

SOUTH LANARKSHIRE COUNCIL

Minutes of meeting held via Microsoft Teams on 23 June 2021

Chair:

Provost Ian McAllan

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor John Bradley, Councillor Walter Brogan, Councillor Robert Brown, Councillor Archie Buchanan, Councillor Janine Calikes, Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Gerry Convery, Councillor Margaret Cooper, Councillor Poppy Corbett, Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Isobel Dorman, Councillor Fiona Dryburgh, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor Geri Gray, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Ian Harrow, Councillor Eric Holford, Councillor Graeme Horne, Councillor Mark Horsham, Councillor Martin Grant Hose, Councillor Ann Le Blond, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Joe Lowe, Councillor Hugh Macdonald, Councillor Julia Marrs, Councillor Monique McAdams, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Colin McGavigan, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Lynne Nailon, Councillor Richard Nelson, Councillor Carol Nugent, Councillor Mo Razzaq, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Collette Stevenson (Depute), Councillor Bert Thomson, Councillor Margaret B Walker, Councillor Jim Wardhaugh, Councillor Jared Wark, Councillor David Watson, Councillor Josh Wilson

Councillors' Apologies:

Councillor Jackie Burns, Councillor Graeme Campbell

Attending:

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

M McGlynn, Executive Director

Education Resources

C McKenzie, Head of Education (Broad General Education)

Finance and Corporate Resources

P Manning, Executive Director; N Docherty, Administration Assistant; T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; S Somerville, Administration Manager

Housing and Technical Resources

D Lowe, Executive Director

Social Work Resources/Health and Social Care

M Hayward, Interim Chief Officer; L Purdie, Head of Children and Justice Services

Also Attending:

South Lanarkshire Leisure and Culture Limited

G Booth, General Manager

Opening Remarks

The Provost referred to the horrific, targeted attack on Councillor Campbell's home and, on behalf of the Council, wished to extend a message of support and solidarity to Councillor Campbell and his family.

Councillor Allison wished to thank members for the support offered to Councillor Campbell and his family during this time. He also requested that, in more general terms, the Council consider the protection of both its members and officers to enable them to undertake their duties in a safe manner.

The Chief Executive stated that he was appalled by the nature of the attack on Councillor Campbell's home and advised that the Council would co-operate fully with Police Scotland to assist in their investigations to find those responsible. In terms of protection and safety, he confirmed that new materials were being made available through the Local Government Improvement Service and would be considered by COSLA in the near future. Once approved, consideration would be given on how those could be applied locally and what supports could be given to both members and officers.

Councillors Ross, Fagan, Brown and Cooper, in turn, expressed their Group's sympathies and support for Councillor Campbell and his family.

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the South Lanarkshire Council held on 10 March 2021 were submitted for approval as a correct record.

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

3 Minutes of Risk and Audit Scrutiny Committee

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 9 December 2020 were submitted for noting.

The Council decided: that the minutes be noted.

4 Climate Change and Sustainability Committee - Proposed Amendment to Terms of Reference

A report dated 27 May 2021 by the Executive Director (Finance and Corporate Resources) was submitted proposing an amendment to the Terms of Reference for the Climate Change and Sustainability Committee.

The current Terms of Reference for the Climate Change and Sustainability Committee did not permit the Committee to take decisions in terms of investment and resources, however, it could endorse and make recommendations to the Executive Committee. Following discussions at the Executive Committee on 26 May 2021, it was proposed that, in order to expedite the decision-making process, paragraph 1.12 of the existing Terms of Reference for the Climate Change and Sustainability Committee be amended to permit decisions to be taken on resources, but only to the extent of that within the financial package which had previously been agreed by either the Executive Committee or the Council and through prior consultation with the Executive Director (Finance and Corporate Resources). A revised Terms of Reference, highlighting the specific changes, was attached as Appendix 1 to the report.

Councillor Ross, seconded by Councillor Chalmers, moved the recommendations in the report. Councillor Fagan, seconded by Councillor Convery, moved as an amendment that the item be deferred for consideration by the new Council following the Local Government Elections in May 2022.

