

## ENTERPRISE RESOURCES COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 1 September 2010

### Chair:

Councillor Chris Thompson

### Councillors Present:

John Anderson, Eileen Baxendale, John Cairney, Peter Craig, Jim Docherty, Lynn Filshie, Beith Forrest, Ian Gray, Graeme Horne, Denis McKenna, Davie McLachlan, John McNamee, Mary McNeill, John Murray (Depute), Graham Scott, Mary Smith, George Sutherland, Jim Wardhaugh

### Councillors' Apologies:

Barry Douglas, Eileen Logan, Joe Lowe, Edward McAvoy, Henry Mitchell

### Attending:

#### Corporate Resources

P MacRae, Administration Officer

#### Enterprise Resources

C McDowall, Executive Director; A Colthart, Head of Support Services; G MacKay, Head of Roads and Transportation Services; J McCaffer, Head of Regeneration

#### Finance and Information Technology Resources

K Main, Accountant

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## 1 Declaration of Interests

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The following interests were declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Scott and Thompson	Partnership Agreement with Clyde Gateway Urban Regeneration Company and Glasgow City Council for Enabling Works	Members of the Board of Directors of Clyde Gateway Urban Regeneration Company

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## 2 Minutes of Previous Meeting

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The minutes of the meeting of the Enterprise Resources Committee held on 2 June were submitted for approval as a correct record.

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

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## 3 Enterprise Resources - Revenue Budget Monitoring 2010/2011

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A joint report dated 27 July 2010 by the Executive Directors (Finance and Information Technology Resources) and (Enterprise Resources) was submitted comparing actual expenditure at 9 July 2010 against budgeted expenditure for 2010/2011 for Enterprise Resources.

Details were provided on proposed budget virements to realign budgets.

**The Committee decided:**

- (1) that the underspend on Enterprise Resources' revenue budget of £0.008 million (0.06%), as detailed in Appendix A to the report, and the forecast to 31 March 2011 of a breakeven position be noted; and
- (2) that the budget virements, as detailed in the appendices to the report, be approved.

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#### **4 Enterprise Resources - Capital Budget Monitoring 2010/2011**

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A joint report dated 27 July 2010 by the Executive Directors (Finance and Information Technology Resources) and (Enterprise Resources) was submitted advising of progress on Enterprise Resources' capital programme for 2010/2011 and summarising the expenditure position at 9 July 2010.

**The Committee decided:** that the Enterprise Resources' capital programme of £27.126 million and expenditure to date of £3.009 million be noted.

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#### **5 Enterprise Resources - Workforce Monitoring - April to June 2010**

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A joint report dated 3 August 2010 by the Executive Directors (Corporate Resources) and (Enterprise Resources) was submitted on the following employee information for Enterprise Resources for the period April to June 2010:-

- ◆ attendance statistics
- ◆ occupational health statistics
- ◆ accident/incident statistics
- ◆ disciplinary hearings, grievances and Dignity at Work cases
- ◆ analysis of leavers

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

*[Reference: Minutes of 2 June 2010 (Paragraph 3)]*

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#### **6 Sustrans Memorandum of Understanding**

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A report dated 3 August 2010 by the Executive Director (Enterprise Resources) was submitted on a proposal to enter into a Memorandum of Understanding with Sustrans to provide improved facilities for walking and cycling and to promote and encourage active travel.

The partnership with Sustrans would provide the Council with additional funding of approximately £168,000 which would be used as follows:-

National Cycle Network 74	£100,000
Heathery Knowe and St Louise's Primary Schools - improved walking and cycling links	£ 14,000
Improvements to pedestrian facilities in East Kilbride	£ 5,000
Cycle link connecting East Mains, East Kilbride	£ 15,000
St Kenneth's and Kirktonholme Primary Schools – introduction of mandatory 20mph areas	£ 20,000
Croftfoot Railway Station – improved walking and cycling links	£ 14,000

**The Committee decided:** that the Executive Director (Enterprise Resources) be authorised to enter into the Sustrans Memorandum of Understanding, in consultation with the Head of Legal Services, as appropriate, on terms which were in the best interests of the Council.

