



Council Offices, Almada Street
Hamilton, ML3 0AA

Tuesday, 16 May 2023

Dear Councillor

South Lanarkshire Council

The Members listed below are requested to attend a meeting of the Council to be held as follows:-

Date: Wednesday, 24 May 2023

Time: 10:00

Venue: Hybrid - Council Chamber, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

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

BUSINESS

1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 3 - 8
Minutes of the meeting of South Lanarkshire Council held on 8 March 2023 submitted for approval as a correct record. (Copy attached)

- 3 **Minutes of Special Meeting**
Minutes of the special meeting of the South Lanarkshire Council held on 17 May 2023 submitted for approval as a correct record. (Copy to follow)

- 4 **Minutes of Risk and Audit Scrutiny Committee** 9 - 14
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 6 December 2022 submitted for noting. (Copy attached)

Item(s) for Decision

- 5 **Councillor McAdams - Attendance at Council Meetings** 15 - 16
Report dated 19 April 2023 by the Chief Executive. (Copy attached)
- 6 **Notice of Motion - Banning the Use of Single-Use Disposable Vapes** 17 - 18
Motion received in terms of Standing Order No. 20 on 9 May 2023, proposed by Councillor Brown and seconded by Councillor Frame. (Copy attached)
- 7 **Notice of Motion - Women Against State Pension Injustice (WASPI)** 19 - 20
Motion received in terms of Standing Order No. 20 on 9 May 2023, proposed by Councillor Nugent and seconded by Councillor Calikes. (Copy attached)

Item(s) for Noting

- 8 **Local Government By-Election- Electoral Ward 9 (East Kilbride West)** 21 - 22
Report dated 2 May 2023 by the Chief Executive. (Copy attached)

Urgent Business

- 9 **Urgent Business**
Any other items of business which the Provost decides are urgent.

For further information, please contact:-

Clerk Name:	Susan Somerville
Clerk Telephone:	07557323097
Clerk Email:	susan.somerville@southlanarkshire.gov.uk

Minutes of the meeting held via Confero and the Council Chamber on 8 March 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 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 Norman Rae, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor John Ross, Councillor Dr Ali Salamati, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner, Councillor Margaret B Walker, Councillor David Watson

Councillors' Apologies:

Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Monique McAdams, Councillor Carol Nugent

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

T McDaid, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; N Docherty, Administration Assistant; G McCann, Head of Administration and Legal Services; 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

Minute's Silence

At the Provost's invitation, all present observed a minute's silence to mark a year since the invasion of Ukraine by Russia.

1 Sederunt and Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 7 December 2022 were submitted for approval as a correct record.

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

3 Minutes of Previous Special Meetings

The minutes of the special meetings of South Lanarkshire Council held on 18 January and 22 February 2023 were submitted for approval as a correct record.

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

4 Minutes of Risk and Audit Scrutiny Committee

The minutes of the meeting and the special meeting of the Risk and Audit Scrutiny Committee held on 27 September and 25 October 2022 were submitted for noting.

The Council decided: that the minutes be noted.

5 Notice of Motion – Space to Play South Lanarkshire

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

“This council believes that South Lanarkshire should be the best place for children and young people to grow up in. Our children deserve a play-positive environment where the importance of play to children and families, health, well-being, local communities and the environment is valued and understood. Access to high quality spaces for play is one of the building blocks of childhood and brings multiple benefits to the child and local communities, and is more important than ever for post covid recovery and cost of living concerns.

The Council welcomes the commitment by the Partnership Administration to “introduce a Play Strategy to make South Lanarkshire more play-positive, with upgraded play parks, accessible play equipment and safe outdoor spaces” and notes the cross party recognition of the importance of improving play facilities and shared support for the preparation of a play strategy for South Lanarkshire.

The Council further welcomes the intentions in the National Planning Framework 4 (policy 21) to encourage, promote and facilitate spaces and opportunities for play, recreation and sport in local development plans.

The Council affirms its support for both the UN Convention on the Rights of the Child and Scotland’s Play Charter; recognising that all children have the right to have fun, creative, fulfilling and development-rich play experiences throughout their childhoods.