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

Motion

Alex Allison, John Anderson, John Bradley, Robert Brown, Archie Buchanan, Janine Calikes, Stephanie Callaghan, Maureen Chalmers, Margaret Cooper, Poppy Corbett, Peter Craig, Mary Donnelly, Isobel Dorman, Grant Ferguson, Alistair Fulton, Geri Gray, George Greenshields, Ian Harrow, Eric Holford, Graeme Horne, Mark Horsham, Martin Grant Hose, Ann Le Blond, Richard Lockhart, Katy Loudon, Joe Lowe, Hugh Macdonald, Julia Marrs, Ian McAllan, Kenny McCreary, Colin McGavigan, Mark McGeever, Jim McGuigan, Gladys Miler, Lynne Nailon, Richard Nelson, Carol Nugent, John Ross, David Shearer, Collette Stevenson, Jim Wardhaugh, Jared Wark, David Watson, Josh Wilson

Amendment

Walter Brogan, Andy Carmichael, Gerry Convery, Margaret Cowie, Maureen Devlin, Joe Fagan, Allan Falconer, Lynsey Hamilton, Martin Lennon, Eileen Logan, Monique McAdams, Catherine McClymont, Davie McLachlan, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker

17 members voted for the amendment and 44 for the motion which was declared carried.

The Council decided: that the amendment to the Climate Change and Sustainability Committee's Terms of Reference, as detailed at Section 4 of the report, be approved.

[Reference: Minutes of the Executive Committee of 26 May 2021 (Paragraph 6)]

Councillor Dryburgh left the meeting during this item of business and prior to the vote

5 Recommendations Referred by Executive Committee - Cross-Party Working Group Review of South Lanarkshire Leisure and Culture (SLLC) - Outcomes

A report dated 23 June 2021 by the Chief Executive was tabled on recommendations referred to the Council by the Executive Committee of 23 June 2021. The recommendations were in relation to the outcomes from the cross-party working group review of South Lanarkshire Leisure and Culture (SLLC).

The Provost responded to Councillor Loudon's Point of Order in terms of conduct and confirmed that dialogue should be via him, as Chair.

The Executive Director (Community and Enterprise Resources) and General Manager, SLLC responded to members' questions on various aspects of the report.

The Council decided: that the following recommendations of the Executive Committee of 23 June 2021 in relation to the outcomes from the cross-party working group review of South Lanarkshire Leisure and Culture be approved:-

- ◆ the governance arrangements, as set out in section 4 of the report
- ◆ the pricing arrangements, as set out in section 5 of the report

- ♦ engagement by the Council, in further consultation with community groups, to promote community asset transfer, as set out in section 8 of the report

[Reference: Minutes of the Executive Committee of 23 June 2021 (Paragraph 11)]

Councillors Corbett, Greenshields and Brogan left the meeting during this item of business

6 Notice of Motion – Submission of Motions

In terms of Standing Order No 19, a motion proposed by Councillor Campbell, seconded by Councillor Hose, was submitted as follows:-

“Since the beginning of the current council in 2017, the number of motions being put to Council under Standing Order 19 have grown exponentially. In some cases, these motions have little or nothing to do with actual council business, functions or matters within the Council’s control. In far too many occasions, the desired outcome of these motions could have been easily achieved via the member(s) contacting the relevant Council Resource and working with officers to deliver their desired goal. If the matter could not be dealt with as business as usual or under delegated authority but required a decision by the Council or Committee this would allow Officers to bring a report to Council to allow elected members to make an informed decision and consequently be a more efficient and effective use of time and resources.

We would like this position to change and therefore, we are asking the council to approve this motion which seeks the following:-

- 1) To expand Standing Order 19 so that any motion brought to the full council, should relate to matters within the remit, functions, powers and therefore the authority of the council and:
- 2) If the above can be satisfied, the councillor bringing the motion to full council, should at least have attempted to resolve the matter through either the resource leadership or Chief Executive’s office first. This in effect means that motions are only brought to the full council for decision, where the councillor has failed to achieve their desired outcome through normal council channels first.”

In the absence of Councillor Campbell, Councillor Allison moved the motion. This was seconded by Councillor Hose.

Councillor McGeever intimated his opposition to the motion as he considered it was undemocratic and would lead to more time being spent in applying any rules.

Following a full discussion and confirmation by the Head of Administration and Legal Services that, as the motion sought to change Standing Orders, it would require two thirds of those present to agree, a vote was taken by roll call. Members voted as follows:-

For the Motion

Alex Allison, John Anderson, John Bradley, Archie Buchanan, Janine Calikes, Stephanie Callaghan, Maureen Chalmers, Margaret Cooper, Peter Craig, Mary Donnelly, Isobel Dorman, Grant Ferguson, Alistair Fulton, Geri Gray, Ian Harrow, Eric Holford, Graeme Horne, Mark Horsham, Martin Grant Hose, Ann Le Blond, Richard Lockhart, Katy Loudon, Ian McAllan, Kenny McCreary, Hugh Macdonald, Colin McGavigan, Jim McGuigan, Julia Marrs, Gladys Miller, Lynne Nailon, Richard Nelson, Carol Nugent, John Ross, David Shearer, Collette Stevenson, Jim Wardhaugh, Jared Wark

Against the Motion

Robert Brown, Andy Carmichael, Gerry Convery, Margaret Cowie, Maureen Devlin, Joe Fagan, Allan Falconer, Lynsey Hamilton, Martin Lennon, Eileen Logan, Joe Lowe, Monique McAdams, Catherine McClymont, Mark McGeever, Davie McLachlan, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker, David Watson

37 members voted for the motion and 20 against the motion. As the threshold was not met in terms of two thirds of those present agreeing to the change, the motion failed to be carried.

