

EXECUTIVE COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 28 August 2019

Chair:

Councillor John Ross (ex officio)

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Robert Brown, Councillor Jackie Burns, Councillor Stephanie Callaghan (*substitute for Councillor Jim McGuigan*), Councillor Andy Carmichael (*substitute for Councillor Fiona Dryburgh*), Councillor Maureen Chalmers (Depute), Councillor Gerry Convery, Councillor Margaret Cooper, Councillor Poppy Corbett (*substitute for Councillor Mark McGeever*), Councillor Peter Craig, Councillor Isobel Dorman, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Lynsey Hamilton, Councillor Ann Le Blond, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Joe Lowe, Councillor Monique McAdams, Councillor Kenny McCreary, Councillor Colin McGavigan, Councillor Gladys Miller, Councillor Richard Nelson, Councillor David Shearer, Councillor Josh Wilson

Councillors' Apologies:

Councillor Fiona Dryburgh, Councillor Mark McGeever, Councillor Jim McGuigan

Attending:

Chief Executive's Service

L Freeland, Chief Executive

Community and Enterprise Resources

M McGlynn, Executive Director

Education Resources

T McDaid, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; G Bow, Administration Manager; J Burke, Administration Assistant; G McCann, Head of Administration and Legal Services; A Morton, Central Research Unit Manager

Housing and Technical Resources

D Lowe, Executive Director

Social Work Resources/Health and Social Care

I Beattie, Head of Health and Social Care (Hamilton and Clydesdale)

Also Attending:

NHS Lanarkshire

Kate Bell, Head of Service Change and Transformation (Programme Director)

Order of Business

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

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 26 June 2019 were submitted for approval as a correct record.

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

3 Capital Budget Monitoring 2018/2019 Monitoring for Period 4 – 1 April to 19 July 2019

A report dated 29 July 2019 by the Executive Director (Finance and Corporate Resources) was submitted on the physical and financial progress at 19 July 2019 on the various capital programmes.

The General Fund Capital Programme totalled £79.982 million and the Housing Capital Programme £61.835 million. The General Fund Programme had been revised to reflect projects carried forward and adjustments to the programme, which were detailed in Appendix 2 to the report.

At 19 July 2019, £11.201 million had been spent on the General Fund Capital Programme and £11.452 million had been spent on the Housing Capital Programme.

The Committee decided:

- (1) that the position of the various capital programmes for 2019/2020, as detailed in the report, be noted; and
- (2) that the proposed adjustments to the General Fund Programme, attached as Appendix 2 to the report, be approved.

[Reference: Minutes of 26 June 2019 (Paragraph 3)]

4 Revenue Budget Monitoring for Period 4 – 1 April to 19 July 2019

A report dated 29 July 2019 by the Executive Director (Finance and Corporate Resources) was submitted comparing actual expenditure against budgeted expenditure for the period ending 19 July 2019.

The figures included an underspend of £6.566 million on the General Fund Revenue Account and a breakeven position on the Housing Revenue Account.

The main factors contributing to the underspend on the General Fund Revenue Account were detailed in the report.

Additional information was provided on:-

- ◆ loan charges
- ◆ corporate items
- ◆ Education Resources and Pupil Equity Funding
- ◆ additional General Revenue Grant
- ◆ other funding

The Committee decided:

- (1) that the underspend of £6.566 million on the General Fund Revenue Account at 24 May 2019 and the forecast to 31 March 2020 be noted;

- (2) that the breakeven position on the Housing Revenue Account at 24 May 2019 and forecast to 31 March 2020 of a breakeven position be noted.

[Reference: Minutes of 26 June 2019 (Paragraph 4)]

5 Additional Funding from the Scottish Government and Other External Sources

A report dated 23 July 2019 by the Executive Director (Finance and Corporate Resources) was submitted on additional revenue funding totalling £12.500 million and additional capital funding totalling £1.100 million made available from the Scottish Government and other external sources. The funding was allocated as follows:-

Revenue Funding

| Resource | 2019/2020 (£m) |
|---------------------------------|---------------------------|
| Community and Enterprise | 0.165 |
| Education | 9.517 |
| Finance and Corporate | 0.180 |
| Housing and Technical | 2.564 |
| Social Work | 0.074 |
| Total | 12.500 |

Capital Funding

| Resource | 2019/2020 (£m) | 2020/2021 (£m) |
|---------------------------------|---------------------------|---------------------------|
| Community and Enterprise | 0.589 | 0.511 |
| Total | 0.589 | 0.511 |

The Committee decided: that the report be noted.

