

EXECUTIVE COMMITTEE

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 2 November 2022

Chair:

Councillor Joe Fagan (ex officio)

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor Robert Brown, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Ross Clark, Councillor Gerry Convery (Depute), Councillor Margaret Cooper, Councillor Andrea Cowan, Councillor Maureen Devlin, Councillor Gladys Ferguson-Miller, Councillor Lynsey Hamilton, Councillor Graeme Horne (*substitute for Councillor David Shearer*) Councillor Mark Horsham, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Ian McAllan, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor Dr Ali Salamati (*substitute for Councillor John Ross*), Councillor Margaret B Walker

Councillors' Apologies:

Councillor John Ross, Councillor David Shearer

Attending:

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director; C Park, Head of Roads, Transportation and Fleet Services

Education Resources

T McDaid, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; C Fergusson, Head of Finance (Transactions); T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; P MacRae, Administration Adviser; K McLeod, Administration Assistant; K McVeigh, Head of Personnel Services

Housing and Technical Resources

A Finnan, Interim Executive Director

Health and Social Care/Social Work Resources

S Sengupta, Director, Health and Social Care

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 21 September 2022 were submitted for approval as a correct record.

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

3 Revenue Budget Monitoring for Period 7 - 1 April to 7 October 2022

A report dated 17 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the overall financial position of the Council's General Fund Revenue Account and Housing Revenue Account for the period 1 April to 7 October 2022.

At 7 October 2022, the position on the General Fund Revenue Account was a net overspend of £0.027 million. The overspend was mainly within:-

- ◆ Community and Enterprise Resources relating to cost pressures associated with Electric Vehicle (EV) charging
- ◆ Social Work Resources (Children and Families)

The overspend position was partially offset by an underspend in Performance and Support and an underspend in the Adults and Older People Service as a result of vacancies relating to Social Workers, day care and residential homes. This formed part of the delegated Health and Social Care Partnership (HSCP) budget. The core Council position, without the HSCP underspend, was an overspend of £0.675 million.

The Housing Revenue Account showed a breakeven position at 7 October 2022, as detailed in Appendix 2 of the report.

The Committee decided:

- (1) that the overspend of £0.027 million on the General Fund Revenue Account, at 7 October 2022, within Community and Enterprise Resources and Social Work Resources (Children and Families) and partially offset by the underspend on the Adults and Older People budget delegated to the Health and Social Care Partnership, as detailed in section 4 and Appendix 1 of the report, be noted; and
- (2) that the breakeven position on the Housing Revenue Account at 7 October 2022, as detailed in section 5 and Appendix 2 of the report, be noted.

[Reference: Minutes of 21 September 2022 (Paragraph 3)]

Councillors Carmichael and Cooper joined the meeting during consideration of this item

4 Capital Programme 2022/2023 Update and Monitoring for Period 7 – 1 April 2022 to 7 October 2022

A report dated 20 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on progress of the General Fund Capital Programme and the Housing Capital Programme for the period 1 April 2022 to 7 October 2022.

At its meeting on 21 September 2022, the Committee had approved a General Fund Capital Programme for 2022/2023 totalling £97.057 million. A revised programme of £95.880 million was now anticipated which included proposed adjustments to the programme totalling a net decrease of £1.177 million. Those were detailed in Appendix 1 of the report. The main reason for this reduction was the profiling adjustment, proposed by Community and Enterprise Resources, following a review of the anticipated timing of spend on both the Rural Business Centre, Lanark and the Vacant and Derelict Land funded allotment project at Cuningar Loop.

The programme included a budget allocation for the following 3 significant projects where the level of spend in year had still to be confirmed:-

- ◆ Clyde Bridge
- ◆ Larkhall Leisure Centre
- ◆ Levelling Up Fund match funding

An update would be provided to the next meeting of the Committee when the outcome of the tender exercise for the Clyde Bridge project was known.