Therefore, South Lanarkshire Council:-

1. Welcomes ongoing work on Open Space Strategies, the Play Sufficiency Assessments and Children’s participation duties made under the Planning (Scotland) Act 2019, requiring local authorities to assess the sufficiency of play opportunities in their area

2. Agrees that the results of these assessments and engagement with a wide range of partners, including Community Planning, be used to inform the South Lanarkshire Play Strategy leading to South Lanarkshire becoming a play positive place where the value of play is fully recognised, comes higher up everyone's agenda and wider action is taken
3. Develops proposals to consider the implications of signing up to Play Charter (<https://www.playscotland.org/get-involved/membership/scotlands-play-charter/>)
4. Will ensure that the voices of children and young people are heard on decisions that affect them, including on play, by implementing the relevant regulations and the council's own planning guidance on "community involvement in greenspaces".
5. Will work with local people to enhance local greenspaces and woodlands for play, improving access, removing hazardous waste and increasing biodiversity.

Council notes:-

- a. The work being done to assess the condition and inclusiveness of South Lanarkshire's playparks and ensure effective spend of the Playpark Renewal Fund, but regrets that the Fund falls considerably short of requirements to ensure the programme has enough resources and funding to complete its work, with the council now seeking funding from a range of sources to top up the fund to complete the programme
- b. The opportunities to make parks as inclusive and as accessible as possible, in line with the Play Park Renewal Fund principles, particularly 'destination parks', and that these should be informed by quality engagement and partnership with local groups; and
- c. that the Play Strategy will drive forward improvement actions such as:
 - i. costing up solutions responding to the conclusions of the Play Sufficiency Assessments, including consideration of low, no cost and community action to enhance play
 - ii. working with partners, including community-led initiatives, to assess the opportunities and benefits to open up more play assets in a managed way
 - iii. exploring opportunities to leave suitable natural loose parts material from Grounds operations for play.
 - iv. work with communities and agencies to address any anti-social behaviour affecting play at a local level, bringing local people together to find solutions.

Council requests that a full report be made to Committee on the progress of the Play Strategy, following conclusion of work on Open Space Strategies and Play Sufficiency Assessments".

Councillor Robb, in moving her motion, acknowledged that several parties in the Chamber, as well as organisations, had made a commitment in terms of the issue of play as part of their manifestos or aims. She highlighted the importance of seeking out and listening to children's voices in making decisions around play and how play was key to children's development. She considered that having a variety of play spaces, well planned communities and a play positive culture was an investment in the learning, health and wellbeing of children. She also welcomed the fact that the National Planning Framework 4 placed a strong emphasis on play spaces and that the Council would be involving children in assessing local play opportunities to inform a play strategy.

Councillor McGeever, in seconding the motion, referred to this matter being a priority shared by colleagues across the Chamber and how the intention was that action would be taken to build on the existing excellent work and efforts that had been undertaken by officers to date. He echoed Councillor Robb's sentiments that a play positive culture was required.

Councillor Loudon, seconded by Councillor Clark, moved the following as an amendment:-

“After point 4, “community involvement in greenspaces”, insert;

There will be specific engagement with young people via the South Lanarkshire Youth Council, and other appropriate bodies such as the Regen:fx Youth Trust; to recognise the importance of safe and welcoming spaces for unstructured play for older children and young people, to challenge perceptions of play as being an activity for younger children, and to embed their priorities and perspective – including the use of language – in emerging policy.

After point 5, insert;

6. As policies on play emerge, Councillors will be provided with further specific guidance on how to evaluate developers' plans to include play areas and equipment within new housing developments against best practice guidelines on play. This will include information on accessible and inclusive equipment, and on future maintenance and development to ensure ongoing play value.

Supporting statement

The Play Charter asks us to enshrine children and young people's right to play “from the moment they are born until they become adults”. There can be preconceptions around the meaning and importance of ‘play’ for older children and young people, even around whether or not they use the word ‘play’ to describe their outdoor activities. Section 1 of the amendment is designed to strengthen the motion's intent to embed the voices of older children and young people into emergent policy.

Across South Lanarkshire, many children and young people access play equipment and areas built by developers as part of new housing developments. These areas can be of variable quality, and maintained to a variable standard. Although the Council has no responsibility for their upkeep, we have the opportunity to ensure that they are built according to best practice guidelines on play, and that their upkeep and development has been considered, via the planning process. The second section of the amendment aims to strengthen the motion by ensuring that Councillors are empowered with the information they need to evaluate proposals in new developments.”

Councillor Loudon advised that her amendment was in 2 parts, both of which were designed to strengthen the motion. The first related to play for older children and young people, with the other relating to planning and development. She referred to today being International Women's Day and to the research report compiled by the organisation ‘Make Space for Girls’ on teenage girls' use of public space for play. This showed that, as girls got older, there were barriers which prevented them from accessing public spaces for play. She considered that was why sensitive and specific consultation with older children and young people was so important in order to understand the barriers to outdoor activity. In terms of the second part of the amendment, she referred to many children and young people accessing play equipment and areas built by developers as part of new housing developments and, although the Council had no responsibility for their upkeep, councillors had the opportunity to ensure that they were built according to best practice guidelines on play. Councillor Clark seconded the amendment and highlighted the importance of consultation with older children and young people to help shape the Council's approach in this matter.