The Council decided: that the motion be not carried.

Councillor Wilson left the meeting during this item of business due to technical issues and was not present for the vote

In terms of Standing Order No 13, the Provost adjourned the meeting following this item of business at 1.42pm and reconvened at 1.50pm

7 Notice of Motion – Unpaid Carers Resolution

In terms of Standing Order No 19, a motion proposed by Councillor Walker, seconded by Councillor Fagan, was submitted as follows:-

“A recent research study carried out by the Charity Carers Scotland has highlighted that the majority of unpaid carers (87%) in Scotland had taken on more care since the start of the COVID19 pandemic in March 2020. The findings also indicated that the work of unpaid carers in caring for older, disabled or seriously ill relatives is worth £43billion a day during the COVID pandemic and that 77% of unpaid carers are suffering from depression, anxiety and are exhausted and worn out. These findings have been reflected in surveys carried out by the Social Care Institute for Excellence published by the Scottish Government Social Care online.

The closure of Day Centre provision exacerbated this situation and we call upon the Scottish Government to ensure robust support is in place to support unpaid carers as we move out of the pandemic.

The enormous contribution of unpaid carers must be recognised by the Scottish Government. Their health and wellbeing must be prioritised. Appropriate support including increased respite opportunities, greater financial support and robust community services should be made accessible and available to unpaid carers.

In the longer term greater investment in services for carers will lead to a healthier and happier population that is better able to balance important aspects of their lives, including personal relationships, work and family.”

In moving her motion, Councillor Walker highlighted key findings from the Carers Research Report and the significant impact that COVID-19 had on unpaid carers, particularly in terms of their physical and mental health and wellbeing as well as maintaining employment. Councillor Fagan seconded the motion.

The Council decided: that the terms of the motion be supported.

Councillor Wilson re-joined the meeting during this item of business. Councillor Chalmers left the meeting during this item of business. Councillor Callaghan left the meeting following this item of business

8 Amendments to Membership of Committees, Forums, Boards and Outside Bodies

A report dated 8 June 2021 by the Executive Director (Finance and Corporate Resources) was submitted advising:-

- ♦ of proposed amendments to the membership of committees, forums, boards and outside bodies
- ♦ 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, for the reappointment of the Council's voting and substitute members on the South Lanarkshire Integration Joint Board

Councillor Holford congratulated Councillor Stevenson on being elected to the Scottish Parliament and referred to her pledge to donate her remuneration to charity. He considered, however, that taxpayers paid for the Depute Provost to undertake duties as a civic representative of South Lanarkshire Council and proposed an amendment that Councillor Stevenson should step down from her role as Depute Provost and the position be held vacant pending the election of a replacement in due course. Having heard that Councillor Stevenson intended this to be her last Council meeting in her capacity as Depute Provost, Councillor Holford withdrew his amendment.

Councillor Stevenson responded to a member's question in relation to her charity pledge and stated that it had been an honour and privilege to undertake the role of Depute Provost.

The Council decided:

(1) that the following membership changes be approved:-

- ♦ Councillor Craig to replace Councillor Stevenson as Depute Chair of Finance and Corporate Resources Committee
- ♦ Councillor Loudon to replace Councillor Stevenson as a member of the Finance and Corporate Resources Committee, with Councillor Stevenson filling the resultant place as substitute member
- ♦ Councillor Calikes to replace Councillor Callaghan as Depute Chair of Housing and Technical Resources Committee
- ♦ Councillor Donnelly and Councillor Horsham to replace Councillor Callaghan and Councillor Stevenson respectively on the Housing and Technical Resources Committee, with Councillors Callaghan and Stevenson filling the resultant places as substitute members
- ♦ Councillor Horsham to replace Councillor Callaghan as a member of both the Executive Committee and the Climate Change and Sustainability Committee, with Councillor Callaghan filling the resultant places as a substitute member
- ♦ Councillor Ferguson to replace Councillor Stevenson as a member of Community and Enterprise Resources Committee
- ♦ Councillor McAllan and Councillor Anderson to replace Councillor Stevenson and Councillor Callaghan respectively as members of the Planning Committee, with Councillor Stevenson and Councillor Callaghan filling the resultant places as substitute members
- ♦ Councillor Bradley to replace Councillor Callaghan as a member of the Licensing Committee, with Councillor Callaghan filling the resultant place as a substitute member
- ♦ Councillor Dorman to replace Councillor Callaghan as a member of the Education Resources Committee, with Councillor Callaghan filling the resultant place as a substitute member
- ♦ Councillor Chalmers to replace Councillor Callaghan as a member of the Petitions Committee, with Councillor Callaghan filling the resultant place as a substitute member
- ♦ Councillor Chalmers to replace Councillor Stevenson as a member of the Roads Safety Forum, with Councillor Stevenson filling the resultant place as a substitute member