At 7 October 2022, £24.901 million had been spent on the General Fund Capital Programme, an underspend of £0.501 million, and actual funding received to 7 October 2022 totalled £60.924 million. The programme spend and funding for the General Fund for the period was detailed in appendices 2 and 3 of the report.

The Housing Capital Programme 2022/2023, approved by the Executive Committee at its meeting on 24 August 2022, totalled £66.361 million. Details of the position of the programme at 7 October 2022 were provided in Appendix 4 of the report.

At 7 October 2022, expenditure on the Housing Capital Programme amounted to £25.496 million and actual funding received to 7 October 2022 totalled £25.496 million.

The Committee decided:

- (1) that the position, at 7 October 2022, of the General Fund Capital Programme, as detailed in appendices 1 to 3 of the report, and the Housing Capital Programme, as detailed at Appendix 4 of the report, be noted;
- (2) that the adjustments to the General Fund Programme, detailed at Appendix 1 of the report, be approved; and
- (3) that the revised programmes be monitored by the Financial Resources Scrutiny Forum.

[Reference: Minutes of 24 August 2022 (Paragraph 4) and 21 September 2022 (Paragraph 4)]

5 Additional Funding from Scottish Government and Other External Sources

A report dated 28 September 2022 by the Executive Director (Finance and Corporate Resources) was submitted on additional funding, totalling £0.283 million, which had been made available to the Council by the Scottish Government and other external sources.

The funding had been allocated as follows:-

Revenue Funding

Resource	2022/2023 (£m)
Community and Enterprise	0.198
Total	0.198

Capital Funding

Resource	2022/2023 (£m)
Community and Enterprise	0.085
Total	0.085

Overall Total **0.283**

The Committee decided: that the report be noted.

[Reference: Minutes of 21 September 2022 (Paragraph 5)]

6 Community Planning Update: Quarter 4 Progress Report 2021/2022, Annual Outcome Improvement Report and Thematic Boards

A report dated 5 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on progress against the outcomes within the Community Plan 2017 to 2027 as at 31 March 2022 and providing an update on the Community Planning Partnership's Thematic Board structure as part of the review of Community Planning.

The South Lanarkshire Community Plan, approved in October 2017, set out the priorities and outcomes for the Community Planning Partnership over a 10-year period from 2017 to 2027. The Quarter 4 progress report, attached as Appendix 1 to the report, summarised progress against the Plan to March 2022 and, in line with the target setting requirements of the Community Empowerment (Scotland) Act 2015, set out performance at year 5. The Community Planning Partnership Board, at its meeting on 22 June 2022, approved a new Community Plan 2022 to 2032. Future reports would, therefore, detail progress made against the Community Plan 2022 to 2032.

The Annual Outcome Improvement Report, which detailed the progress of the South Lanarkshire Community Planning Partnership during 2021/2022, was attached as Appendix 2 to the report.

The report provided a summary of progress against the outcomes of the Community Plan using a traffic light system of red/amber/green together with a blue status which indicated that the action to achieve change had been completed. Of the 120 measures contained within the Plan, 8 had been completed, 95 were judged to be on course to achieve the targets set, 4 were judged to be considerably off target and 13 were judged to be slightly off target. There were no measures with contextual data or to be reported later. Detailed progress against all outcomes and the related interventions contained within the Community Plan was provided within the Quarter 4 Outcomes Progress Report at Appendix 1.

As part of its commitment to deliver Community Planning, the Council had hosted and provided Elected Member and administrative support for some of the Boards of the Community Planning Partnership. An overview of the current high level Boards/Groups supported by the Council and their status was provided in the report.

A root and branch review of all partnership groups and plans had been carried out to help inform the Community Planning review process and the revised Community Planning structures would be aligned with the new Community Plan. While this work was being progressed, the following interim Thematic Board structure was proposed:-

- ◆ Board/Group meetings would continue for the Safer South Lanarkshire Board, South Lanarkshire Health and Social Care Partnership Board, Community Justice Partnership and the Promise Board
- ◆ Getting it Right for South Lanarkshire's Children Board and the Corporate Connections Board (formerly known as the Youth Partnership) meetings would cease to meet

It was noted that the Sustainability Partnership Board and the Sustainable and Inclusive Economic Growth Partnership Board had stopped meeting.