Following discussion, Councillors Robb and McGeever confirmed that they accepted the contents of the amendment as an addendum to their motion.

The Council decided: that the motion, as amended, be agreed and, following conclusion of work on Open Space Strategies and Play Sufficiency Assessments, a full report be made to committee on the progress of the Play Strategy.

Councillors Brogan and Ross joined the meeting during this item of business

6 Item of Urgent Business – South Lanarkshire Leisure and Culture Board Decision on Savings

In terms of Standing Order No 4(c), the Provost decided that consideration be given to a request from Councillor Allison, seconded by Councillor Nelson, to hold a members' awareness session on asset appraisal, on or before 24 March 2023, following a decision taken by the South Lanarkshire Leisure and Culture Board to make savings, in order to achieve a balanced budget, which meant the handover of some premises back to the Council.

The Council decided: that arrangements be made for a members' awareness session to be held, on or before 24 March 2023, on asset appraisal.

RISK AND AUDIT SCRUTINY COMMITTEE

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 6 December 2022

Chair:

Councillor Elaine McDougall

Councillors Present:

Councillor Mary Donnelly (Depute), Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Cal Johnston-Dempsey, Councillor Susan Kerr, Councillor Richard Lockhart

Councillors' Apologies:

Councillor Mathew Buchanan, Councillor Celine Handibode

Attending:

Finance and Corporate Resources

Y Douglas, Audit and Compliance Manager; T Little, Head of Communications and Strategy; C Lyon, Administration Officer; A Norris, Administration Assistant

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 27 September 2022 were submitted for approval as a correct record.

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

3 Minutes of Special Meeting

The minutes of the special meeting of the Risk and Audit Scrutiny Committee held on 25 October 2022 were submitted for approval as a correct record.

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

4 Audit Scotland: The National Fraud Initiative in Scotland 2020

A report dated 22 November 2022 by the Executive Director (Finance and Corporate Resources) was submitted on Audit Scotland's report – The National Fraud Initiative in Scotland 2020 (August 2022).

The National Fraud Initiative (NFI) was a counter-fraud exercise which took data from councils and other public bodies and cross matched to identify the potential for fraud. Participating bodies were then informed of the resulting indicative matches and were responsible for investigating a proportion of those matches using a risk-based approach. Audit Scotland had responsibility for co-ordinating the exercise across Scotland.

The 2020 exercise matched data across a wide range of data groups and information was provided on the target investigations and outcomes in Appendix 1 to the report.

Audit Scotland had published an overview report that set out NFI outcomes across Scotland, drew conclusions from those results and made recommendations for consideration ahead of participation in the next NFI exercise.

Within the Audit Scotland report, financial outcomes were expressed in terms of fraud, overpayment or error detected as a result of the NFI exercise. Figures reported also included estimated future losses avoided as a result of the exercise as well as notional losses incurred as a result of delayed detection. Information was provided on those estimation bases in Appendix 2 to the report.

Details were provided on approved and potential expansion of NFI powers.

132 Scottish public bodies including Central Government, local authorities and NHS took part in the 2020 NFI exercise. This was an increase from the previous exercise where 124 bodies took part.

Despite an increase in the number of bodies participating in the exercise, the overall number of matches across Scotland fell to 507,354, a decrease of around 12.6%. The overall financial outcomes fell to £14.9 million, a decrease of around 2.6%. Within South Lanarkshire, matches increased by 3,066 and outcomes increased by £292,033. This increase mainly related to new match areas in the 2020 exercise of Covid-19 Grants and Blue Badges.

Audit Scotland concluded within their report that the reduction in matches might be due to less fraud and error in the system, strong internal controls or some key datasets from previous years not being included in the latest exercise. Further detail was provided noting that residential care home data, direct payments and social care customers' data were not matched in the 2020 Exercise due to legal questions around the definition of patient data. Immigration data was not included in either the 2018 or 2020 exercises due to restrictions placed by the Home Office.

The Audit Scotland Report included a 2-part checklist for participating bodies to use to self-appraise their involvement in the NFI prior to and during the NFI exercise. The completed checklists were attached at Appendices 3 and 4 of the report. In addition, the report set out suggestions for improving efficiencies and effectiveness and the Council's responses against each of those points were detailed in Appendix 5 of the report.

