

SOUTH LANARKSHIRE COUNCIL

Minutes of the meeting held via Confero and the Council Chamber on 7 December 2022

Chair:

Provost Margaret Cooper

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor Ralph Barker, 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 Andrea Cowan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Gladys Ferguson-Miller, Councillor Elise Frame, Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Celine Handibode, Councillor Graeme Horne, Councillor Mark Horsham, Councillor Martin Hose, Councillor Cal Johnston-Dempsey, Councillor Gavin Keatt, Councillor Susan Kerr, Councillor Ross Lambie, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Julia Marrs, Councillor Ian McAllan, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Elaine McDougall, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Carol Nugent, Councillor Norman Rae, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor 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 John Bradley, Councillor Poppy Corbett, Councillor Monique McAdams, Councillor Catherine McClymont, Councillor John Ross

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; M Gordon, Administration Assistant; T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; K McVeigh, Head of Personnel 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

Provost's Opening Remarks

The Provost:-

- ◆ welcomed Stephen Gibson, Executive Director (Housing and Technical Resources) to his first meeting of the full Council
- ◆ congratulated Councillor Chalmers on receiving the COSLA award for resilience and recovery
- ◆ advised that, in terms of Standing Order No 4(c), she had agreed to a request from Councillor Fagan for an item of urgent business which would be dealt with following consideration of the standard items on the agenda
- ◆ welcomed UNISON and GMB members who were observing in the public gallery

1 Sederunt and Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Hamilton	Family Leave for Elected Members	Personal

2 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 28 September 2022 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 22 June 2022 were submitted for noting.

The Council decided: that the minutes be noted.

4 Item of Urgent Business – Home Care Job Evaluation

In terms of Standing Order No 4(c), the Provost decided that consideration be given to the following motion, proposed by Councillor Fagan, seconded by Councillor Convery, as a matter of urgency:-

“South Lanarkshire Council is asked to agree, as an Item of Urgent Business:-

- 1) That trade union concern about the outcome of the recent Job Evaluation exercise relating to home care and the potential implications for workforce morale, recruitment and retention be noted.
- 2) That it be further noted that there is a two stage appeal process available to the workforce and that trade unions have indicated the right to appeal will be exercised.
- 3) That the integrity of pay and grading models must be assured to protect the principles of equal pay and that the integrity of any appeals process must also be assured.
- 4) That the appeal process should commence immediately on receipt of appeal evidence provided by trade unions and conclude with the minimum of delay.
- 5) That the Job Evaluation process is necessary but not the means to address wider societal change and the Council considers that care must be valued more by society as a whole, with resources shifted to local authority employers accordingly.
- 6) That a further paper be presented to either the Council or the Executive Committee advising of the outcome of the appeal process and outlining further steps to support the home care workforce.”

Councillor Fagan, in moving his motion, referred to the outcome of the recent job evaluation process in home care which had concluded that the pay grade remain unchanged and the trade unions' concerns about the implications for the workforce. He advised that the employees' expectation was that the process would lead to a positive movement in pay and grading to the benefit of the workforce due to the role evolving significantly in the 10 years since the last evaluation. He acknowledged that the process was, rightly, independent of councillors, however, considered that councillors should encourage trade unions to exercise the right to appeal the outcome on behalf of their members. He called on all members to approve the motion to give the clearest indication to home carers that the Council was united in its support of them. This was seconded by Councillor Convery.

Councillors Chalmers, Allison, McGeever and Watson, in turn, spoke on behalf of their Groups, to welcome the motion and express support for home carers.

The Provost concluded by commenting that home carers were an intrinsic part of the front-facing service and echoed the Leader's comments in terms of looking at ways to support them.

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

5 External Flag Protocol

A report dated 1 November 2022 by the Chief Executive was submitted on a draft external flag protocol.

At its meeting held on 28 September 2022, following the submission of a motion, the Council agreed that the Chief Executive would develop a draft new protocol governing the use of its flagpoles at Council Headquarters.

The protocol, attached as Appendix 1 to the report, had been drafted having regard to the agreed motion and with reference to the national flag policy governing Scottish Government buildings, where appropriate. The Chief Executive had consulted Group Leaders on the draft protocol.

To reflect the practicalities associated with exceptional requests, the draft protocol proposed that the Chief Executive, in consultation with the Provost, would determine ad hoc requests from organisations and others to fly specific flags on certain days or to reflect particular circumstances not otherwise covered by the protocol.

The Council decided: that the draft external flag protocol relating to Council Headquarters, attached as Appendix 1 to the report, be approved.

[Reference: Minutes of 28 September 2022 (Paragraph 5)]

6 Women's Health

A report dated 22 November 2022 by the Executive Director (Finance and Corporate Resources) was submitted advising on improvements to the current supports and initiatives in relation to women's health.

At its meeting held on 28 September 2022, the Council agreed a motion to consider the necessity, feasibility and implications of implementing a menstruation policy in the workplace.

While the Council sought to support all employees' wellbeing, regardless of gender, the focus of the report was on the health of female employees, who made up just over 74% of the workforce, and used the generic terms of women and female interchangeably, however, would also include, where appropriate, those who identified as non-binary, transgender and intersex.

In 2018, South Lanarkshire Council was the first local authority in Scotland to introduce a menopause policy. Following a review, the policy and guidance was updated to be more inclusive and a copy was attached as Appendix 1 to the report. The revised policy would assist the Council in working towards accreditation to be recognised as a menopause friendly employer.