Work would continue to be delivered for Getting it Right for South Lanarkshire's Children Board and the Corporate Connections Board through existing/new partnership groups and progress would be reported to the Partnership Board. The Community Planning Board's recommendations on the new Community Planning structure, including Boards, would be submitted to a future meeting of this Committee for consideration.

The Chair and officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the progress made to date against the outcomes within the Community Plan 2017 to 2027, as detailed in Appendix 1 to the report, be noted;
- (2) that the content of the Annual Outcome Improvement Report, as detailed in Appendix 2 to the report, be noted; and
- (3) that the recommended changes to Thematic Board activity identified through the work to review Community Planning, as set out at Section 5 of the report, be approved.

[Reference: Minutes of 3 November 2021 (Paragraph 6)]

7 Licensing of Short Term Lets

A report 13 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted providing an update on the commencement of legislation on the licensing of Short Term Lets and the establishment of a South Lanarkshire scheme.

On 1 March 2022, the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022 was enacted to introduce new powers for local authorities to regulate short term lets through the introduction of a licensing scheme under the Act. The 2022 Order brought Short Term Lets within the scope of the Civic Government (Scotland) Act 1982 and enabled local authorities to implement a licensing scheme for short term lets which was aimed at improving safety within short term lets and mitigating their impact on communities.

Details were given on the:-

- ◆ provisions of the licensing scheme
- ◆ timetable for the implementation of the scheme
- ◆ anticipated application numbers within South Lanarkshire

It was proposed that:-

- ◆ the licensing of short term lets be administered by the Licensing and Registration team within Finance and Corporate Resources
- ◆ 1 additional member of staff, a Licensing and Registration Assistant, be recruited at Grade 1, Level 1 to 4 (£18,322 to £21,406), funded from short term application fee income, to assist in dealing with short term let applications

The Statement of Licensing Policy for short term lets, attached as Appendix 1 to the report, reflected both the terms of the legislation and the Scottish Government guidance. It covered:-

- ◆ definitions of properties to be licensed
- ◆ the application and objection process
- ◆ licensing conditions and fees

A consultation exercise had been undertaken on the draft Statement of Licensing Policy and licence conditions framework. The consultation period closed on 30 September 2022 and 4 responses had been received. Where relevant, those had been taken account of and had informed the draft policy detailed at Appendix 1. A summary of the responses was provided at Appendix 2 of the report.

Further consultation would be considered at the conclusion of the first year of the scheme.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the commencement of the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022 on 1 October 2022 be noted;
- (2) that it be noted that South Lanarkshire Council required to open a licensing scheme for short term lets by 1 October 2022;
- (3) that the powers available to the Council in relation to mandatory and discretionary controls under the Act be noted;
- (4) that the proposals for the delivery of this licensing scheme by the Licensing and Registration Team, Finance and Corporate Resources, be approved;
- (5) that the draft Statement of Licensing Policy, outlined at section 5 of the report and attached at Appendix 1, be approved; and
- (6) that the responses to the public consultation on the policy, as detailed at Appendix 2 of the report, be noted.

8 Council Workforce Plan 2022 to 2025

A report dated 18 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the Council Workforce Plan for the period 2022 to 2025 and the associated key strategic actions for the Council.

Workforce plans outlined the strategic actions required to ensure that Services had the right people in the right place at the right time to enable delivery of the Council objectives. Each Resource had developed a Resource Workforce Plan and those plans had been submitted to Resource Committees during September and October 2022. Details were given on the 4 planning stages outlined in the process, culminating in the development of an action plan, based on key areas of the workforce where risks had been identified in relation to the ability to deliver business objectives.