Officers responded to a member's question on various aspects of the report.

The Chair, on behalf of the Committee, thanked the Audit and Compliance Manager and team for the extensive work undertaken on the 2020 NFI exercise.

The Committee decided:

- (1) that the contents of the report be noted; and
- (2) that the actions outlined in Appendix 5 be approved.

5 Internal Audit Activity as at 18 November 2022

A report dated 22 November 2022 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ◆ providing an update on progress by, and performance of, the Internal Audit service during the period 10 September to 18 November 2022
- ◆ advising of the planned external assessment of the Council's Internal Audit Function's level of compliance with the Public Sector Internal Audit Standards (PSIAS)

Findings from internal audit assignments were reported to the Committee throughout the year and the last progress report was considered by this Committee on 27 September 2022. Key performance indicators, which reflected quality, on time and within budget for the period to 30 September 2022, were summarised in Appendix 1 to the report. 100% of draft reports were issued on time and 100% within budget against targets of 80% respectively. Quality continued to be monitored through internal quality control procedures.

As at 18 November 2022, 12% of the 2022/2023 Audit Plan was completed, with a further 12% anticipated to be concluded by 31 December 2022. Of the remaining 76%, 40% related to assignments that were planned to conclude in the period 1 January to 31 March 2023 and 36% to tasks that continued throughout the year and would be closed at financial year end.

Client contributions to the delivery of the audit plan took the form of responding to draft reports, agreeing to close meetings and signing reports timeously once agreed. 100% of audit assignments were concluded to a signed action plan within 4 weeks of the issue of a draft report against a target of 80%.

An update on all assignments completed in the period 10 September to 18 November 2022, together with a summary of overall assurances from each area of work, was provided in Appendix 2 to the report.

As part of the external Public Sector Internal Audit Standards (PSIAS) assessment, the intention had been to complete the self-assessment questionnaire and pass to East Lothian Council, the Council's external examiners for the purposes of the 2022/2023 PSIAS inspection, in December 2022. Despite a short delay in commencing the self-assessment exercise, it was anticipated that the independent inspection would be concluded by 31 March 2023.

The Committee decided:

- (1) that progress and performance of the Internal Audit service be noted; and
- (2) that the planned external assessment of the level of compliance of the Council's Internal Audit service with PSIAS be noted.

[Reference: Minutes of 27 September 2022 (Paragraph 4)]

6 Audit Scotland: Local Government in Scotland Overview 2022

A report dated 28 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the summary of Audit Scotland's report – Local Government in Scotland in June 2022.

This 'overview' report was prepared each year and covered key areas of current and future activity relative to local government and an opinion on how those were or should be managed.

The latest Local Government Overview (LGO) was the second in a series of reports reflecting on the evolving and long-term nature of the impact of Covid-19. The 2021 report considered the initial response phase of the pandemic from March 2020 to February 2021, while this report looked at the second year of the pandemic from March 2021 to February 2022.

The 2022 report built on last year's LGO and assessed:-

- ◆ the ongoing impact of Covid-19 and councils' progress towards recovery and renewal
- ◆ how councils were positioned to address long-term priorities including climate change, inequality and public service reform
- ◆ how effectively council leadership was managing recovery and renewal

The Accounts Commission had prepared a checklist of questions for Elected Members to consider and this was attached as Appendix 1 to the report.

The report contained the following 6 key messages:-

- ◆ councils had had a very difficult year, alongside the ongoing response to the pandemic, councils had faced challenges in recovering services, dealing with increased demand and backlogs, and meeting community needs and expectations
- ◆ the challenging context meant collaborative leadership was more important than ever
- ◆ the pressure on the local government workforce continued
- ◆ the impact of the pandemic and service disruption had been felt most strongly by those already experiencing inequality
- ◆ the early response showed what could be achieved by working closely with communities and the voluntary sector
- ◆ improvements were needed in data availability, tools and skills to support performance monitoring, strategic decision-making and planning service improvements

The report was structured around the following 3 main themes on which progress towards recovery and renewal depended:-

- ◆ responding to the external environment
- ◆ organising the council
- ◆ meeting local needs

Audit Scotland's recommendations were detailed in the report, along with an assessment of the Council's position and any action considered necessary.

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

The Committee decided: that the key messages and recommendations contained within the report be noted.

7 Performance and Review Scrutiny Forum Annual Update

A report dated 22 November 2022 by the Executive Director (Finance and Corporate Resources) was submitted on reports considered by the Performance and Review Scrutiny Forum in the period from January to December 2022.

