margaret Cooper, Maureen Devlin, Eileen Logan, Katy Loudon, Richard Nelson

Risk and Audit Scrutiny Committee (10)

Mathew Buchanan, Mary Donnelly (Depute), Alistair Fulton, Ross Gowland, Celine Handibode, Cal Johnston-Dempsey, Susan Kerr, Richard Lockhart, Elaine McDougall (Chair), Vacancy (Lib Dems/Green/Ind Group)

Substitutes

Colin Dewar, Gavin Keatt, Monique McAdams, Helen Toner

Licensing Divisions

Licensing Division 1 (Clydesdale) (10)

Alex Allison, Ross Gowland, Lynsey Hamilton, Ross Lambie, Richard Lockhart, Eileen Logan, Ian McAllan, Catherine McClymont, Julia Marrs, David Shearer

Licensing Division 2 (East Kilbride) (10)

John Anderson, Archie Buchanan, Mathew Buchanan, Grant Ferguson, Geri Gray, Monique McAdams, Elaine McDougall, Kirsten Robb, Graham Scott, Kirsty Williams

Licensing Division 3 (Hamilton) (10)

Andy Carmichael, Ross Clark, Maureen Devlin, Colin Dewar, Celine Handibode, Martin Hose, Cal Johnston-Dempsey, Mark McGeever, Davie McLachlan, Helen Toner

Licensing Division 4 (Rutherglen and Cambuslang) (10)

John Bradley, Walter Brogan, Robert Brown, Janine Calikes, Andrea Cowan, Margaret Cowie, Martin Lennon, Katy Loudon, Carol Nugent, Norman Rae

10 August 2023

South Lanarkshire Council Outside Body Representation - Position August 2023

Representation on Outside Organisations

Section 1 – COSLA

| Organisation | No. of Reps | Labour | SNP | Conservative | Others |
|---|------------------------|--|--|---|--------|
| Convention of Scottish Local Authorities (COSLA) | 6 plus (6 substitutes) | Gerry Convery Joe Fagan <i>Maureen Devlin (sub)</i> <i>Eileen Logan (sub)</i> | Maureen Chalmers Katy Loudon John Ross <i>John Anderson (sub)</i> <i>Gladys Ferguson-Miller (sub)</i> <i>Hugh MacDonald (sub)</i> | Alex Allison <i>Richard Nelson (sub)</i> | |
| COSLA's Policy Boards | | | | | |
| Health and Social Care Board | 1 | Margaret B Walker | | | |
| Community and Wellbeing Board | 1 | Davie McLachlan | | | |
| Children and Young People Board | 1 | Lynsey Hamilton | | | |
| Environment and Economy Board | 1 | Robert Brown | | | |
| COSLA – Scottish Joint Council for Local Government Employees | 1 plus (1 substitute) | Maureen Devlin <i>Catherine McClymont (Sub)</i> | | | |

** COSLA's National Business Gateway –

South Lanarkshire Council Outside Body Representation - Position August 2023

Representation on Outside Organisations

Section 2 – Joint Boards/Joint Committees

| Board/Committee | No. of Reps | Labour | SNP | Conservative | Others |
|---|-------------------------------|---|--|---|--|
| Clyde and Loch Lomond Joint Committee | 1 plus 1 substitute | <i>Lesley McDonald (sub)</i> | | Richard Nelson | |
| Clyde Valley Learning and Development Joint Committee | 1 plus 1 substitute | Lynsey Hamilton <i>Gavin Keatt (sub)</i> | | | |
| Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee | 2 | | | Richard Nelson | Robert Brown |
| Lanarkshire Valuation Joint Board | 8 plus 8 substitutes | Walter Brogan Lynsey Hamilton Gavin Keatt <i>Mathew Buchanan (sub)</i> <i>Monique McAdams (sub)</i> <i>Margaret B Walker (sub)</i> | Janine Calikes Ross Clark Colin Dewar <i>Cal Dempsey (sub)</i> <i>Geri Gray (sub)</i> <i>Carol Nugent (sub)</i> | Martin Hose <i>Poppy Corbett (sub)</i> | Mark McGeever <i>Norman Rae (sub)</i> |
| Scotland Excel Joint Committee | 2 plus 2 substitutes | Walter Brogan Eileen Logan <i>Celine Handibode (sub)</i> <i>Lesley McDonald (sub)</i> | | | |
| Scotland Excel (Executive Sub-Committee) | 1 (Member of Joint Committee) | Walter Brogan | | | |
| SEEMiS Group LLP | 1 (Chair) | Susan Kerr | | | |

