

# **SOUTH LANARKSHIRE COUNCIL**

Minutes of the meeting held via Confero and the Council Chamber on 24 May 2023

## **Chair:**

Provost Margaret Cooper

## **Councillors Present:**

Councillor Alex Allison, Councillor John Anderson, Councillor Ralph Barker, Councillor John Bradley, Councillor Walter Brogan, Councillor Robert Brown, Councillor Archie Buchanan, Councillor Mathew Buchanan, Councillor Janine Calikes, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Ross Clark, Councillor Gerry Convery, Councillor Poppy Corbett, Councillor Andrea Cowan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Gladys Ferguson-Miller, Councillor Elise Frame, Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Celine Handibode, Councillor Graeme Horne, Councillor Mark Horsham, Councillor Martin Hose, Councillor Cal Johnston-Dempsey, Councillor Gavin Keatt, Councillor Susan Kerr, Councillor Ross Lambie, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Julia Marrs, Councillor Ian McAllan, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Elaine McDougall, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Carol Nugent, Councillor Norman Rae, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner, Councillor Margaret B Walker, Councillor David Watson

## **Councillor's Apology:**

Councillor Monique McAdams

## **Chief Executive's Service**

C Sneddon, Chief Executive

## **Community and Enterprise Resources**

D Booth, Executive Director

## **Education Resources**

S Nicolson, Head of Education (Senior Phase)

## **Finance and Corporate Resources**

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

## **Housing and Technical Resources**

S Gibson, Executive Director

## **Social Work Resources/Health and Social Care**

S Sengupta, Director, Health and Social Care

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## **Provost's Opening Remarks**

The Provost advised:-

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

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## **Order of Business**

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

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### **1 Declaration of Interests**

No interests were declared.

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### **2 Item of Urgent Business – Home Care Job Evaluation**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- ♦ **South Lanarkshire Leisure and Culture (SLLC)**
  - ♦ that the introduction of new concessionary rates for under-16s sports clubs be phased over three financial years as set out in Table 1 (below):-

**Table 1 – phased implementation**

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

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

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

**“Delete point 1, insert at start:**

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

**Delete point 2, insert:**

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

**Retain existing points 3,4,5 & 6**

### **Insert after item 6:**

7. Council asks that the results of any consultation with clubs and teams to date are fully collated, summarised, and published, and reported to the next relevant meeting.
8. Council backs Scottish Swimming's Save Our Pools campaign, and the organisation's call for the UK Government to support the sector by taking action on inflationary energy costs and asks the Executive Director to write to the relevant Minister to ask that the decision to exclude community leisure from the Energy Bills Discount Scheme is reversed.
9. Council carries out a full impact assessment of the proposed policy changes taking into consideration planned and linked policy changes announced by SLLC.

### **Statement of Reasons**

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

#### **1. Financial Impact**

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

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

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

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

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

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

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

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

### **3. Equality Impact Assessment**

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

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

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

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

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

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

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

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

#### **Motion**

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

### **Amendment**

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

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

### **The Council decided:**

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

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

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

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## **4 Minutes of Previous Meeting**

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

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

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## **5 Minutes of Special Meeting**

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

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

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## **6 Minutes of Risk and Audit Scrutiny Committee**

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

**The Council decided:** that the minutes be noted.

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## **7 Councillor McAdams – Attendance at Council Meetings**

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

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

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

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

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

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

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

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

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

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

The Council notes:

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



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

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

Therefore, the Council requests:

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

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

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

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

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

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

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

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

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

Both councillors confirmed their acceptance of the additional wording.

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

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

**The Council decided:**

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

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

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

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

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

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

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

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

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

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

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

### **The Council decided:**

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

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

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

The Returning Officer advised that:-

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

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

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## **11 Items of Urgent Business**

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

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

**The Council decided:**

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