



Council Offices, Almada Street
Hamilton, ML3 0AA

Tuesday, 24 October 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, 01 November 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 - 22
Minutes of the meeting of South Lanarkshire Council held on 23 August 2023 submitted for approval as a correct record. (Copy attached)
- 3 **Minutes of Risk and Audit Scrutiny Committee** 23 - 28
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 27 June 2023 submitted for noting. (Copy attached)

Item(s) for Noting

- 4 **Standards Commission's Hearing Outcome** 29 - 32
Report dated 4 October 2023 by the Chief Executive. (Copy attached)

Item(s) for Decision

- 5 **Recommendation Referred by Executive Committee - Annual Investment Strategy 2022/2023** 33 - 34
Report dated 17 October 2023 by the Chief Executive. (Copy attached)
- 6 **Changes to Depute Chairs, Committee and Joint Board Memberships** 35 - 36
Report dated 12 October 2023 by the Executive Director (Finance and Corporate Resources). (Copy attached)
- 7 **Review of UK Parliamentary Constituencies - Review of Polling Districts SL002 and SL007** 37 - 42
Report dated 13 October 2023 by the Chief Executive. (Copy attached)
- 8 **Notice of Motion - Downgrading of Neonatal Care Unit at University Hospital, Wishaw** 43 - 44
Motion received in terms of Standing Order No. 20 on 11 October 2023, proposed by Councillor Nelson and seconded by Councillor Corbett. (Copy attached)
- 9 **Notice of Motion - Removal of Fire Appliance at Hamilton Fire Station** 45 - 46
Motion received in terms of Standing Order No. 20 on 12 October 2023, proposed by Councillor Nelson and seconded by Councillor McGeever. (Copy attached)
- 10 **Notice of Motion - Future of Strathclyde Bus Services** 47 - 48
Motion received in terms of Standing Order No. 20 on 16 October 2023, proposed by Councillor Fagan and seconded by Councillor Convery. (Copy attached)

11 Notice of Motion - Let's Value Care

49 - 50

Motion received in terms of Standing Order No. 20 on 17 October 2023, proposed by Councillor Williams and seconded by Councillor Fagan. (Copy attached)

Urgent Business

12 Urgent Business

Any other items of business which the Provost decides are urgent.

Exclusion of Press and Public

13 Exclusion of Press and Public

It is recommended that the Committee makes the following resolution:-

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

Item(s) for Noting

14 Health and Safety Incident – Outcome of Court Proceedings

- Exempt information in terms of Paragraph 1 of Part I of Schedule 7A of the Act
- Exempt information in terms of Paragraph 12 of Part I of Schedule 7A of the Act

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 23 August 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 Andrea Cowan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, 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

Councillors' Apologies:

Councillor Poppy Corbett, Councillor Joe Fagan, Councillor Monique McAdams

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

C McKenzie, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; G McCann, Head of Administration and Legal Services; S Somerville, Administration Manager; T Slater, Administration Adviser; L Wyllie, Administration Assistant

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 welcomed Councillor Kirsty Williams to her first meeting of the Council.

1 Declaration of Interests

The following interest was declared:-

Councillor(s)

Robb

Item(s)

Notice of Motion – Release of Untreated Sewage into Local Environment

Nature of Interest(s)

Family member employed by SEPA

2 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 24 May 2023 were submitted for approval as a correct record.

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

3 Minutes of Risk and Audit Scrutiny Committee – 7 March 2023

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 7 March 2023 were submitted for noting.

The Council decided: that the minutes be noted.

Councillor Horne joined the meeting during this item of business

4 Minutes of Risk and Audit Scrutiny Committee – 23 May 2023

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 23 May 2023 were submitted for noting.

The Council decided: that the minutes be noted.

5 Standards Commission's Hearing Outcome

A report dated 27 July 2023 by the Chief Executive was submitted advising of the decision of the Standards Commission of Scotland following the Hearing into a complaint against Councillor Joe Fagan held on 27 June 2023.

Complaints had been 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.

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, details of which were outlined in the report. The Hearing Panel Decision was to suspend Councillor Fagan for 2 months which took effect from 7 July 2023, the date of the written decision.

The full decision was available on the Standards Commission for Scotland's website.

Councillor Convery, seconded by Councillor Devlin, moved the recommendations in the report. Councillor Ross, seconded by Councillor Chalmers, moved the following as an amendment:-

"This council is moved to agree a vote of no confidence in the present leader of the council, Councillor Joe Fagan for the following reasons -

As a result of the Standards Commission hearing which took place in Hamilton on 27th June 2023,

- a) Councillor Fagan knowingly and deliberately whilst part of the CPWG's working group disclosed confidential information in breach of paragraph 3.16 of the councillor code of conduct.

- b) The panel noted that Councillor Fagan had disclosed the confidential information a week before the Scottish Parliamentary elections and were satisfied that he had done so, at least in part for party-political gain in breach of paragraph 3.17 of the code.
- c) The panel also noted that it was clear from the wording of the code that the information had been deliberately disclosed in part for political gain, the panel were concerned by this finding noting that Councillor Fagan had been afforded ample opportunity to propose changes to the management as a member of the CPWG. The panel were particularly concerned that he had sought to amplify the effect of his disclosure- to the media and by consequence its political impact.
- d) The panel noted that Councillor Fagan had sought further training on the confidentiality requirements of the code but have subsequently expressed disappointment to note that quotes in the press attributed to councillor Fagan following the hearing, appear to indicate that he did not understand that there are legitimate reasons as to why certain information is deemed confidential and why it should not be disclosed during that time. In consequence, the panel has warned Councillor Fagan that any future breach of the confidentiality provisions of the code will be treated with utmost seriousness.
- e) He has by his actions brought the council into disrepute and his failure to understand the basic principles needed to fulfil the position he now holds as council leader is untenable."

The Provost responded to a Point of Order raised by Councillor Hamilton to confirm that an amendment could be accepted for a report that was for noting.

The Head of Administration and Legal Services confirmed that, while the amendment was competent, for factual accuracy, point c) should have read as ' . . . the management **of the information** as a member of the CPWG' as this more accurately reflected the Standards Commission's decision.

Councillor Ross indicated that he was willing to accept the change to his amendment, as outlined by the Head of Administration and Legal Services, and spoke on his reasons for submitting it. Councillor Chalmers was also heard, with the Provost responding to points raised in relation to the matter.

The Head of Administration and Legal Services, having been invited by the Provost to respond to a Point of Order raised by Councillor Ross in relation to comments made by Councillor Watson, confirmed that the matters concerned an Outside Body, therefore, it was not for this Council to consider.

Following 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, Margaret Cowie, Maureen Devlin, 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, Kirsty Williams

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, John Ross, David Shearer, Helen Toner

Abstained

Kirsten Robb

34 members voted for the motion, 26 for the amendment and 1 abstained. The motion was declared carried.

The Council decided:

- (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 2 months with effect from 7 July 2023, being the date of its written decision, be noted.

Councillor McDonald joined the meeting during this item of business and prior to the vote

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

A report dated 10 August 2023 by the Chief Executive was submitted advising:-

- ♦ of the outcome of the by-election held in Ward 9 (East Kilbride West)
- ♦ 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, as well as an outside body, following the by-election

Following the by-election held on 6 July 2023, Kirsty Williams had been elected to serve as Councillor for Electoral Ward 9 (East Kilbride West).