South Lanarkshire Council Outside Body Representation - Position August 2023

| Body | No. of Reps | Labour | SNP | Conservative | Other |
|--|----------------------|---|---|---|-------|
| South Lanarkshire Integration Joint Board | 4 plus 4 substitutes | Eileen Logan Margaret B Walker (Depute Chair) <i>Celine Handibode (sub)</i> <i>Catherine McClymont (sub)</i> | John Bradley Maureen Chalmers <i>Elise Frame (sub)</i> <i>Hugh MacDonald (sub)</i> | | |
| Strathclyde Concessionary Travel Scheme Joint Committee | 1 plus 1 substitute | Maureen Devlin <i>Andy Carmichael (sub)</i> | | | |
| Strathclyde Partnership for Transport | 3 plus 3 substitutes | Maureen Devlin <i>Ralph Barker (sub)</i> | Mark Horsham <i>David Shearer (sub)</i> | Alex Allison <i>Richard Nelson (sub)</i> | |
| West Partnership – Glasgow City Region Education Committee | 1 | Gavin Keatt | | | |

South Lanarkshire Council Outside Body Representation - Position August 2023

Section 3 – Partnership Bodies and Others

| Body | No. of Reps | Labour | SNP | Conservative | Other |
|--|----------------------------------|---|-----------|--------------|---|
| Clyde Gateway Urban Regeneration Company Limited | 2 | Margaret Cowie | | | Robert Brown |
| Community Learning and Development Partnership | 1 (Chair of Education Committee) | Lynsey Hamilton | | | |
| Community Wealth Building Commission | 7 (Position Based) | Joe Fagan (ex officio) Margaret B Walker | John Ross | Alex Allison | Robert Brown Margaret Cooper Kirsten Robb |
| Council's Older People's Champion | 1 | Eileen Logan | | | |
| Council's Armed Forces and Veterans Champion | 1 | Mark Horsham | | | |
| Council's Youth Champion (Regen:fx) | 1 | Gavin Keatt | | | |
| Council's Equalities Champion | 1 | Mo Razzaq | | | |
| Council's Food Champion | 1 | Ross Gowland | | | |
| Glasgow City Region Cabinet | 1 (Leader) plus (1 substitute) | Joe Fagan <i>Gerry Convery (sub)</i> | | | |
| ITEC Trust | 4 | | | | |
| Lanarkshire NHS Board | 1 | Eileen Logan | | | |
| Routes to Work (South) Limited | 1 | Catherine McClymont | | | |

South Lanarkshire Council Outside Body Representation - Position August 2023

| Body | No. of Reps | Labour | SNP | Conservative | Other |
|--|------------------------|--|--|----------------|--------------|
| Safer South Lanarkshire Board (Previously Community Safety Partnership) | 5 | Eileen Logan Davie McLachlan (Chair) | Geri Gray Julia Marrs | Kenny McCreary | |
| South Lanarkshire Adoption and Fostering Panel | 3 | Lynsey Hamilton Catherine McClymont | Cal Johnston-Dempsey | | |
| South Lanarkshire Area Support Team | 1 | Celine Handibode | | | |
| South Lanarkshire Community Planning Partnership | 1 | Joe Fagan (ex officio) | | | |
| South Lanarkshire Cycling Partnership | 3 plus (3 substitutes) | Maureen Devlin <i>Martin Lennon (sub)</i> | Mark Horsham <i>John Ross (sub)</i> | | Kirsten Robb |
| South Lanarkshire Leisure and Culture Limited Board | 5 | Maureen Devlin Mo Razzaq | John Anderson Andrea Cowan | Ross Lambie | |