- ◆ Councillor Calikes to replace Councillor Stevenson as a member of the Employee Issues Forum, with Councillor Stevenson filling the resultant place as a substitute member
- ◆ Councillor Macdonald to replace Councillor Callaghan as a member of the Joint Consultative Forum
- ◆ Councillor Macdonald to replace Councillor Stevenson as a member of the Safer South Lanarkshire Board
- ◆ Councillor Donnelly to replace Councillor Stevenson as a member of the Tackling Poverty Working Group
- ◆ Councillor Donnelly to replace Councillor Callaghan as a member of the Equity Working Group, with Councillor Callaghan filling the resultant place as a substitute member
- ◆ Councillor McGuigan to replace Councillor Callaghan as a member of the Education Appeals Committee
- ◆ Councillor Chalmers to replace Councillor Stevenson as a member of the Supplier Development Programme
- ◆ Councillor Wilson to replace Councillor Stevenson as a member of Scotland Excel Joint Board
- ◆ Councillor Ross to replace Councillor Stevenson as Chair of the Business Gateway Steering Group
- ◆ Councillor Ross to replace Councillor Stevenson as a member of COSLA's National Business Gateway
- ◆ Councillor McGuigan to replace Councillor Stevenson as a substitute member of the Strathclyde Partnership for Transport Board
- ◆ Councillor Horne to replace Councillor Stevenson as a member of the Strathclyde Pension Fund - Pension Board
- ◆ Councillor Craig to replace Councillor Stevenson as a member of the Scottish Council's Committee on Radioactive Substances (SCCORS)
- ◆ Councillor Buchanan to replace Councillor Stevenson as a member of East Kilbride Fairtrade Group
- ◆ Councillor Wilson to replace Councillor Stevenson as a member of APSE - Renewables and Energy Efficiency Group
- ◆ Councillor Gray to replace Councillor Callaghan as a substitute member of the West of Scotland Road Safety Forum

(2) that the following 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, be noted:-

- ◆ approval of the reappointment of Councillors Bradley and Lockhart as voting members on the South Lanarkshire Integration Joint Board
- ◆ approval of the reappointment of Councillor Nelson as a substitute member on the South Lanarkshire Integration Joint Board

9 Launch of Lanarkshire Firm Base Website

A report dated 11 June 2021 by the Executive Director (Finance and Corporate Resources) was submitted advising of the launch of Lanarkshire Firm Base website.

Firm Base was established by the Ministry of Defence to develop the delivery of policy and funding to support the military community and veterans in Scotland.

Both North and South Lanarkshire Councils had established an Armed Forces Covenant and developed Lanarkshire Firm Base. The organisation was the lead for delivering the key commitments contained in both councils' Armed Forces Community Covenants to ensure that those who currently served or previously served in the Armed Forces, as well as their families, were treated fairly.

As part of ongoing activity to promote the work of Lanarkshire Firm Base, a website had been created to signpost relevant information and contact details to support the military community and veterans. The website would be officially launched on Saturday 19 June 2021 to coincide with the Council's Armed Forces Day and in advance of National Armed Forces Week which would commence on Monday 21 June 2021.

Councillor Horsham, as Spokesperson on Veterans, wished to thank Carlyne Mitchell, Information Officer for her assistance in developing the website.

The Council decided: that the launch of Lanarkshire Firm Base website be noted.

Councillor Craig left the meeting following this item of business

10 Urgent Business

There were no items of urgent business.

Closing Remarks

Councillor Fagan intimated that he wished to raise a Point of Order and make 2 observations. Firstly, he referred to IT disruptions that had prevented some members from different Groups from not only participating, but also voting in the meeting. He considered that the Council had dealt with virtual meetings and the associated issues relatively well during the pandemic. However, he asked that, following the recess, as the position might change and potentially allow a return to meetings in person in some form, today's connectivity issues be borne in mind, with a view to minimise going forward. Secondly, he asked that procedures be established detailing circumstances in which muting councillors was permitted and that this be circulated to the Business Managers.

The Provost undertook to take forward and provide a response to the latter point.

Councillor Miller highlighted that the Council's network was accessible and secure and often the problems were from the user's home connectivity.