The overall Council Workforce Plan, including the action plan, was attached as Appendix 1 to the report. It provided an overview of the key themes and actions identified in the Resource Workforce Plans. The information from Resource Workforce Plans had been used to develop the overarching Council-wide Workforce Plan covering the period 2022 to 2025.

Details were given on:-

- ◆ the Council's key workforce planning themes
- ◆ actions identified to address challenges
- ◆ risks identified with workforce planning which would be included in the Resource Risk Registers

Officers responded to members' questions on various aspects of the report. It was proposed that monitoring of the Workforce Plan be included in Workforce Monitoring reports to Resource Committees and to the Executive Committee.

The Committee decided: that the Council Workforce Plan, as detailed in Appendix 1 of the report, be approved.

9 Scheme of Delegation

A report dated 12 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on proposed amendments to the Council's Scheme of Delegation.

It was proposed that:-

- ◆ following the change to legislation and approval of the Licensing of Short Term Lets scheme, authority be delegated to the Executive Director (Finance and Corporate Resources), within Section 4 Paragraph D of the Scheme of Delegation, to approve applications for registration where no objections had been received
- ◆ as a result of a recommendation contained in the Prevent Multi-Agency Panel (PMAP), authority be delegated to the Executive Director (Housing and Technical Resources), within Section 4 Paragraph E of the Scheme of Delegation, to fulfil and discharge the Council's statutory duties, functions and policies in relation to the Counter Terrorism and Security Act 2015.

The proposed changes to the Scheme of Delegation were detailed in Appendix 1 of the report.

The Committee decided: that the proposed amendments to the Scheme of Delegation, as detailed in Appendix 1 of the report, be approved.

10 Update on the Budget Strategy for 2023/2024

A report dated 7 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted providing an update on the budget position for 2023/2024.

At its meeting on 21 September 2022, the Committee approved a budget strategy resulting in a revised budget gap of £24.726 million. Potential solutions to meet the revised budget gap had been identified for members' consideration. Those included:-

- ◆ solutions identified in a finance exercise reviewing corporate budget lines and balance sheet items, as detailed in Appendix 1 and Table 1 of the report, totalling £6.1 million
- ◆ output from service reviews, identifying further efficiencies totalling £0.6 million
- ◆ implementation of the change in accounting for Service Concessions, subject to approval, resulting in a reduction in the annual debt charge for the Council's schools' PPP contracts of £4 million
- ◆ removal of the UK Government's 1.25% increase in National Insurance, resulting in a benefit to the Council of £3.5 million

Those solutions would reduce the budget gap to £10.526 million, as detailed in Table 2 of the report. No account had been taken of any increase in Council Tax, however, each 1% increase in Band D would generate successive amounts of £1.452 million.

Further areas for consideration by members were detailed in the report as follows:-

- ◆ retrospective benefit of £61 million as a result of the implementation of Service Concessions, if approved, and ways in which this benefit could be used, as indicated in Appendix 2 and Table 3 of the report
- ◆ the impact of a Scotland wide non-domestic rates revaluation
- ◆ inflationary cost pressures

The position would continue to be monitored and reported to members as appropriate.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the update to the Budget Strategy and further corporate solutions, resulting in a potential residual budget gap of £10.5 million, as detailed in section 5.11 of the report, be noted;
- (2) that the benefit resulting from the implementation of Service Concessions including the £61 million retrospective benefit, as detailed in section 6.1 of the report, and the potential utilisation detailed in sections 5.9, and 6.2 and 6.3 of the report, be noted;
- (3) that the other budget areas for consideration, detailed in section 6 and summarised in Table 4 of the report, be noted; and
- (4) that the summary and information on next steps, as detailed in section 7 of the report, be noted.

[Reference: Minutes of 21 September 2022 (Paragraph 11)]

11 Programme for Government 2022/2023

A report dated 4 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on key aspects of the Scottish Government's Programme for Government 2022/2023 and progression of the relevant elements in South Lanarkshire.