South Lanarkshire Council Outside Body Representation - Position August 2023

Section 4 – Outside Bodies

| Organisation | No. of Reps | Labour | SNP | Conservative | Other |
|--|-------------|-----------------|---------------------------------|--------------|---------------|
| Association for Public Service Excellence - Scottish Region: | | | | | |
| Building and Housing Services Group | 1 | Davie McLachlan | | | |
| Road and Lighting Services Group | 1 (tbc) | | | | |
| Transport and Mechanical Services Group | 1 (tbc) | | | | |
| Waste and Recycling Services Group | 1 | | | | Mark McGeever |
| Parks, Grounds and Street Services Group | 1 | Maureen Devlin | | | |
| Commercialisation Group | 1 | Joe Fagan | | | |
| Soft FM Service Group | 1 | | | | Mark McGeever |
| Renewables and Energy Efficiency Group | 1 | Davie McLachlan | | | |
| Business Gateway Steering Group | 2 | Joe Fagan | | | Robert Brown |
| Business Loans Scotland (was West of Scotland Loan Fund Ltd) | 1 | Joe Fagan | | | |
| Cambuslang and Rutherglen Sports Council | 4 | Margaret Cowie | Andrea Cowan Alistair Fulton | | Robert Brown |
| Carluke Development Trust | 2 | Eileen Logan | David Shearer | | |

South Lanarkshire Council Outside Body Representation - Position August 2023

| Organisation | No. of Reps | Labour | SNP | Conservative | Other |
|--|--|---|---|------------------|-----------------|
| Clydesdale International Twinning Association | 2 | Eileen Logan | Ian McAllan | | |
| Clydesdale Sports Council | 4 | Ross Gowland | Mark Horsham Julia Marrs | Alex Allison | |
| David Livingstone Trust | 1 (Provost) | <i>Bert Thomson (sub as and when necessary)</i> | | | Margaret Cooper |
| Discover Lanark (Lanark BID) | 2 Directors plus 1 Advisor | Catherine McClymont | Julia Marrs (Advisor) | Richard Lockhart | |
| East Kilbride Arts Council | 3 | Graham Scott | Elaine McDougall | | Kirsten Robb |
| East Kilbride Citizens Advice Bureau | 1 | | Hugh Macdonald | | |
| East Kilbride Fairtrade Group | 2 | | Gladys Ferguson-Miller Archie Buchanan | | |
| East Kilbride Sports Council | 4 | Kirsty Williams | Grant Ferguson Hugh Macdonald | | David Watson |
| Hagshawhill Windfarm Community Trust | 3 (all Ward 4, Clydesdale South Members) | Ross Gowland | Mark Horsham | Ross Lambie | |
| Hamilton Sports Council | 4 | Gavin Keatt | Ross Clark Helen Toner | | Mark McGeever |
| Hamilton BID Limited (previously Hamilton Town Centre Business Improvement District (BID)) | 2 | Davie McLachlan | Colin Dewar | | |
| Hamilton Citizens' Advice Bureau | 1 | Celine Handibode | | | |
| Lanark Heritage Centre Trust | 2 | Catherine McClymont | Julia Marrs | | |

South Lanarkshire Council Outside Body Representation - Position August 2023

| Organisation | No. of Reps | Labour | SNP | Conservative | Other |
|--|----------------------------|--|--|------------------|---------------|
| Lanarkshire Educational Trust | 3 | Gavin Keatt Eileen Logan Catherine McClymont | | | |
| Lowland Reserve Forces and Cadets Association | 1 | | Mark Horsham | | |
| National Association of Councillors | 2 | Allan Falconer | Mary Donnelly | | |
| New Lanark Trust | 1 | | | Richard Lockhart | |
| Rural Development Trust | 2 | Ralph Barker | David Shearer | | |
| Rutherglen and Cambuslang Citizen's Advice Bureau | 2 | | | | |
| Scottish Parliament Cross Party Group on the Armed Forces and Veterans | 1 | | Mark Horsham | | |
| South Lanarkshire Charitable Trust | 5 | Lesley McDonald Catherine McClymont | Gladys Ferguson-Miller Mark Horsham | Ross Lambie | |
| South Lanarkshire Educational Trust | 5 | Lesley McDonald Catherine McClymont | Gladys Ferguson-Miller Mark Horsham | Ross Lambie | |
| South Lanarkshire Sports Association for People with a Disability | 2 | Mo Razzaq | Grant Ferguson Helen Toner | | David Watson |
| Supplier Development Programme (Board of Directors) | 1 | | | | Mark McGeever |
| Tarbrax Common and Village Hall Trust | 1 (set down in Trust Deed) | Catherine McClymont | | | |
| The Levensseat Trust | 1 | Catherine McClymont | | | |