As a consequence of the revised political make-up of the Council, the composition of Resource, Planning and Recruitment Committees required to be amended. A copy of the previous and revised breakdown of committee memberships was provided in Appendix 1 of the report.

In order to allow the continuity of Council business following the summer recess, the following changes had been approved following action taken, in terms of Standing Order No 37(c), by the Chief Executive, in consultation with the Depute Provost and ex officio member:-

- ♦ 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, 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)
- ◆ that Councillor Williams and Councillor Macdonald fill the vacant places as representatives on East Kilbride Sports Council

The Head of Administration and Legal Services advised of some administrative errors in Appendix 3. In terms of the South Lanarkshire Integration Joint Board, one of the substitute members should have been listed as Councillor Falconer, rather than Councillor Handibode. In relation to the Safer South Lanarkshire Board, one of the members listed should have been Councillor Cowan, rather than Councillor Gray.

Since the papers were issued, the SNP Business Manager had requested a further change to the membership of the South Lanarkshire Integration Joint Board. He asked that Councillor Frame replace Councillor Bradley as a full member, with Councillor Ross filling the resulting vacancy as a substitute member.

The Council decided:-

- (1) that it be noted that, following the by-election held on 6 July 2023, Kirsty Williams had 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 of 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 an ex officio member, to approve the revised membership of committees and an outside body, as detailed at paragraph 5.2, be noted; and
- (4) that the further change to the membership of the South Lanarkshire Integration Joint Board, as requested by the SNP Business Manager, be approved.

[Reference: Minutes of 24 May 2023 (Paragraph 10)]

7 Notice of Motion – Baby Loss Units

In terms of Standing Order No 20, a motion proposed by Councillor Hamilton, seconded by Councillor Lennon, was submitted 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.”

Councillor Hamilton confirmed that, on the basis that NHS Lanarkshire had announced last week that the Baby Loss Unit in Wishaw University Hospital would now be officially opened on Thursday 24 August 2023, she wished to withdraw her motion. She wanted to record her thanks to Louise Caldwell of East Kilbride who had started and driven the campaign and whose hard work would change the lives of women in Lanarkshire who found themselves in the unthinkable position of losing their baby. She spoke of her own personal experience and on how having a Baby Loss Unit would have made a difference at an extremely difficult time. She called for more of the units to be open across the country.

The Provost thanked all members of the Council for the support shown to Councillor Hamilton.

The Council decided: to note the position.

8 Notice of Motion – Tackling the Release of Untreated Sewage into the Local Environment

In terms of Standing Order No 20, a motion proposed by Councillor McGeever, seconded by Councillor Brown, was submitted 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."

In moving the motion, Councillor McGeever advised that limited data was available which quantified the consequences of the release of untreated sewage into the environment and that was largely because only 4% of overflow sites were monitored. He referred to the potential harm to those who came into contact with contaminated water and how there was a requirement to monitor the release of raw sewage into public areas so it could be recorded and the public warned to avoid certain areas. Councillor Brown seconded the motion and referred to the seriousness of the issue.

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

"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.

However, Council welcomes that SEPA classify 66 percent of Scotland's rivers in overall good ecological condition, and that this compares to 16 percent for the equivalent DEFRA figure for England. Furthermore, SEPA classifies 87 percent of Scotland's water environment as having 'good' water quality with Scotland's River Based Management Plan having measures in place to achieve 92 percent 'good water' quality by 2027.

Council also welcomes the Scottish Water Improving Urban Waters Routemap which includes actions to:

- ◆ improve water quality
- ◆ increase monitoring and reporting to cover all Combined Sewer Overflows (CSOs) that discharge into the highest priority waters
- ◆ significantly reduce sewer related debris in the environment
- ◆ reduce spills from the sewer network

Council welcomes that these actions that include 1,000 new spill monitors with installation programmed over 2023 and 2024.

Council also notes figures stating that since 2019, due to inclement weather, South Lanarkshire primary schools have suffered 26 sewage leaks, the highest numbers recorded in Scotland.

Council notes that sewage related debris can cause harm to our environment and wildlife. Council therefore supports the Scottish Government's commitment to working with the UK Government and other devolved administrations to ban wet wipes containing plastic.

South Lanarkshire Council believes that the local environment - and everyone who uses Scotland's rivers and beaches – and our school estate deserves the highest possible protection.

Therefore, the Council requests that the Chief Executive contact both Scottish Water, SEPA and the Scottish Government to welcome actions already taken and identified but encourages further progress on the monitoring of Combined Sewage Overflows, improving water quality, reducing spills from the sewer network, and reducing sewer related debris.

Council also requests a report on sewage systems pertaining to our school estate be presented to the Housing and Technical Resources Committee.”

In moving his amendment, Councillor Clark advised that his Group agreed in principle with the contents of the motion in that it sought to further improve the sewage network and further protect the environment, however, it was considered that the motion could be improved by including more context and recognising action already taken.

Following discussions, the mover and seconder of both the motion and amendment agreed the following composite motion:-

“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.

Council notes that SEPA classify 66 percent of Scotland’s rivers in overall good ecological condition, and that this compares to 16 percent for the equivalent DEFRA figure for England. Furthermore, SEPA classifies 87 percent of Scotland’s water environment as having ‘good’ water quality with Scotland’s River Based Management Plan having measures in place to achieve 92 percent ‘good water’ quality by 2027.

Council welcomes that these actions include 1,000 new spill monitors across Scotland with installation programmed over 2023 and 2024.

Council notes that sewage related debris can cause harm to our environment and wildlife. Council therefore supports the Scottish Government’s commitment to working with the UK Government and other devolved administrations to ban wet wipes containing plastic.

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 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.”

Councillor Cowan referred to her agreement to withdraw comments relating to the school estate on the basis that a report would be submitted to a future meeting of the Housing and Technical Resources Committee to assess the situation in terms of primary schools that had been affected by sewage leaks.

The Provost confirmed with members, the Council's agreement to the composite motion and concluded by advising members that, on occasion, where a motion and amendment were similar in nature, it would be useful for discussions to be held prior to entering the Chamber to enable business to be concluded timeously as some considerable time had been spent on reaching a joint agreement.

The Council decided: that the terms of the composite motion be agreed and that the Chief Executive write to Scottish Water, SEPA and the Scottish Government to endorse the points made, set out the Council's concerns, and to request an urgent update regarding the situation within South Lanarkshire.

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

In terms of Standing Order No 14, the Provost adjourned the meeting during this item of business at 11.00am. The meeting reconvened at 11.27am

9 Notice of Motion – Future of Local Care Services

In terms of Standing Order No 20, a motion proposed by Councillor Brown, seconded by Councillor Rae, was submitted 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”

In moving his motion, Councillor Brown referred to the fact that he had accepted the following amendment to point 2, which was moved by Councillor Walker and seconded by Councillor McClymont:-

- “2. Notes the proposed structure for the National Care Service as outlined in the draft “Shared Paper” presented to COSLA by the Minister on 12th July 2023 and urges reconsideration of the arrangements for national oversight of care services (which remain complex and confusing) to reduce bureaucracy, support national policies, and improve quality and standards in collaboration with Local Authorities and other partners and stakeholders, and local people and service-users”

He referred to cross-party support and the regrading of care workers which, while being the right thing to do, put considerable extra pressure on the Council’s finances.

Councillor Chalmers, seconded by Councillor Frame, moved the following as an amendment:-

“DELETE:

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.