[Reference: Minutes of 26 June 2019 (Paragraph 5)]

6 Employee Workforce Monitoring Information – April 2018 to March 2019 – Yearly Summary

A report dated 10 July 2019 by the Executive Director (Finance and Corporate Resources) was submitted on workforce monitoring information relating to the Council for the period April 2018 to March 2019 as follows:-

- ♦ attendance statistics
- ♦ occupational health statistics
- ♦ accident/incident statistics
- ♦ disciplinary hearings, grievances, Dignity at Work and mediation cases
- ♦ employee development
- ♦ labour turnover/analysis of leavers and exit interviews
- ♦ recruitment monitoring
- ♦ staffing watch as at 9 March 2019

Further information on recruitment and vacancy monitoring would be reported to Resource Committees as part of workforce monitoring from November 2019 and would include the number of vacant posts and those held for savings.

The Committee decided: that a report be submitted to a future meeting providing details of psychological conditions which were the main reason for absence.

[Reference: Minutes of 15 August 2018 (Paragraph 6)]

7 Lanarkshire Mental Health and Wellbeing Strategy

A report dated 8 August 2019 by the Director, Health and Social Care was submitted on the:-

- ◆ development of the Lanarkshire Mental Health and Wellbeing Strategy for the 5 year period 2019 to 2024
- ◆ final draft Strategy and associated communication and engagement reports

The Strategy had been developed to provide a comprehensive document which reflected the needs and aspirations in Lanarkshire aligned with the current and emerging evidence base.

The timetable for the approval of the Strategy was detailed in the report, with the formal launch scheduled to take place at an event on 24 October 2019.

A link to the draft Strategy had been provided to members and a hard copy would be provided in due course.

The Committee decided:

- (1) that the stages in the development of the Lanarkshire Mental Health and Wellbeing Strategy 2019 to 2024 be noted;
- (2) that the level of engagement during the production of the Strategy be noted;
- (3) that the draft Strategy be endorsed; and
- (4) that it be noted that the Strategy would be submitted to the North Lanarkshire Integrated Joint Board for final approval with an intended launch date of 24 October 2019.

8 Newfield and Stonehouse Primary Schools – Review of Catchment Areas

A report dated 2 August 2019 by the Executive Director (Education Resources) was submitted on proposals to undertake a statutory consultation in accordance with the Schools (Consultation) Act 2010 in relation to the realignment of the catchment areas of both Newfield and Stonehouse Primary Schools in Stonehouse.

There were a number of new housing developments underway in the Stonehouse area, with other areas identified as potential developments for the future. Due to the nature of Newfield Primary School's catchment area, those housing developments were currently zoned for Stonehouse Primary School but were geographically closer to Newfield Primary School.

The projected number of pupils from the developments was 32 and it was anticipated that the catchment realignment would still allow for both schools to accommodate any additional projected numbers of children generated by new housing.

Details of the realignment, including the streets affected, were provided in appendices to the report.

The consultation arrangements were detailed in the report and the outcome would be reported to a future meeting of this Committee.

The Committee decided: that the proposal to undertake a statutory consultation under the Schools (Consultation) (Scotland) Act 2010 on the realignment of the catchment areas of Newfield and Stonehouse Primary Schools be approved.

[Reference: Minutes of 31 January 2018 (Paragraph 9)]

9 Foundation Apprenticeship Programme – Consortium Delivery 2020 to 2022

A joint report dated 14 August 2019 by the Executive Directors (Finance and Corporate Resources) and (Education Resources) was submitted on proposals to enter into a consortium agreement with South Lanarkshire College to facilitate the submission of a bid to Skills Development Scotland (SDS) for Foundation Apprenticeship delivery from 2020 to 2022.

The Foundation Apprenticeship Programme was made up of 12 frameworks that were linked to industry needs and areas of growth. In order to reduce complexity, minimise duplication and ensure South Lanarkshire pupils had access to all 12 frameworks, it was proposed to develop a consortium agreement with South Lanarkshire College from 2020 to 2022 which would ensure that:-

- ♦ there was a co-ordinated approach between South Lanarkshire Council and South Lanarkshire College
- ♦ pupils across South Lanarkshire had access to all 12 Foundation Apprenticeship frameworks
- ♦ the Foundation Apprenticeship Programme achieved best value by reducing duplication and maximising uptake

South Lanarkshire College had indicated that it was willing to enter into a consortium arrangement with the Council to allow a bid to be submitted to SDS.

In the event that the bid from the consortium was successful, it was proposed to put a formal partnership agreement in place between the 2 parties to progress the delivery of the Programme.

The Committee decided:

- (1) that the Council enter into a consortium agreement with South Lanarkshire College to submit a bid for the delivery of Foundation Apprenticeships for the period 2020 to 2022; and
- (2) that, in the event of the consortium bid being successful, a formal partnership with South Lanarkshire College be entered into to deliver the Foundation Apprenticeship Programme.