South Lanarkshire Council Outside Body Representation - Position August 2023

| Organisation | No. of Reps | Labour | SNP | Conservative | Other |
|------------------------------------|---------------------|--|-----|--------------|-----------------|
| Town Centre Forums - | | | | | |
| Strathaven Town Group | 2 (local members) | Susan Kerr | | | Margaret Cooper |
| West of Scotland Road Safety Forum | 1 plus 1 substitute | Davie McLachlan <i>Margaret Cowie (sub)</i> | | | |
| West Partnership | 1 | Lynsey Hamilton | | | |

Baby Loss Units

Notice of Motion

Motion received in terms of Standing Order No 20 on 8 August 2023, proposed by Councillor Lynsey Hamilton, seconded by Councillor Martin Lennon, as follows:-

“South Lanarkshire Council recognises the importance of the campaign by local South Lanarkshire woman, Louise Caldwell, for a dedicated Baby Loss Unit at University Hospital Wishaw.

The Council understands that the campaign aims to secure a dedicated Baby Loss Unit in Lanarkshire where women who have lost their baby, at any stage of their pregnancy, can give birth and receive needed medical treatment away from the labour ward. The Council further understands that these facilities were due to open in October last year but remain unopened due to delays in decoration and soft furnishings.

The Council understands that this matter is within the gift of NHS Lanarkshire, however, asks their partner not to delay these rooms any further.

Further to this, the Council asks the Scottish Government for an update on the roll-out of baby loss units nationwide by 2024, given their previous manifesto commitment.”

Tackling the Release of Untreated Sewage into the Local Environment

Notice of Motion

Motion received in terms of Standing Order No 20 on 7 August 2023, proposed by Councillor Mark McGeever, seconded by Councillor Robert Brown, as follows:-

“Council notes official Scottish Water figures have revealed that untreated sewage was dumped at least 2,354 times in South Lanarkshire during 2022. These instances occurred at sewage overflow points in Hamilton, Rutherglen, Cambuslang, East Kilbride, Bothwell, Biggar, Strathaven and Larkhall.

Council further notes that across Scotland only four percent of sewage overflow points are monitored (144 out of 3,614), and that this compares to around 90 percent in England. Accordingly, the actual instances of untreated sewage released into the environment will be much worse than what has been recorded.

South Lanarkshire Council believes that the local environment - and everyone who uses Scotland's rivers and beaches - deserves the highest possible protection. This council agrees with calls by campaigners for:

- ◆ the proper recording and publication of every instance where untreated sewage is released from the sewage system into the environment;
- ◆ the introduction of legally-binding targets for reducing these overflows;
- ◆ the upgrading of Scotland's ageing sewage system;
- ◆ an end to dumping around Scotland's best beaches; and
- ◆ a faster process for the protection of waters used for swimming, surfing, and other recreational activities.

Therefore, the Council requests that the Chief Executive contact both Scottish Water, SEPA and the Scottish Government to endorse the above points, set out the council's concern, and to request an urgent update regarding the situation within South Lanarkshire.”

Future of Local Care Services

Notice of Motion

Motion received in terms of Standing Order No 20 on 7 August 2023, proposed by Councillor Robert Brown, seconded by Councillor Norman Rae, as follows:-

“Council reiterates its opposition to the Scottish Government’s proposals for a National Care Service with bureaucratic costs estimated at well in excess of £1 billion, and our repeated representations to the Scottish Government calling for the proposals to be scrapped.

Council welcomes the so-called “Verity House” agreement on closer cooperation between Scottish Government and local government signed in June and the announcement of the initial agreement between the Scottish Government, the NHS and COSLA about accountability arrangements for the proposed National Care Service - and the “partial climb down” by Scottish Ministers it entails.

Council recognises the national dimension to the funding of, and standards in, care services, and in supporting workforce planning to deliver a well-trained, motivated and suitably qualified workforce in appropriate numbers to ensure high quality care services to all who need it.

Council remains opposed to the Scottish Government seeking to take increased control over care services which are in essence local services and are best commissioned and provided locally.