INSERT:

Council welcomes the fresh approach taken by Scottish Government on proposals for a National Care Service and the intensive discussions between CoSLA and senior Scottish Government officials in early summer. The aim of these negotiations was to agree a way forward on the Bill, recognising that consensus would be required from both sides, and it is welcome that the proposed National Framework recognises CoSLA cross party agreed position.

DELETE:

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.

INSERT:

Council welcomes the Verity House Agreement, a partnership agreement with the principle of ‘Local by Default and National by Agreement’ at its heart, signed by CoSLA President, and **all** political group leaders on 26th June.

Council supports the CoSLA Leaders unanimous decision in June to agree a National Framework which offers a basis for further negotiations and more detailed work and notes the cross-party agreement that local government retains a key role in commissioning and that children and community justice services remain with local authorities.

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.

INSERT:

Council welcomes the Scottish Government's summer engagement activity with communities and stakeholders which will contribute to the National Framework delivery plan.

Council supports a partnership approach in making progress with the National Framework, seeks cross party co-operation locally as well as nationally and notes that South Lanarkshire Council officers with colleagues from the IJB will help to shape, amend and participate in public National Care Service co-design activity.

DELETE TO END:

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"*

In moving her amendment, Councillor Chalmers stated that it reflected recent events and respected the cross-party position agreed nationally. She advised that it was very welcome that, on taking up his new position, the First Minister had signalled a change of approach to working with local government and, following substantial and intensive discussions between COSLA and the Scottish Government, progress had been made by signing the Verity House agreement. She advised that, at the Leaders' meeting, a unanimous decision was taken to agree the proposed national framework for the National Care Service, however, it had been recognised that work was required to rebuild relationships and trust but there was an agreed way forward.

On a vote being taken using the electronic voting system, and taking account of those members' voting preferences which had been notified to the Clerk's assistant by telephone due to technical difficulties, 34 members voted for the motion and 27 for the amendment. The motion was declared carried.

The Council decided:

that the terms of the motion be agreed and the Council call on the Scottish Government to:-

- ◆ urgently reallocate the funding set aside to establish the NCS to fund front line care services
- ◆ reconsider the arrangements for national oversight of care services (which remained complex and confusing) to reduce bureaucracy, support national policies, and improve quality and standards in collaboration with local authorities and other partners, stakeholders, local people and service-users
- ◆ abandon any part of the proposals which had the effect of removing powers over care and social work services from local councils
- ◆ start a fresh consultation with stakeholders, not least local government, about the proposals

10 Notice of Motion – Time for Inclusive Education

In terms of Standing Order No 20, a motion proposed by Councillor Calikes, seconded by Councillor Loudon, was submitted 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”

Councillor Calikes, in moving her motion, thanked the Executive Director (Education Resources) and Legal Services for their guidance in terms of the wording of the motion. She advised that evidence showed that an educational approach could help to address the homophobic and transphobic prejudice that remained pervasive in schools. Councillor Loudon, in seconding the motion, advised that the training materials were easy to access and complete online and very clear in their scope and expectation in terms of inclusive education, as set out by the Government.

Councillor Watson, seconded by Councillor Keatt, moved as an amendment that a report be submitted to a future meeting of the Education Resources Committee to allow for a full discussion and consultation with the wider school community.

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

Motion

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

Amendment

Alex Allison, Ralph Barker, Walter Brogan, Robert Brown, Mathew Buchanan, Andy Carmichael, Gerry Convery, Margaret Cooper, Margaret Cowie, Maureen Devlin, 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, Mark McGeever, Davie McLachlan, Richard Nelson, Norman Rae, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker, David Watson, Kirsty Williams

27 members voted for the motion and 33 for the amendment. The amendment was declared carried.

Councillor Hamilton, speaking as Chair of the Education Resources Committee, gave her commitment to take this matter forward, working with officers and the trades unions as well as other stakeholders.

Following a Point of Order raised by Councillor Clark, the Provost ruled that she did not accept that Councillor Hamilton's statement was political.

The Council decided:	that a report on the matter be submitted to a future meeting of the Education Resources Committee to allow for a full discussion and consultation with the wider school community.
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Councillor McDonald left the meeting during this item of business

In terms of Standing Order No 14, the Provost adjourned the meeting following this item of business at 12.24pm. The meeting reconvened at 12.30pm

11 Notice of Motion – Feminist Led Town Planning

In terms of Standing Order No 20, a motion proposed by Councillor Donnelly, seconded by Councillor Frame, was submitted 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."

On moving her motion, Councillor Donnelly considered her proposals would benefit all, with a specific emphasis on women and girls. Councillor Frame, in seconding the motion, intimated that it would mean equality for all.

Councillor Nelson referred to his role as Chair of the Planning Committee and advised that, at the most recent Planning Committee, it was agreed that work would begin on the next Local Development Plan (LDP). The consultation statement within the LDP Scheme presented to the Planning Committee gave elected members the opportunity to propose alterations to the consultation process. He considered that this was the most appropriate forum, with expert Council officers in attendance to help the committee to evaluate any amendments. No consultation comments had been received or raised and the recommendations were approved at that committee. He considered it was worth noting that all planning, including the new LDP, was subject to an Equality Impact Assessment which, as part of the statutory duty, took into consideration every part of the community, including those who were marginalised. He was concerned that this motion emphasised the needs of one group of people more than others. Councillor Lambie concurred with Councillor Nelson's remarks and, in response to his question on whether part of it was competent in terms of GDPR, the Head of Administration and Legal Services confirmed that it was as it referred to respecting the individual's right to privacy and was not mandatory, as well as the fact that the Equality Impact Assessment had to take account of all protected characteristics, including gender.

Councillor Nelson, seconded by Councillor Allison, moved as an amendment that the motion be rejected and that the Council commit to engaging with all members of the community in the preparation of the LDP and the delivery of its planning function.

Councillors Hamilton and Robb were heard in support of the motion.

On a vote being taken using the electronic voting system, 44 members voted for the motion, 11 for the amendment and 1 abstained. The motion was declared carried.

The Council decided:

that the terms of the motion be agreed and reports be prepared to consider how appropriate committee(s) would consider how Council policy and practice, where appropriate, needed to be adapted to:-

- ◆ ensure equality impact assessments took account of gender equality as well as the other protected characteristics for strategy and decision-making by incorporating women's live 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 the Council'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 were fully understood, ensuring that there was 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, were incorporated at the earliest opportunity
- ◆ continue to ensure that a high level of gender competence/awareness training was included in equality and diversity training provided by the 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 were 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 explored the concept of a 20 minute neighbourhood, allowing people to meet most of their daily needs within a 20 minute return walk from home

Councillors Ferguson, Ferguson-Miller and Hamilton left the meeting following this item of business

12 Notice of Motion – Assess Sustainability Impact of Budget Proposals

In terms of Standing Order No 20, a motion proposed by Councillor Robb, seconded by Councillor Clark, was submitted 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 2022-227) 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."

Councillor Robb, in moving her motion, referred to the social, environmental and economic wellbeing of all South Lanarkshire residents and how sustainable development aimed to achieve that. She intimated that she was pleased that the Council was now working on a climate impact assessment process for the capital programme. She advised it would give councillors the tools to assess and present budget proposals, reflecting on sustainable development. Councillor Clark, in seconding the motion, referred to the importance of tackling climate change and a need to act now before irreversible damage was done to the planet.