10 Land and Property Transfers and Disposals

A report dated 19 July 2019 by the Executive Director (Housing and Technical Resources) was submitted on recommendations to declare certain areas of land surplus to operational requirements.

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

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

11 Disposal of Phase 1, University of the West of Scotland Joint Venture, Almada Street Campus

A joint report dated 6 August 2019 by the Executive Directors (Community and Enterprise Resources), (Finance and Corporate Resources) and (Housing and Technical Resources) was submitted on the disposal of the Council's interests in the Caird Building and Caird Data Centre, Hamilton to Craigie Property Investments Limited, under the first phase of redevelopment of the Almada Street campus, Hamilton.

Phase 1 of the project was a 2 hectare site comprising 3 plots, which were shown in a plan attached to the report. Following a marketing exercise, the highest offer had been received from Craigie Property Investments Limited who were looking to develop around 300 student residencies in time for students to take occupation by September 2020. The proposal was consistent with the Masterplan for the site and the District Valuer had confirmed that the financial offer made represented market value and that the split of proceeds was appropriate.

The principal conditions of the sale were detailed in the report.

The Committee decided:

- (1) that the progress achieved in relation to the delivery of the objectives of the Joint Venture be noted;
- (2) that the Council's property interests at the Caird Building and Caird Data Centre, Hamilton, be disposed of to Craigie Property Investments Limited, or their nominee, on the principal terms and conditions detailed in the report; and
- (3) that the Executive Director (Housing and Technical Resources), in consultation with the Head of Administration and Legal Services, if appropriate, be authorised to conclude all matters in respect of the disposals and to enter into the necessary legal agreements on terms which were in the best interests of the Council.

[Reference: Minutes of 8 February 2017 (Paragraph 15)]

12 Recommendations Referred from Resource Committees

A report dated 7 August 2019 by the Chief Executive was submitted on recommendations referred to this Committee by the following Resource Committees:-

- ◆ Education Resources Committee of 6 August 2019
- ◆ Social Work Resources Committee of 7 August 2019
- ◆ Finance and Corporate Resources Committee of 7 August 2019

The recommendation of the Education Resources Committee was as follows:-

- ◆ that the Education Resource Plan for 2019/2020 be approved

The recommendation of the Social Work Resources Committee was as follows:-

- ◆ that the Social Work Resource Plan for 2019/2020 be approved

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

- ◆ that the Finance and Corporate Resource Plan for 2019/2020 be approved
- ◆ that the Treasury Management Activity Report for 2018/2019 and the Treasury Management and Prudential Code Indicators for 2018/2019 be noted
- ◆ that the 2018/2019 Annual Investment Report be endorsed and referred to the Council for formal approval in line with the Local Government Investments (Scotland) Regulations 2010

The Committee decided:

- (1) that the recommendations referred by the Education Resources Committee, Social Work Resources Committee and Finance and Corporate Resources Committee in relation to their respective Resource Plans for 2019/2020 be approved; and
- (2) that the recommendation referred by the Finance and Corporate Resources Committee in relation to the Treasury Management Activity Report for 2018/2019 and the Treasury Management and Prudential Code Indicators for 2018/2019 be noted.

The Committee recommended to the Council: that the Annual Investment Report 2018/2019 be approved.

[Reference: Minutes of Education Resources Committee of 6 August 2019 (Paragraph 8), Minutes of Social Work Resources Committee of 7 August 2019 (Paragraph 9) and Minutes of Finance and Corporate Resources Committee of 7 August 2019 (Paragraphs 11 and 13)]

13 Amendments to Committee Memberships – Change in Political Composition

A report dated 5 August 2019 by the Executive Director (Finance and Corporate Resources) was submitted on:-

- ◆ proposed changes to Committee memberships following a change in the political composition of the Council
- ◆ a proposed increase to the membership of the Standards and Procedures Advisory Forum
- ◆ a proposed change to the membership of the Social Work Resources Committee
- ◆ the Council's representation on the Lanark Business Improvement District Board
- ◆ a proposed change to the membership of the Petitions Committee
- ◆ action taken, in terms of Standing Order No 36(c), because of the timescales involved, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to approve the appointment of Councillor Convery to the Executive Committee as a replacement for Councillor Brogan

Councillor Ross, seconded by Councillor Chalmers, moved the recommendations contained in the report.

Councillor Cooper, seconded by Councillor Burns, moved as an amendment that Councillor McClymont and Councillor Lockhart be appointed as full members of the Lanark Business Improvement District Board, with Councillor Marrs nominated to serve as an advisory member.