Noting the continuing pressures on care services and their staff, Council calls on the Scottish Government to:

1. Urgently reallocate the funding set aside to establish the NCS to fund front line care services;
2. Abandon their proposed bureaucratic national structure for the NCS and reconsider the arrangements for national oversight of care services which remain complex and confusing with Scottish Ministers, the Care Inspectorate, Care Information Scotland, the Scottish Social Services Council, the proposed National Social Work Agency and the proposed National Care Service amongst others all having a role;
3. Abandon any part of the proposals which have the effect of removing powers over care and social work services from local councils;
4. Start a fresh consultation with stakeholders, not least Local Government, about the proposals”

Time for Inclusive Education**Notice of Motion**

Motion received in terms of Standing Order No 20 on 7 August 2023, proposed by Councillor Janine Calikes, seconded by Councillor Katy Loudon, as follows:-

“Council celebrates the fact that in 2021 Scotland was the first country in the world to agree to embed lesbian, gay, bisexual and transgender (LGBT) inclusive education across the school curriculum, and notes that there is a national expectation that Local Authorities ensure that all schools are delivering an LGBT inclusive education for their learners.

Council notes that in March 2023, LGBT Youth Scotland published their education report: Life In Scotland 2023, which stated that only 48% of young people who participated felt supported as an LGBT person in education, and just 21% reported seeing LGBT representation in lessons within their educational setting.

Council agrees that LGBT inclusive education contributes to how all young people see themselves, their families, and the world around them; and further agrees that this learning should be meaningful, relevant, and part of ordinary learning.

Council welcomes the progress that has been made to date to nurture a supporting environment in educational settings for LGBT young people within South Lanarkshire; such as the training that has been delivered to some schools, the schools which have been supported by the Inclusive Education Service to gain or to work towards gaining LGBT Charter Awards, and the forthcoming LGBT Inclusive Education Showcase that will be delivered by the Time for Inclusive Education charity (TIE) in September.

Council notes that TIE provides services and resources that are co-developed with teachers from across Scotland and suitable for primary and secondary pupils that include stage appropriate educational workshops for pupils, professional learning for teachers, and curriculum materials. This is in addition to their responsibility for managing the new national platform lgbteducation.scot on behalf of the Scottish Government, and is endorsed by a variety of stakeholders including those in the education sector.

Council also understands that schools in other authorities that have utilised this national platform and completed Stages 1 and 2 of the CPD pathway provided by TIE on the lgbteducation.scot website have reported significant and notable success in increasing the confidence of teachers to deliver LGBT inclusive education; and schools who have engaged with TIE's learner sessions have reported that pupils within their school community have a greater understanding of diversity, the impact of prejudice, and anti-bullying.

Council notes that these resources and training are entirely free and come at no monetary cost to schools thanks to core funding support from Scottish Government. Council asks that appropriate officers continue their positive working relationship with TIE in order to engage the Council's headteachers, heads of department and officers from Education Services to promote the opportunities that the new national platform can bring.

Council therefore agrees;

- ◆ The working aspiration of the Council should be towards all of South Lanarkshire's primary and secondary teachers completing the Scottish Government's Stage 1 and Stage 2 national professional learning in line with the national expectation set by the Scottish Government and CoSLA
- ◆ Regular updates on progress towards this national expectation will be provided to the Education or other relevant Committee"

Feminist Led Town Planning

Notice of Motion

Motion received in terms of Standing Order No 20 on 8 August 2023, proposed by Councillor Mary Donnelly, seconded by Councillor Elise Frame, as follows:-

“In order to create public spaces that are safe and inclusive for women, and are accessible to all members of the community, it is fundamental that women’s views are central to all aspects of planning, public realm design, policy development and budgets.

A gender neutral approach to Local Development, does not work. Women and people of marginalised genders, have diverse needs, not currently reflected in practice, and that an intersectional, inclusive and climate friendly approach, is needed.

The key features of healthy towns and villages are aligned with gender-equal cities, including walkability, proximity to spaces, mixed-use environments, and public realm and open green spaces. These factors aren’t only important for women, but are key considerations for creating healthy, liveable places for all, with positive impacts in terms of physical and mental wellbeing and with good air quality.

Public places that are better attuned to women’s security and practical needs would open up opportunities for women and could lead to an increased participation in political meetings and ultimately women’s elected representation. It would present job opportunities, and enhance the autonomy of disabled women, women in the black and minority ethnic communities (BME), unpaid carers and lone parents.