Councillor Convery advised that his Group supported the motion, however, would ask that the matter be referred to the Standards and Procedures Advisory Forum (SPAF) for consideration as part of the mid-term review of the Standing Orders on Procedures. Councillor Robb indicated that this was acceptable to both her and Councillor Clark, however, she was keen that the guidance be issued this year so that members would be familiar in using it and would amend point 3 to say 'issue the sustainability assessment guidance in time for using for this year's budget and refer it to the SPAF to discuss and formalise the process for future years'. The Provost, having advised that she had verified that officers could commit to that point, confirmed that the Council agreed to the motion, as amended.

In response to a point raised by Councillor Lambie in terms of impartial officers being involved in early political discussions, the Provost clarified that officers would provide the tools to facilitate this but would not be making any decisions in regard to the budget.

The Council decided:

that the terms of the motion, as amended, be agreed in that sustainability assessment guidance be issued in time for this year's budget and the matter be referred to the Standards and Procedures Advisory Forum for consideration as part of the mid-term review of the Standing Orders on Procedures.

13 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 27 June 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 items 3 and 4)

Attending:

Chief Executive's Service

C Sneddon, Chief Executive (for items 3 and 4)

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; F Morrison, Revenues and Benefits Manager; J Taylor, Head of Finance (Strategy); L Wyllie, 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 23 May 2023 were submitted for approval as a correct record.

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

Councillor Gowland entered the meeting after consideration of the above item of business

3 Internal Audit Annual Assurance Report 2022/2023

A report dated 12 June 2023 by the Audit and Compliance Manager (Finance and Corporate Resources) was submitted providing:-

- ◆ a summary of progress and performance of Internal Audit for the financial year 2022/2023
- ◆ an opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and control systems based on audit work undertaken in 2022/2023

Details were given on:-

- ◆ Internal Audit performance
- ◆ Council-wide performance in relation to the delivery of audit actions

- ◆ workload analysis
- ◆ links to the Council's objectives and top risks
- ◆ management of fraud risks
- ◆ areas of assurance
- ◆ areas of external reliance

The UK Public Sector Internal Audit Standards Advisory Board had issued guidance around conformance with the Public Sector Standards which had shaped the Council's internal audit approach in 2022/2023 which aimed to:-

- ◆ provide real-time advice and insight in the development of new systems and controls
- ◆ ensure that core internal audit work remained risk-based and relevant and continued to inform longer term planning around risks
- ◆ allow the regular reporting of activity to this Committee

The overall opinion expressed on the Council's control environment was that a reasonable level of assurance could be placed on the adequacy and effectiveness of the Council's framework of governance, risk management and control arrangements for the year ended 31 March 2023. The Internal Audit findings would inform the Council's 2022/2023 Annual Governance Statement.

The Audit and Compliance Manager responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the performance of Internal Audit during 2022/2023 be noted;
- (2) that the overall findings from internal audit work be noted, and that it be approved that those would inform the Council's 2022/2023 Annual Governance Statement; and
- (3) that the level of assurance on the Council's control environment be noted.

[Reference: Minutes of 22 June 2022 (Paragraph 2)]

4 Annual Governance Statement for 2022/2023 and Significant Governance Areas Quarter 4 Progress Report

A report dated 9 June 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the Annual Governance Statement for 2022/2023 and progress against significant governance areas identified within the 2021/2022 Annual Governance Statement at Quarter 4.

Each year, the Council undertook a review of the governance arrangements required to support its financial and operational controls. This review provided the basis for the Annual Governance Statement which was included in the Council's Annual Report and Statement of Accounts.

The Council's governance assurance framework was detailed in Appendix 1 to the report. The resulting Annual Governance Statement for 2022/2023, attached as Appendix 2 to the report, provided information on the Council's compliance during 2022/2023. The annual review of governance arrangements across the Council demonstrated sufficient evidence that the principles of delivering good governance in local government, contained in the Local Code of Corporate Governance, operated effectively and that the Council complied with its Code.

Progress on the significant governance areas highlighted within the Annual Governance Statement 2021/2022 was attached as Appendix 3 to the report.

The Head of Administration and Legal Services responded to a member's question in relation to the significant governance area of recruitment and retention, particularly for staff working in Social Care.

The Committee decided:

- (1) that the Annual Governance Statement, attached as Appendix 2 to the report, which would be included in the 2022/2023 Annual Report and Statement of Accounts, be approved; and
- (2) that the progress against the significant governance areas identified within the Annual Governance Statement 2021/2022, attached as Appendix 3 to the report, be noted.

[Reference: Minutes of 22 June 2022 (Paragraph 3)]

5 Unaudited Annual Accounts 2022/2023

A report dated 19 June 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the requirement for members to consider the Unaudited Annual Accounts of the Council and related Charitable Trusts, attached as appendices 1 and 3 to the report, by 30 June 2023.

The Council's Unaudited Annual Accounts detailed key information on the Council's expenditure and income for the financial year ended 31 March 2023. The accounts also covered 3 Charitable Trusts managed by the Council, namely South Lanarkshire Council Educational Trust, South Lanarkshire Council Charitable Trust and the East Kilbride Information Technology Trust.

The Group Accounts 2023, which were being finalised and, therefore, not included in the report were issued to members of the Committee prior to the meeting.

The full Unaudited Annual Accounts would be circulated to all elected members following their submission to the auditor on 30 June 2022 and would be advertised as being available for public inspection on the Council's website from that date.

The information contained in the Unaudited Accounts took into account the final outturn position, as detailed in Appendix 2 to the report, which was approved at the Executive Committee meeting on 21 June 2023. Appendix 2 also provided an Expenditure and Funding Analysis, as required by the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Accounting Practice.

Following the audit of the Accounts over the summer months, the Audited Annual Accounts would be brought back to the Committee at its meeting on 26 September 2023 for approval.

The Head of Finance (Strategy) responded to a member's question in relation to the Contingent Liability which had been included in the Unaudited Accounts for the Home Carers' Job Evaluation.

The Chair, on behalf of the Committee members, expressed appreciation of the work undertaken to prepare the Unaudited Accounts.

The Committee decided: that the Unaudited Annual Accounts of the Council and related Charitable Trusts, to be submitted to Audit Scotland by the deadline of 30 June 2023, be noted.

[Reference: Minutes of 22 June 2022 (Paragraph 4)]

6 Internal Audit Activity as at 9 June 2023

A report dated 9 June 2023 by the Executive Director (Finance and Corporate Resources) was submitted on work completed by Internal Audit during the period 6 May to 9 June 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 23 May 2023. Key performance indicators, which reflected quality, on time and within budget for the period to 31 March 2023, were summarised in Appendix 1 to the report. A list of all assignments completed in the period 6 May to 9 June 2023 was provided in Appendix 2 to the report. A position statement for one of those assignments was provided in Appendix 3 to the report. As at 9 June 2023, 94% of the 2022/2023 Audit Plan was complete and 3 assignments were in progress at that date.

Updates were also provided on:-

- ◆ the self-assessment for the Public Sector Internal Audit Standards (PSIAS) external review which had been passed to East Lothian Council. The review was in progress and the exercise should be concluded before the end of June 2023. The formal output would be reported to the next meeting of the Committee
- ◆ progress against the Audit Strategy which was a requirement of the PSIAS. Delivery of the 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 Committee decided: that the report be noted.