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

Motion

John Anderson, John Bradley, Robert Brown, Stephanie Callaghan, Maureen Chalmers, Peter Craig, Isobel Dorman, Katy Loudon, Gladys Miller, John Ross, David Shearer, Josh Wilson

Amendment

Alex Allison, Jackie Burns, Andy Carmichael, Gerry Convery, Margaret Cooper, Poppy Corbett Joe Fagan, Allan Falconer, Lynsey Hamilton, Ann Le Blond, Eileen Logan, Joe Lowe, Monique McAdams, Kenny McCreary, Colin McGavigan, Richard Nelson

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

The Committee decided:

- (1) that, to reflect the current political composition of the Council, the amendments to the committee memberships, detailed in Appendix 1 to the report, be approved;
- (2) that authority be delegated to the Chief Executive and/or his representative(s), in consultation with the Leaders of the political/independent groups, to finalise memberships;
- (3) that it be noted that further changes to the memberships were likely to be required following the outcome of the Ward 8 by-election;
- (4) that the membership of the Standards and Procedures Advisory Forum be increased to 11, with a member of the Independent Group filling the vacant place;
- (5) that Councillor Convery be replaced by Councillor Brogan as a substitute member of the Social Work Resources Committee;
- (6) that Councillors McClymont and Lockhart be nominated to serve as voting members on the Lanark Business Improvement District Board, with Councillor Marrs nominated to serve as a non-voting advisory member;
- (7) that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to approve the appointment of Councillor Convery to the Executive Committee as a replacement for Councillor Brogan, be noted; and
- (8) that Councillor Dryburgh replace Councillor Brown as a member of the Petitions Committee, with Councillor Brown assuming the position as substitute member.

[Reference: Minutes of South Lanarkshire Council of 18 May 2017 (Paragraph 7) and 19 December 2018 (Paragraph 5)]

14 Council Complaints Report – SPSO Annual Overview 2018/2019

A report dated 1 August 2019 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ◆ detailing the performance of the Council in terms of the handling of complaints received during the period 1 April 2018 to 31 March 2019 against the Scottish Public Services Ombudsman (SPSO) national indicators
- ◆ on improvement activity to be undertaken as a result of the analysis of complaints
- ◆ providing details of customer feedback on complaints handling

Performance against the 8 SPSO indicators was detailed in the report.

In compliance with the requirements of SPSO Indicator 8, customer satisfaction feedback had been gathered from customers who had been through the complaints process. The feedback for 2018/2019 was summarised in Appendix 2 to the report.

The Committee decided: that the report be noted.

[Reference: Minutes of 26 September 2018 (Paragraph 10)]

15 Consultation on Public Health Scotland Legislation

A report dated 8 August 2019 by the Executive Director (Finance and Corporate Resources) was submitted on the Council's response to a Scottish Government consultation on proposed Public Health legislation which had been submitted by the due date of 8 July 2019.

The Public Health Review, which had been published in February 2016, described how public health could work more effectively to increase life expectancy and reduce inequalities.

The main reasons for reform were detailed in the report.

The main areas of activity proposed for Public Health Scotland were:-

- ◆ **Health Improvement** – enabling people and communities to improve their health and wellbeing by addressing the wider determinants of health
- ◆ **Health Protection** – preventing and responding to contagious or infectious diseases and environmental hazards, and promoting resilience to future risks
- ◆ **Health and Care Services** – maximising the quality of health and care services for the population

The consultation included 18 specific questions and the Council's response to each question was provided in an appendix to the report.

The Committee decided: that the Council's response to the Scottish Government's consultation on proposed Public Health legislation, which had been submitted by the due date of 8 July 2019, be noted.

16 Retirement of Chief Executive

A report dated 24 July 2019 by the Executive Director (Finance and Corporate Resources) was submitted on action taken, in terms of Standing Order No 36(c), because of the timescales involved, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to approve the commencement of the recruitment and selection process for the post of Chief Executive following the resignation of the current post holder.

The Committee decided:

- (1) that the Chief Executive's forthcoming retirement be noted; and
- (2) that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to approve the commencement of the recruitment and selection process for the post of Chief Executive be noted.

17 Urgent Business

There were no items of urgent business.

Chair's Closing Remarks – Retirement of the Chief Executive

The Chair advised that this would be the last meeting of the Committee that Lindsay Freeland, Chief Executive, would be attending prior to his forthcoming retirement. On behalf of the members of the Committee, the Chair thanked Mr Freeland for his dedicated service to the Council and for his contribution since his appointment as Chief Executive. Councillors Cooper, Fagan, Allison, Brown and Lowe, in turn, thanked Mr Freeland for his support and wished him a long and happy retirement. Mr Freeland responded in suitable terms.