*[Reference: Minutes of 28 October 2009 (Paragraph 7)]*

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## **7 Partnership Agreement with Clyde Gateway Urban Regeneration Company and Glasgow City Council for Infrastructure and Enabling Works**

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A report dated 16 July 2010 by the Executive Director (Enterprise Resources) was submitted on proposals to:-

- ♦ enter into a Partnership Agreement and subsequent associated Contribution Agreements with Clyde Gateway Urban Regeneration Company (URC) and Glasgow City Council (GCC) for the delivery of infrastructure and enabling works as part of the major regeneration project in the Clyde Gateway area which extended across the east end of Glasgow and the north west part of the South Lanarkshire Council area
- ♦ amend the Scheme of Delegation to allow the Executive Director (Enterprise Resources) to sign Contribution Agreements which would be entered into on an individual basis in accordance with the Partnership Agreement

Clyde Gateway URC had identified enabling and infrastructure works to be carried out in the Clyde Gateway area over the next 2 years. The works were in the Dalmarnock and Shawfield area, with some works falling within the South Lanarkshire area. South Lanarkshire Council (SLC) would be offered the first opportunity to design and construct work packages which were entirely or substantially within the SLC area. In addition, should GCC decline to procure work packages within the GCC area, SLC would be given that opportunity.

The purpose of the Agreement was to set out the broad principles on which the parties would deliver and contribute to the cost of delivering the works. The Partnership Agreement committed the URC to fund at least 80% of the cost of work packages, with the balance being met by either SLC or GCC depending on the location of the works. The appropriate council would enter into a Contribution Agreement with URC when a detailed proposal for a package of work had been approved by the URC. This Agreement, within the SLC boundary, would provide design work for Transportation Engineering and work for Roads Contracting Services.

**The Committee decided:**

- (1) that the Executive Director (Enterprise Resources) be authorised to enter into a Partnership Agreement with Clyde Gateway Urban Regeneration Company and Glasgow City Council for the delivery of infrastructure and enabling works, in consultation with the Head of Legal Services, as appropriate, on terms which were in the best interests of the Council; and
- (2) that powers be delegated to the Executive Director (Enterprise Resources) to sign Contribution Agreements to be entered into with Clyde Gateway URC in accordance with the Partnership Agreement.

*Councillors Scott and Thompson, having declared an interest in this item, withdrew from the meeting during its consideration. Councillor Murray took the Chair for this item only*

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## **8 Metropolitan Glasgow Strategic Drainage Partnership**

A report dated 17 August 2010 by the Executive Director (Enterprise Resources) was submitted on proposals to:-

- ♦ agree to Commissioning Conditions and subsequent associated Commissioning Agreements relative to the delivery of the Metropolitan Glasgow Executable Drainage Plan by the Metropolitan Glasgow Strategic Drainage Partnership (MGSDP) by entering into a Deed of Declaration
- ♦ amend the Scheme of Delegation to allow the Executive Director (Enterprise Resources) to sign the Commissioning Agreements which would be entered into by the Council for individual projects to be carried out by the MGSDP

The MGSDP had been established to address inadequate water supply and drainage infrastructure issues to prevent future flooding. The MGSDP was a collaboration of partners responsible for delivering the proposed Metropolitan Glasgow Executable Drainage Plan, the means by which sewerage and drainage infrastructure would be provided to the Metropolitan Glasgow area. The Drainage Plan encompassed a catchment area which included parts of South Lanarkshire as well as other council areas. The MGSDP was currently made up of Glasgow City Council, South Lanarkshire Council, Scottish Water, the Scottish Environment Protection Agency and Clyde Gateway Urban Regeneration Company. It was anticipated, however, that East Dunbartonshire, East Renfrewshire, North Lanarkshire and West Dunbartonshire Councils would also join the MGSDP.

In order for the MGSDP to deliver the project, a number of consultants would be required to provide advice and carry out investigative work on the implementation and delivery of the project. Some members of the MGSDP would have responsibility for commissioning and paying consultants' fees. The members of the MGSDP had agreed to the terms of the Commissioning Conditions which set out arrangements by which the individual pieces of work forming part of the project would be commissioned and managed across the MGSDP and the manner in which the parties would contribute towards payment of consultants' fees. The Commissioning Conditions would apply to each Contribution Agreement entered into for each individual project. A Deed of Declaration would be entered into by the members of the MGSDP to formalise their agreement of the Commissioning Conditions. The Deed was fundamental to integrated surface water management and would also be a significant step towards the Council and the other members of the MGSDP meeting their obligations under the Flood Risk Management (Scotland) Act 2009.