[Reference: Minutes of 23 May 2023 (Paragraph 4)]

7 2022 National Fraud Initiative Exercise

A report dated 12 June 2023 by the Executive Director (Finance and Corporate Resources) was submitted on:-

- ◆ the matches that had resulted from the 2022 National Fraud Initiative (NFI) exercise
- ◆ the proposed target number of investigations to be undertaken in 2023/2024

The NFI matched similar data across public sector systems and identified possible inconsistencies. Those inconsistencies, known as matches, required to be investigated by participating public bodies with a view to detecting fraud. Until 2014, the focus of the initiative had alternated annually between a limited and a full exercise. The full exercise continued to be undertaken every 2 years, however, the limited Single Person Discount (SPD) exercise, where the electoral register and council tax data were compared to detect cases where Single Person Discount was being claimed and there was more than one person over 18 in the household, could now be carried out annually. The 2022 NFI had been a full exercise and involved Council wide comparisons including:-

- | | |
|--------------------------------|----------------------|
| ◆ housing benefits | ◆ blue badge holders |
| ◆ Council Tax Reduction Scheme | ◆ procurement |
| ◆ payroll | ◆ creditors |
| ◆ housing tenants | ◆ Council tax SPD |
| ◆ waiting lists | |

Records had also been matched to the Department for Work and Pensions' deceased persons' record.

Details were given on the results of the 2022 exercise which, for the Council, highlighted that:-

- ◆ at 22 May 2023, a total of 26,036 matches had been identified and, of those, it was intended to investigate an interim target of 3,065 matches
- ◆ for the 9 matched areas, 5 categories had a decrease and 4 an increase in matches:-
 - ◆ the greatest number of matches related to Council Tax Reduction (CTR), namely to pensions
 - ◆ the greatest increase was the number of matches of SPD to the Electoral Register (which indicated multiple residents)
 - ◆ the number of blue badges to deceased persons had also increased but could be reflective of a timing issue
- ◆ work to investigate the matches identified within the NFI exercise would reflect the review work already ongoing to avoid duplication and ensure investigation resources were used effectively
- ◆ the deadline for investigation was 31 December 2023 and update on progress would be reported to the Committee during 2023/2024

The following information was provided in appendices 1 to 3 to the report respectively:-

- ◆ details of the matched areas in the 2022 exercise
- ◆ a comparison of 2020 and 2022 matches
- ◆ a detailed breakdown of the target investigations for 2023/2024

The Audit and Compliance Manager responded to a member's question in relation to the Body that conducted the initial matching exercise and whether there were feedback mechanisms which could potentially allow the extremely high initial numbers of matches to be improved.

The Committee decided: that the results of the 2022 NFI exercise be noted.

[Reference: Minutes of 27 September 2022 (Paragraph 7)]

8 Audit Scotland Report: 'Resourcing the benefit service – A Thematic Study'

A report dated 1 June 2023 by the Executive Director (Finance and Corporate Resources) was submitted providing a summary of the Audit Scotland Report 'Resourcing the benefit service – A Thematic Study' released in February 2023.

The Housing Benefit scheme helped customers pay their rent if they were unemployed, on a low income or claimed benefits. It was administered by councils on behalf of the Department for Work and Pensions (DWP).

Since the DWP introduced Universal Credit in 2013, there had been many changes to councils' Benefit Services. As more claims for housing costs were processed by the DWP, to protect jobs and retain knowledge and expertise, most councils had expanded the remit of the benefit service to carry out other financial assessments, such as free school meals, school clothing grants, education maintenance awards and applications to the Scottish Welfare Fund.

The thematic study had focused on resourcing, the work of the Benefit Service and the processing of Housing Benefit claims. The study aimed to provide wider context on the impact on service delivery and performance levels. Audit Scotland had invited all 32 Scottish councils to participate in the study by completing an online questionnaire and South Lanarkshire Council was one of 28 councils that participated. The data and analysis in the Audit Scotland report was based on the questionnaire responses and had not been independently validated, with the exception of claims processing performance, which was validated against DWP published data.

Since 2011, the performance of a council's Housing Benefit Service had primarily been assessed by Audit Scotland using the DWP's Speed of Processing performance indicator, which was the average number of days that councils took to process new claims and change events. The resourcing of council benefit services was analysed in the report under the following headings:-

- ◆ Workloads
- ◆ Resources
- ◆ Caseloads
- ◆ Call handling and personal callers
- ◆ Speed of processing

Information was provided on Audit Scotland's recommendations, together with an assessment of the position in South Lanarkshire Council.

The Depute Chair, on behalf of the Committee, expressed gratitude at the robust and timely manner in which the Council's Benefit Service carried out their duties.

The Committee decided: that the key messages and recommendations in the Audit Scotland report 'Resourcing the benefit service – A Thematic Study' be noted.

9 Forward Programme for Future Meetings

A report dated 2 June 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 11 June 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 11 June 2024 be noted.

[Reference: Minutes of 23 May 2023 (Paragraph 8)]

10 Urgent Business

There were no items of urgent business.

Report

4

Report to: **South Lanarkshire Council**
Date of Meeting: **1 November 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 Monique McAdams held on 30 August 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 Monique McAdams had breached paragraphs 3.16 and 3.17 of the 2018 edition of the Councillors' Code of Conduct be noted; and
- (2) that the decision of the Hearing Panel to censure Councillor McAdams be noted.

3. Background

- 3.1. Complaints were received by the Commissioner for Ethical Standards in Public Life in Scotland (ESC) that on 4th May 2021, Councillor McAdams shared on Facebook 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 McAdams had failed to comply with the provisions of the 2018 edition of the Councillors' Code of Conduct, being the version in place at the time of the events, and that in particular she had contravened paragraphs 3.16 and 3.17 of the Code 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 was held in private on 30 August 2023.
- 4.2. The Hearing Panel considered the submissions given orally and in writing at the Hearing on behalf of the Ethical Standards Commissioner and Councillor McAdams and also the evidence led from Councillor McAdams and found that Councillor McAdams had received the information in her capacity as a Councillor; that the information posted on her Facebook profile concerned council facilities; that while the name of her Facebook profile through which the post had been made had been changed due to her campaign to be elected as an MSP, it was the same account she used as a councillor both before and after the campaign; that she was acting in her capacity as a South Lanarkshire Councillor when posting the information and that the Councillors' Code of Conduct applied to her at the time. The Panel concluded that Councillor McAdams had breached paragraphs 3.16 and 3.17 of the Code.
- 4.3. The Panel found that Councillor McAdams should have been aware that the information regarding the future of the leisure facilities was not to be disclosed when she published her Facebook post given that she had been explicitly warned that it was confidential in an email of 29 October 2020 and that an email chain of 1 May 2021 contained a further reminder that the information remained confidential. The Panel determined that Councillor McAdams had disclosed 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 McAdams had disclosed the information in the days before the Scottish Parliamentary election in which she was standing as a candidate and was satisfied that she had done so for personal or party-political advantage 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 aggravating and 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 agreed that in this case, it was legitimate for the Council to have decided that the information be kept confidential until such times as the proposals discussed had been finalised. The Panel noted that this would have afforded officers sufficient time to prepare and manage external communications, which, in turn, would ensure that the Council's position and response were communicated clearly and fully.
- 4.6. The Panel further noted that Councillor McAdams had fully cooperated with the investigation and hearing process and further noted her contribution to public life and to her community. It noted the character references that had been submitted on her behalf from across the political spectrum and that there was no evidence of repeated

behaviour over a long period of time, of dishonesty and/or concealment, or of any previous contraventions of the Code. Additionally, the Panel noted Councillor McAdams' reflections on the matter and her stated insight on the importance of the Code.