A report on the business considered by the Performance and Review Scrutiny Forum would continue to be submitted to the Risk and Audit Scrutiny Committee on an annual basis.

The Committee decided: that the report be noted.

[Reference: Minutes of 26 January 2022 (Paragraph 7)]

8 Forward Programme for Future Meetings

A report dated 11 November 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the outline forward programme for the meetings of the Risk and Audit Scrutiny Committee to 27 June 2023.

As part of future arrangements, members were invited to suggest topics for inclusion in the Committee's forward programme.

The Committee decided: that the outline forward programme for the meetings of the Risk and Audit Scrutiny Committee to 27 June 2023 be noted.

9 Urgent Business

There were no items of urgent business.

Report

5

Report to: **South Lanarkshire Council**
Date of Meeting: **24 May 2023**
Report by: **Chief Executive**

Subject: **Councillor McAdams - Attendance at Council Meetings**

1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ consider an application for a further extension to the period of non attendance by Councillor McAdams at Council meetings due to ill health in terms of Standing Order No 7 of the Council's Standing Orders on Procedures.

2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that a further extension of up to 6 months' further non attendance at Council meetings be considered for Councillor McAdams effective from 21 June 2023.

3. Background

3.1. 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 does not go to any Council meetings for a period of 6 months, he or she will stop being a member of the Council unless he or she has:-

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

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

4. Current Position

4.1. Due to ill health, Councillor McAdams has been unable to attend Council meetings for a period of time. Councillor McAdams' absence took effect from 21 June 2022, meaning the initial 6-month period expired on 21 December 2022. At its meeting held on 7 December 2022, the Council approved an extension of up to 6 months' non attendance at Council meetings. This 6-month period is due to expire on 21 June 2023.

4.2. Councillor McAdams has confirmed that she is, as yet, unable to return to Council duties and has asked that Council consider a 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.

5. Employee Implications

5.1. None.

6. Financial Implications

6.1. None.

7. Climate Change, Sustainability and Environmental Implications

7.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

8. Other Implications

8.1. There are no other implications in terms of the information contained in this report.

9. Equality Impact Assessment and Consultation Arrangements

9.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

9.2. There is no requirement to carry out a consultation process in relation to this report.

Cleland Sneddon
Chief Executive

19 April 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, Effective, Efficient and Transparent
- ◆ Fair, Open and Sustainable

Previous References

None

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Susan Somerville, Administration Manager

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E-mail: susan.somerville@southlanarkshire.gov.uk

Banning the Use of Single-Use Disposable Vapes

Notice of Motion

Motion received in terms of Standing Order No 20 on 9 May 2023, proposed by Councillor Robert Brown, seconded by Councillor Elise Frame, 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."

Women Against State Pension Injustice (WASPI)

Notice of Motion

Motion received in terms of Standing Order No 20 on 9 May 2023, proposed by Councillor Carol Nugent, seconded by Councillor Janine Calikes, 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.”

Report

Report to: **South Lanarkshire Council**
Date of Meeting: **24 May 2023**
Report by: **Chief Executive**

Subject: **Local Government By-Election- Electoral Ward 9 (East Kilbride West)**

1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ advise Council on arrangements for the by-election for Electoral Ward 9 (East Kilbride West)

2. Recommendation(s)

2.1. The Council is asked to approve the following recommendation(s):-

- (1) that the arrangements being made to hold the by-election for Electoral Ward 9 (East Kilbride West) be noted.

3. Background

- 3.1. Following the recent resignation of Councillor Dr Ali Salamati, arrangements are being made to hold a by-election for Electoral Ward 9 (East Kilbride West). Once finalised, Members will be advised of the confirmed date by email.
- 3.2. Polling hours will be from 7.00am to 10.00pm.
- 3.3. At close of poll, votes will be counted electronically in the Committee Suite, Council Offices, Almada Street, Hamilton.

4. Employee Implications

4.1 There are no employee implications.

5. Financial Implications

5.1 All costs associated with holding the by-election can be met from within existing resources.

6. Climate Change, Sustainability and Environment Implications

6.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

7. Other Implications

7.1 There are no implications in terms of risk associated with this report.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.
- 8.2. There is no requirement to carry out a consultation process in relation to this report.

Cleland Sneddon
Chief Executive

2 May 2023

Link(s) to Council Values/ Objectives

- ◆ Accountable, Effective, Efficient and Transparent
- ◆ Fair, Open and Sustainable

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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