Data gathering, community consultations, policy development and planning processes need to engage and ask questions about the everyday embodied experience of women, so that public spaces and services are truly accessible. Council believes that intersectionality and actively addressing socio-economic inequalities must be at the heart of this approach. Council can learn from evidence of international initiatives, such as, ‘Gendered Lens’, currently used in Vienna’s planning frameworks and Barcelona’s policy on urban planning with a gender perspective to design spaces and services around women’s needs.

Therefore, we call on the Council to prepare reports that will consider how appropriate Committee(s) will consider how council policy and practice, where appropriate, needs to be adapted to :-

- Ensure equality impact assessments take account of gender equality as well as the other protected characteristics for strategy and decision-making by incorporating women’s lived experiences into public planning, social and economic policy.
- Take account of a feminist planning approach as well as the other protected characteristics within planning policy and SLC’s local development plan.

- Gather intersectional gender-disaggregated data, where possible while respecting the individual's right to privacy, in all council consultations, to ensure specific gender differences in behaviours and needs are fully understood, ensuring that there is a standardised, consistent approach across all consultations undertaken by council departments, committees, working groups, partnerships and ALEOs.
- Ensure recommendations from the Scottish Government's review into the Public Sector Equality Duty, when completed, are incorporated at the earliest opportunity.
- Continue to ensure that a high level of gender competence / awareness training is included in equality and diversity training provided by South Lanarkshire Council, for Heads of Service and key members of staff across all council services.
- Continue to have regard to all protected characteristics including gender in council budgets, to ensure all are taken account of at all stages of the budget process.
- As per the recommendations in NPF4 (policies 14 and 15), implement the adoption of a Liveable Neighbourhoods scheme, which explores the concept of a 20 minute neighbourhood, allowing people to meet most of their daily needs within a 20 minute return walk from home."

Assess Sustainability Impact of Budget Proposals**Notice of Motion**

Motion received in terms of Standing Order No 20 on 7 August 2023, proposed by Councillor Kirsten Robb, seconded by Councillor Ross Clark, as follows:-

“Pre-amble: This motion is about ensuring all budget proposals meet the statutory duty to integrate consideration of carbon, climate change adaptation and sustainability into all decision-making processes.

Currently, equalities and environmental impacts of council activities are presented at budget time. However, to date, these have not included the impact on emissions that lead to climate breakdown. Council officers are now preparing a process to assess the budget for climate impact (see point 4).

Currently, however, political budget proposals do not include a broad assessment of their impact on sustainability. If this motion passes, it will recommend that all political budget motions do so. It will ensure projects which have the potential to increase emissions and impact on sustainability are properly assessed and presented and that any impacts are reduced or mitigated. This will help deliver on council plan objectives on sustainability.

Council notes:

1. The Council has a statutory duty under the Climate Change (Scotland) Act 2009 (“the Act”) to ensure that its policies, plans and strategies take account of: carbon impacts; adaptation to climate change; and sustainable development.
2. The legislation applies to everything the Council does, and requires the Council to integrate consideration of carbon, climate change adaptation and sustainability into decision-making processes, of which the annual budget development process and political budget motions are key. The council must now also include in its annual reporting “how the body will align its spending plans and use of resources with emissions targets”.
3. “Work towards a sustainable future in sustainable places” is one of the key Council policies (see Connect 2022-27) aiming to reduce carbon emissions, adapt to climate change and act sustainably. Therefore it is essential to ensure that the sustainability impact of budget proposals is properly considered.
4. The initial preparation work on the 2024/2025 Capital Programme has commenced and the council are expected to present to the next Climate Change and Sustainability Committee, an approach to assess the carbon impact of each potential new project, as well as any appropriate mitigation. The final Climate Change Impact Assessments (CCIA) will also be provided to members prior to their consideration of the capital programme for the new financial year. These assessments will form part of the overall project assessment criteria.

Council agrees:

1. That, in relation to the Council budget setting process and medium term financial plan, Councillors and the public should understand the climate / sustainability impact of spending proposals;
2. Therefore requests that Officers provide high level guidance for political groups to complete a sustainability impact assessment of their proposed budgets in the run up to the Council's budget setting process in February; and encourages all budget motions to include an accompanying statement to their proposals which sets out how their spending plans align with the Council's climate strategies, including this as an appendix."