4.7. The Panel was concerned that despite it being apparent that the information was confidential, Councillor McAdams chose to share it on her Facebook page. The Panel was satisfied that, on balance, she had done so at least in part for personal or party-political advantage. The Panel was concerned by this finding, noting that Councillor McAdams would have been able to comment publicly on the proposals once the Council's plans had been finalised. The Panel noted the potential impact of her actions on others, particularly council officers who would have been responsible for dealing with any resulting enquiries from the press and public. The Panel was concerned that Councillor McAdams appeared not to have considered this before deciding to disclose the information. The Panel further noted that the disclosure was likely to have resulted in speculation about facilities being closed, before any final decision had been taken, which may have caused undue and unnecessary concern.

4.8. In the circumstances, the Panel concluded that a censure was the appropriate sanction.

4.9. 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 report.

9. Equality Impact Assessment and Consultation Arrangements

9.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

9.2. There is no requirement to carry out a consultation process in relation to this report.

Cleland Sneddon
Chief Executive

4 October 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ 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:-

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Report

5

Report to: **South Lanarkshire Council**
 Date of Meeting: **1 November 2023**
 Report by: **Chief Executive**

Subject: **Recommendation Referred by Executive Committee – Annual Investment Report 2022/2023**

1. Purpose of Report

1.1. The purpose of the report is to:-

allow consideration of the following recommendation referred to the Council by the Executive Committee held on 11 October 2023

♦ Annual Investment Report 2021/2022

- ♦ that the Annual Investment Report 2022/2023 be approved

2. Recommendation(s)

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

- (1) that the recommendation of the Executive Committee of 11 October 2023 in relation to the Annual Investment Report 2022/2023 be approved.

3. Recommendation Referred by the Executive Committee - Annual Investment Report 2021/2022 – Extract of Minute

3.1. A report dated 27 September 2023 by the Chief Executive was submitted on recommendations which had been referred to this Committee by the Finance and Corporate Resources Committee of 27 September 2023.

The recommendations of the Finance and Corporate Resources Committee were as follows:-

- ♦ that the Treasury Management Activity Report for 2022/2023 and the 2022/2023 Treasury Management and Prudential Code Indicators be noted
- ♦ that the Council's Annual Investment Report for 2022/2023 be endorsed and referred to the Council for formal approval

Officers responded to a member's questions on the report.

The Committee decided: that the recommendation referred by the Finance and Corporate Resources Committee in relation to the Treasury Management Activity Report for 2022/2023 and the 2022/2023 Treasury Management and Prudential Code Indicators be noted.

The Committee recommended that the Annual Investment Report 2022/2023 be
to the Council: approved.

[Reference: Minutes of Finance and Corporate Resources Committee of 27 September 2023 (Paragraph 9)]

4 Employee Implications

- 4.1 All employee implications were highlighted as part of the original report to the Finance and Corporate Resources Committee.

5. Financial Implications

- 5.1 All financial implications were highlighted as part of the original report to the Finance and Corporate Resources Committee.

6. Climate Change, Sustainability and Environmental Implications

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

7. Other Implications

- 7.1 Any risks or sustainability issues or other implications have been highlighted as part of the original report to the Finance and Corporate Resources Committee.

8. Equality Impact Assessment and Consultation Arrangements

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

Cleland Sneddon
Chief Executive

17 October 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, effective, efficient and transparent

Previous References

- ◆ Executive Committee of 11 October 2023
- ◆ Finance and Corporate Resources Committee of 27 September 2023

List of Background Papers

- ◆ Link to original report submitted to Finance and Corporate Resources Committee:-
[Finance and Corporate Resources Committee - Prudential Code Indicators, Treasury Management Activity and Annual Investment Strategy 2022/2023](#)

Contact for Further Information

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

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Report

6

Report to:	South Lanarkshire Council
Date of Meeting:	1 November 2023
Report by:	Executive Director (Finance and Corporate Resources)

Subject:	Changes to Depute Chairs, Committee and Joint Board Memberships
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise of proposed changes to Depute Chairs, committee and joint board memberships

2. Recommendation(s)

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

- (1) that Councillor Williams replace Councillor McClymont as Depute Chair of Social Work Resources Committee
- (2) that, in relation to Housing and Technical Resources Committee:-
 - ◆ Councillor Cowie to replace Councillor Walker as a member
 - ◆ Councillor Cowie to replace Councillor Lennon as Depute Chair
 - ◆ Councillor Walker to replace Councillor Keatt as a substitute member
- (3) that Councillor Williams replace Councillor McClymont as a substitute member of the South Lanarkshire Integration Joint Board

3. Background

3.1. Following a request from the Business Manager of the Labour Group, it is proposed that the following changes be made:-

- ◆ Councillor Williams to replace Councillor McClymont as Depute Chair of Social Work Resources Committee
- ◆ Councillor Cowie to replace Councillor Walker as a member of the Housing and Technical Resources Committee
- ◆ Councillor Cowie to replace Councillor Lennon as Depute Chair of Housing and Technical Resources Committee
- ◆ Councillor Walker to replace Councillor Keatt as a substitute member of the Housing and Technical Resources Committee
- ◆ Councillor Williams to replace Councillor McClymont as a substitute member of the South Lanarkshire Integration Joint Board

4. Employee Implications

4.1. None.

5. Financial Implications

5.1. None.

6. Climate Change, Sustainability and Environmental Implications

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

7. Other Implications

- 7.1 There are no risks in terms of the information contained in this report.

8. Equality Impact Assessment and Consultation Arrangements

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

Paul Manning

Executive Director (Finance and Corporate Resources)

12 October 2023

Link(s) to Council Values/Priorities/Outcomes

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

Previous References

- ◆ South Lanarkshire Council of 18 May 2022 and 23 August 2023

List of Background Papers

None

Contact for Further Information

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

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Report

7

Report to: **South Lanarkshire Council**
Date of Meeting: **1 November 2023**
Report by: **Chief Executive**

Subject: **Review of UK Parliamentary Constituencies - Review of Polling Districts SL002 and SL007**

1. Purpose of Report

1.1 The purpose of the report is to:-

- ♦ Advise of the approved proposals for Constituency Boundaries for the UK Parliament within the South Lanarkshire Area following the 2023 review by the Boundary Commission for Scotland.
- ♦ Request authority for the creation of three additional Polling Districts to take account of those Boundary Changes, and the reduction in size of two existing Polling Districts as a result of their creation.