The Scottish Government published its Programme for Government (PfG) 2022/2023 entitled "A stronger and more resilient Scotland" on 6 September 2022. It set out the Government's key legislative and policy priorities for 2022/2023 and its response to the cost crisis.

The document focused on the following priorities:-

- ◆ the cost crisis
- ◆ children, young people and Scotland's national mission on child poverty
- ◆ excellent public services: recovering strongly from the pandemic
- ◆ transforming our economy
- ◆ tackling the climate emergency
- ◆ restoring our environment
- ◆ supporting our communities
- ◆ Scotland in the world

The Programme highlighted a range of high level and more detailed initiatives under those priorities and a number of headline actions, identified as relating significantly to local government, were detailed in the report.

Appendix 1 of the report showed the following for each of the themes identified in the PfG 2022/2023

- ◆ a summary of the relevant element in the Programme
- ◆ the focus from a Council perspective
- ◆ actions identified
- ◆ an indicative timeline and route for reporting to the relevant Committees

Executive Directors would report on relevant aspects of the PfG in their regular monitoring reports to committee.

The Committee decided:

- (1) that the report be noted;
- (2) that it be noted that Executive Directors would report on relevant aspects of PfG as part of their regular reports to committees.

[Reference: Minutes of 3 November 2021 (Paragraph 11)]

12 South Lanarkshire Anti-social Behaviour Strategy 2019 to 2023 Annual Review 2021/2022

A report dated 12 October 2022 by the Interim Executive Director (Housing and Technical Resources) was submitted on the 2021/2022 annual review of the South Lanarkshire Anti-social Behaviour Strategy 2019 to 2023.

The Strategy, approved by this Committee in November 2019, set out the priorities which required to be addressed and the actions to be taken over its time span. The Strategy was constructed around the following 6 strategic outcomes:-

- ◆ “people behave responsibly in their attitude to alcohol and the impact of drug misuse is reduced
- ◆ people behave responsibly in relation to fire safety
- ◆ the impact of domestic noise is reduced
- ◆ illegally discarded litter and household waste is reduced, improving the safety and attractiveness of communities
- ◆ levels of disorder are reduced, improving safety within communities
- ◆ partners engage with residents to promote and improve the availability of and access to services for those affected by anti-social behaviour”

The 2021/2022 review of the Strategy identified that good progress had been made and a summary of progress against each of the 6 strategic outcomes was provided in the report and in the review document, attached as Appendix 1 to the report. Details were also provided on actions which:-

- ◆ had not been achieved
- ◆ had been achieved in part
- ◆ would be reported later

Details were also given on:-

- ◆ the use of Council communication channels in promoting successful outcomes and performance relating to anti-social behaviour
- ◆ referrals to the Mediation Service

- ♦ the level of complaints received by the Area Housing Teams and Anti-social Investigation Team

The review document would be submitted to the meeting of the Safer South Lanarkshire Board to be held on 12 December 2022 for noting.

There followed a discussion during which officers responded to members' questions on various aspects of the report.

The Committee decided: that the progress detailed in the 2021/2022 review of the Anti-social Behaviour Strategy 2019 to 2023, as highlighted in Appendix 1 to the report, be noted.

[Reference: Minutes of 23 June 2021 (Paragraph 14)]

13 Urgent Business

There were no items of urgent business.

14 Exclusion of Press and Public

The Committee decided: 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 was likely that there would be disclosure of exempt information in terms of Paragraph 8 of Part I of Schedule 7A of the Act.

15 Capital Programme – Clyde Bridge Replacement Project

A report dated 19 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on action taken, in terms of Standing Order No 37(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 an adjustment to the existing capital programme in relation to the Clyde Bridge replacement project and to agree to award the contract without delay at the conclusion of the tender process.

The Committee decided: that the following action taken, in terms of Standing Order No 37(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, be noted:-

- ♦ approval of the adjustment to the existing capital programme in relation to Clyde Bridge, as detailed in section 4 of the report
- ♦ approval to award the contract without delay at the conclusion of the current tender process