### **The Committee decided:**

- (1) that the Council enter into a Deed of Declaration with the other members of the Metropolitan Glasgow Strategic Drainage Partnership (MGSDP); and
- (2) that the Executive Director (Enterprise Resources) be authorised to sign the Commissioning Agreements to be entered into with the relevant members of the MGSDP in terms of the Commissioning Conditions.

*[Reference: Minutes of 2 July 2008 (Paragraph 15)]*

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## **9 Economic Development Officer - Extension to Temporary Contract**

A joint report dated 2 August 2010 by the Executive Directors (Enterprise Resources) and (Corporate Resources) was submitted on a proposal to extend the temporary contract of an externally funded Economic Development Officer post in Regeneration Services.

On 20 February 2008, the Committee had approved the establishment of a post funded by the NHS Lanarkshire South Community Health Partnership to:-

- ◆ adopt the approach taken by the Council's Funding and Development team to attract funds for NHS Lanarkshire
- ◆ strengthen existing support provided by the team to South Lanarkshire's existing health partnerships
- ◆ work as part of the Funding and Development Team on the funding of related fields such as care and healthy lifestyles

Funding for this post for a 2 year period had been provided by NHS Lanarkshire. During this period, external funding of £1.713 million had been secured to promote good health and wellbeing which had contributed to the targets set within the South Lanarkshire Single Outcome Agreement.

In addition to funding remaining within the current budget which would support the post until March 2011, NHS Lanarkshire had given its written commitment to fund this post for 2011/2012. In view of the success of the project to date and this further financial commitment, it was, therefore, proposed to extend the existing temporary contract until March 2012. There would be no costs associated with this proposal for the Council other than the ongoing supervision as part of the Funding and Development Team.

**The Committee decided:** that the temporary contract of the externally funded Economic Development Officer post (0.8 Full-Time Equivalent), Regeneration Services be extended from 14 September 2010 to 31 March 2012.

*[Reference: Minutes of 20 February 2008 (Paragraph 8)]*

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## **10 Basic Asset Protection Agreements (BAPAs)**

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A report dated 3 August 2010 by the Executive Director (Enterprise Resources) was submitted on:-

- ◆ action taken, in terms of Standing Order No 36(c) because of the timescales involved, by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to enter into Basic Asset Protection Agreements with Network Rail
- ◆ a proposal to amend the Scheme of Delegation to allow the Executive Director (Enterprise Resources) to enter into future Basic Asset Protection Agreements with Network Rail

A Basic Asset Protection Agreement (BAPA) was a standard Network Rail agreement which local authorities were required to enter into when working on Network Rail land or close to operational railway lines. The BAPA required the Council:-

- ◆ to agree work programmes with Network Rail
- ◆ or their designers, to exercise reasonable skill, care and diligence
- ◆ to pay all costs incurred by Network Rail in connection with the works
- ◆ to indemnify Network Rail for all losses, liabilities and claims which might arise as a result of the works

In addition, the BAPA allowed Network Rail to suspend the work if they considered the safety of the rail network was at risk.

The Council was progressing 2 new traffic signal installations in close proximity to railway infrastructure. The first location was at Peacock Cross in Hamilton and was part of the wider package of traffic management improvements in the area. The second location was at the junction of Hamilton Road/Hamilton Street/Summerlee Road in Larkhall where traffic signals were being introduced to support the redevelopment of the Summerlee Roads Depot site as a new primary school.

The requirement to enter into a BAPA had not originally been expected due to the works taking place within the existing public road boundary. However, due to the likely risk to the rail network, Network Rail had confirmed that a BAPA would be required at both locations prior to the works commencing during August/September 2010.

**The Committee decided:**

- (1) that the action taken, in terms of Standing Order No 36(c) because of the timescales involved, by the Executive Director (Enterprise Resources), in consultation with the Chair and an ex officio member, to enter into a Basic Asset Protection Agreement with Network Rail in respect of traffic signal improvement works at Peacock Cross, Hamilton and Hamilton Street, Larkhall, be noted; and
- (2) that powers be delegated to the Executive Director (Enterprise Resources) to enter into any future Basic Asset Protection Agreements with Network Rail, in consultation with the Head of Legal Services, as appropriate, on terms which were in the best interests of the Council.

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## **11 Urgent Business**

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There were no items of urgent business.