2. Recommendation(s)

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

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

3. Background

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

- 3.2 The new Constituencies for the UK Parliament will come into force once Parliament is next dissolved and the next full UK Parliamentary General election will elect Members to those new Constituencies. Any by-election called before a full General Election is called will use the existing boundaries.
- 3.3 The following new Constituencies will lie wholly within the geographical area of South Lanarkshire Council: -
- Rutherglen
 - East Kilbride and Strathaven
 - Hamilton and Clyde Valley
- 3.4 The following new Constituencies will take in part of South Lanarkshire Council geographical area in addition to at least one other Council's area: -
- Dumfriesshire, Clydesdale and Tweeddale
 - Motherwell, Wishaw and Carluke.
- 3.5 The UK Government make the decision as to which local authority will provide the Returning Officer for elections to each of the Constituencies.
- 3.6 In order that arrangements are in place to ensure either an unexpected by-election or a full UK Parliamentary General Election can be administered, there is a requirement for both the existing Boundaries and the new Boundaries to co-exist within the Electoral Register when the Register is published in December 2023. Three areas within South Lanarkshire Council have been identified within the new boundaries which do not allow for this and therefore the proposed new polling districts will require approval to rectify that position.
- 4. Current Position**
- 4.1 Officers within the Election Office, assisted by the Council's GIS mapping experts and colleagues from the Electoral Registration Office, have carried out a detailed review of the new Constituency Boundaries, the existing Constituency Boundaries and the existing Polling District Boundaries.
- 4.2 Following that review, it has been agreed that most of the new Boundaries are reflected in existing Polling District Boundaries and therefore will require no change at this time to take account of the UK Constituency Boundary changes.
- 4.3 However, the Boundary for the new Motherwell, Wishaw and Carluke Constituency will take in part of the existing polling district SL002 situated to the north of Crossford, and the remainder of SL002 lies within the new Hamilton and Clyde Valley Constituency. Polling District SL002 will require to be split along this boundary, with two new polling districts being created and named SL178 and SL179.
- 4.4 Also the Boundary for the new Motherwell, Wishaw and Carluke Constituency will take in part of the existing polling district SL007 situated to the north and northwest of Cleghorn, and the remainder of SL007 lies within the new Hamilton and Clyde Valley Constituency. Polling District SL007 will require to be split along this boundary, with one new polling district being created and named SL180.
- 4.5 The proposed changes will ensure that the Electoral Register can be published in December 2023 reflecting the two versions of Constituency Boundaries as they exist at this time. The new Constituencies will be in force as soon as the next UK Parliamentary General Election is called and the existing Constituency boundaries will

no longer be in existence after that point. The date for the next UK Parliamentary General Election is not known at this time.

- 4.6 The UK Government Department for Levelling Up, Housing and Communities have confirmed that it will be for South Lanarkshire Council to provide the Returning Officer for the new UK Parliamentary Constituencies of Hamilton and Clyde Valley; East Kilbride and Strathaven; and Rutherglen. It has also been confirmed that it will be for North Lanarkshire Council to provide the Returning Officer for the Constituency of Motherwell, Wishaw and Carluke, and for Dumfries and Galloway Council to provide the Returning Officer for the Constituency of Dumfriesshire, Clydesdale and Tweeddale.
- 4.7 A full statutory review of Polling Districts and Polling Places is in progress and work will be carried out by officers to identify appropriate polling district boundaries and polling places in the course of that review with full consultation with all interested parties carried out. In the event that a by-election was called utilising the existing boundaries, it is the intention that voters will continue to cast their vote at their current polling place, therefore, there is no change to electors' voting arrangements arising from this report.

5. Employee Implications

- 5.1. None.

6. Financial Implications

- 6.1. Any costs associated with the proposals in this report can be met from within existing budgets.

7. Other Implications

- 7.1. There are no significant risks associated with these proposals.
- 7.2. There are no sustainability implications associated with this proposal.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.

Cleland Sneddon

Chief Executive/Returning Officer

13 October 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ People Focused
- ◆ Fair and Open
- ◆ Working with and Respecting Others
- ◆ Accountable, Effective and Efficient

Previous References

None

List of Background Papers

- ◆ Boundary Commission for Scotland 2023 Review of UK Parliament Constituencies – Final Proposals
- ◆ Representation of the People Act 1983
- ◆ Electoral Commission Guidance on Reviews of Polling Districts, Polling Places and Polling Stations

Contact for Further Information

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

Gordon Stewart, Elections Adviser

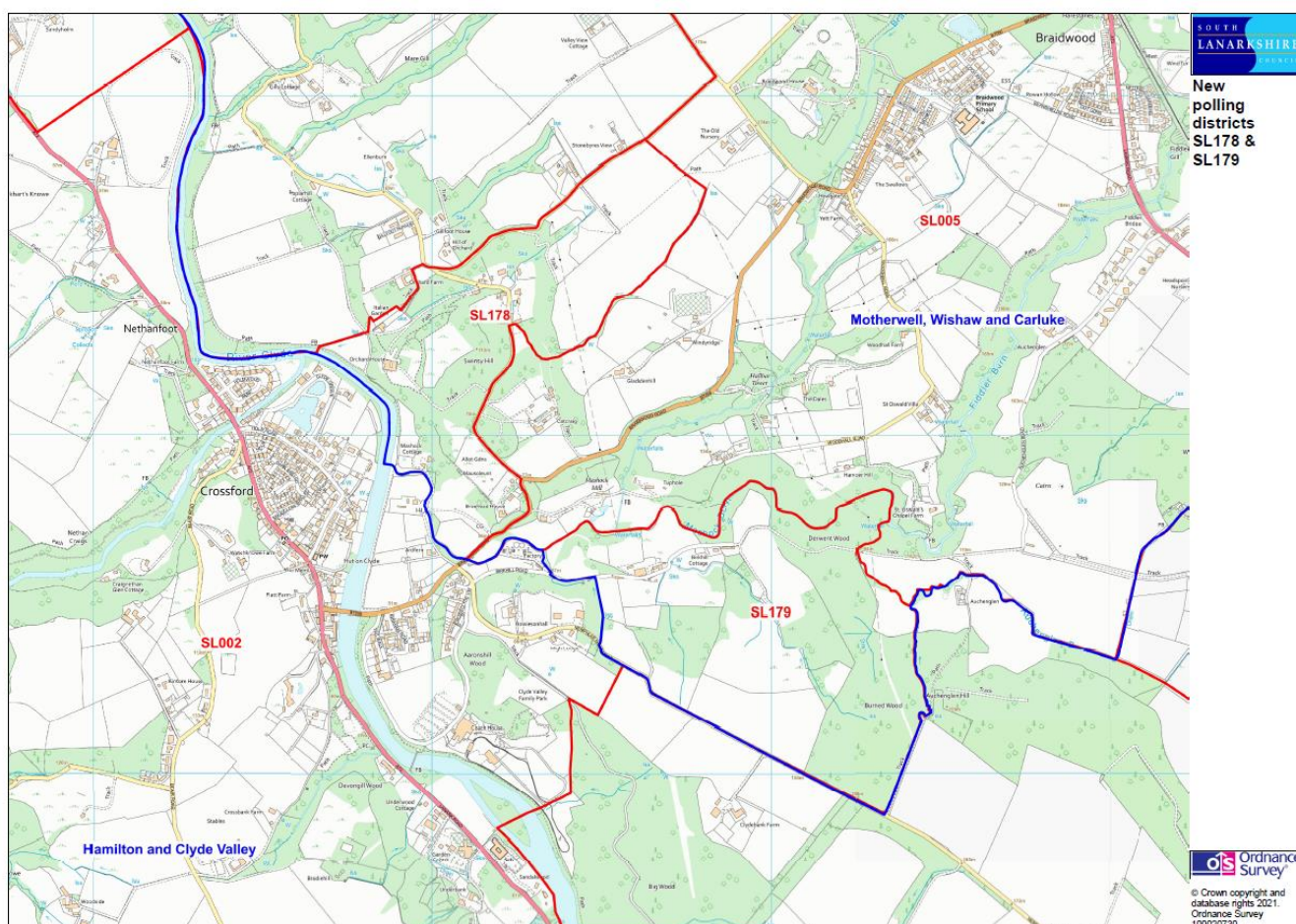
Ext: 4872 (Tel: 01698 454872)

E-mail: gordon.stewart@southlanarkshire.gov.uk

Appendix 1

Plan showing the proposed new Polling District SL178 and SL179 removed from the existing Polling District SL002

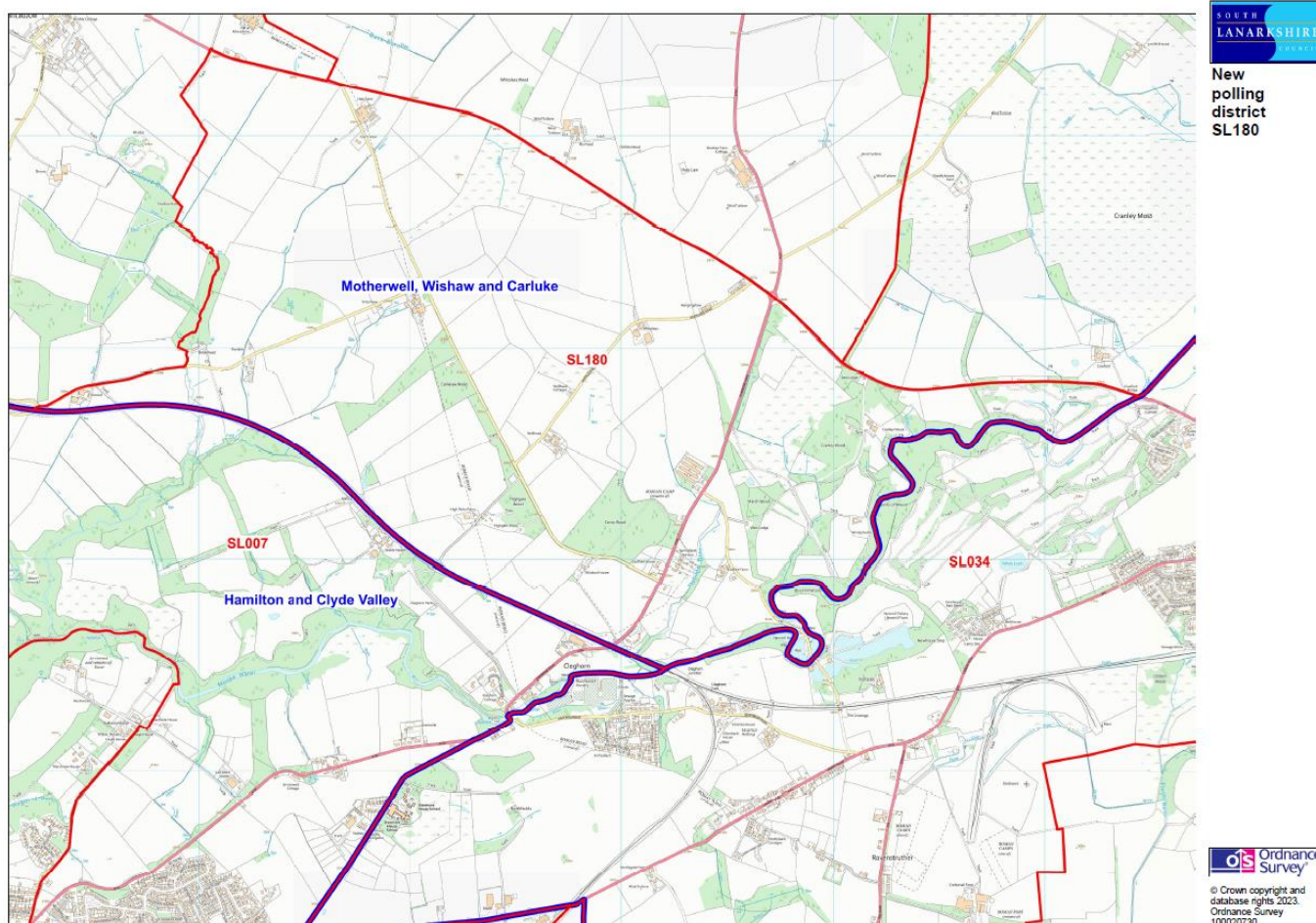
- Blue line shows the new Constituency Boundaries
- Red line shows the Polling District Boundaries



Appendix 2

Plan showing the proposed new Polling District SL180 removed from the existing Polling District SL007

- Blue line shows the new Constituency Boundaries
- Red line shows the Polling District Boundaries



Downgrading of Neonatal Care Unit at University Hospital, Wishaw

Notice of Motion

Motion received in terms of Standing Order No 20 on 11 October 2023, proposed by Councillor Richard Nelson, seconded by Councillor Poppy Corbett, as follows:-

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

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

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

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

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

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

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

Removal of Fire Appliance at Hamilton Fire Station

Notice of Motion

Motion received in terms of Standing Order No 20 on 12 October 2023, proposed by Councillor Richard Nelson, seconded by Councillor Mark McGeever, as follows:-

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

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

Future of Strathclyde Bus Services

Notice of Motion

Motion received in terms of Standing Order No 20 on 16 October 2023, proposed by Councillor Joe Fagan, seconded by Councillor Gerry Convery, as follows:-

“This Council notes:-

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

This Council believes:-

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

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

- ◆ A new model of bus provision for Strathclyde must be developed that is integrated and democratically accountable.
- ◆ A new model of bus provision must contribute towards Regional Transport Strategy objectives and policies set out by SPT.
- ◆ The Scottish Government must support local authorities and transport authorities seeking to replace deregulated bus models with models of regulation or common ownership, with fair funding and regulation that respects the autonomy and democratic wishes of Scotland’s communities and regions.

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

Let's Value Care

Notice of Motion

Motion received in terms of Standing Order No 20 on 17 October 2023, proposed by Councillor Kirsty Williams, seconded by Councillor Joe Fagan, as follows:-

"This Council notes:-

- ◆ The outstanding service of the local government workforce throughout the Covid crisis and post-pandemic.
- ◆ The outcome of recent Job Evaluation exercises in home care and residential care and subsequent correspondence from Unison issued to all councillors in August 2023 in support of their Let's Value Care campaign.
- ◆ The need to protect the integrity of the Council's Job Evaluation Scheme.

This Council understands that:-

- ◆ Unison wish to secure a review of "all those roles that involve caring for and supporting vulnerable service users to ensure the full complexity of their roles are recognised" as an objective of their Let's Value Care campaign.
- ◆ Finance and Corporate Resources have provided advice to political Groups that such a review would involve an adaptation of Job Evaluation Scheme and may therefore be ruled incompetent on the basis that a broader review of the entire Job Evaluation Scheme would be required.
- ◆ Under existing procedures that were designed in agreement with the Joint Trade Unions, where a current post has significantly changed, an application for a Job Evaluation can be submitted, setting out the relevant changes with supporting evidence. Thereafter, this application is then progressed in accordance with the current scheme process.

This Council therefore resolves to:-

- ◆ Remind trade unions of the right of employees and their trade unions to submit an application for a Job Evaluation relating to caring and support roles under the existing Job Evaluation Scheme.
- ◆ Outline to the Joint Consultative Forum how the Council secures assurance that employees are correctly graded."