The menopause policy provided educational information and useful links for employees to access further support. Line managers were also issued with guidance to support employees. This approach also aimed to encourage supportive discussions and remove the stigma that could be attached to talking about menopause. Equally, there could be a similar stigma associated with the full menstrual cycle and careful consideration was required in developing a policy to allow those experiencing difficulties with their periods to feel able to gain support within the workplace. Although there were a number of organisations with relevant policies, compared to the menopause, there was a lack of evidence-based information surrounding menstrual health and work. The Scottish Government had a dedicated action for developing a meaningful policy which would involve evidence-based research, in partnership with the University of Glasgow. This included an NHS survey of menstruating employees. Part of this survey asked participants what would be helpful to them in managing menstrual health at work. It was, therefore, recommended that the Council await the results of this survey, and the subsequent Scottish Government workplace policy, so that a more informed and best practice policy could be developed.

In the meantime, a guidance document would be produced to assist employees to feel supported, provide information and guide managers on how to provide appropriate support. It was further recommended that, on completion of the Scottish Government's women's health plan, the Council's guidance be reviewed and developed towards a more informed workplace policy.

It was also proposed that the Council sign up to the 'Time to Test' campaign, which raised awareness of cervical screening and would benefit employees as it would:-

- ◆ demonstrate that the Council viewed employees' health as important
- ◆ show the Council's commitment to cervical cancer awareness
- ◆ play a part in preventing cervical cancer
- ◆ promote a culture that empowered, valued and supported employees in looking after their health
- ◆ help reduce the stigma around cancer, and dispel myths about the disease

The Head of Personnel Services responded to members' questions.

The Council decided:

- (1) that the updates following the Menopause policy and guidance review be noted;
- (2) that the Council work towards becoming a Menopause Friendly Employer and gain accredited status;
- (3) that the Council support and sign up to the Time to Test campaign; and
- (4) that the position on menstruation support be noted.

[Reference: Minutes of 28 September 2022 (Paragraph 6)]

7 Business Growth Grants – Increase in Maximum Grant Award Level

A report dated 22 November 2022 by the Executive Director (Community and Enterprise Resources) was submitted seeking approval to increase the maximum level of grant support under the South Lanarkshire Business Growth Grant from £20,000 to £50,000 per business.

The Council's Economic Development team currently offered local businesses access to financial support through the following 2 business grant funds:-

- ◆ the Business Growth Grant which had been in operation since 2015/2016 and helped to improve business long-term sustainability and growth. This was a discretionary business grant offering 50% support for eligible project costs such as capital expenditure, infrastructure improvements, training, consultancy and exhibition costs. The current maximum support level was £20,000
- ◆ the Small Business Support Grant which was introduced in 2020, in response to the first COVID lockdown, to assist businesses with smaller projects. This grant offered up to 50% of eligible costs. This supported similar costs to £1,000 for sole traders/directors and £3,000 for businesses employing people

The Business Growth Grant was funded 60% by the Council and this was matched to provide a further 40% through the European Regional Development Funding (ERDF). The current ERDF programme had been running in partnership with North Lanarkshire Council as the lead authority since 2015/2016 and was providing a total grant programme of £2.8 million for South Lanarkshire over this period, including £1.1 million in ERDF funding for the Council. The remaining funds amounted to £600,000 which required to be committed by 31 March 2023 to ensure maximum ERDF income was achieved. While there was a strong pipeline of enquiries and every effort was being made to maximise the spend position, the level of spend was very challenging in the current economic climate given the current maximum grant level of £20,000. It was, therefore, proposed that this be increased to £50,000 to allow the opportunity for the Council, together with ERDF support, to maintain and enhance financial support for local businesses during a period of economic uncertainty, and to help ensure the full ERDF allocation could be committed and spent in the local economy. Based on the enquiries to date, it was further proposed that the following additional criteria be applied:-

- ◆ the project would principally be capital expenditure and/or infrastructure improvement expenditure as those were the types of projects which were of a scale which generated the greatest economic benefit in terms of job creation, turnover growth and local economic impact
- ◆ the project would directly create and safeguard local jobs
- ◆ the business would already be paying, or willing to work towards paying, the Living Wage to all employees and be using Fair Work practices
- ◆ the business would make every effort to consider local (South Lanarkshire) supply chains in project delivery
- ◆ the project would have clearly considered and built-in climate change impacts in project design and delivery
- ◆ all officers of the business would have successfully completed a Serious Organised Crime check with Police Scotland

Raising the maximum grant threshold would give the Council the flexibility to assist larger growth investments and projects of scale, resulting in increased impacts and outcomes, as well as potentially an increased return on the Council's investment.

The Council decided:

- (1) that the maximum level of grant awarded to an individual business through the South Lanarkshire Business Growth Grant be increased from £20,000 to £50,000; and

- (2) that the Scheme of Delegation for Community and Enterprise Resources be amended accordingly.

8 Family Leave for Elected Members – Councillor Hamilton

A report dated 1 November 2022 by the Executive Director (Finance and Corporate Resources) was submitted advising of arrangements in terms of family leave for Councillor Hamilton.

At its meeting on 26 February 2020, the Council approved the implementation of the new Elected Members' Family Leave Guidance produced by COSLA.

Councillor Hamilton advised the Council that she intended to take family leave from 16 January 2023. Arrangements required to be put in place on a temporary basis, where deemed necessary, to fill the various places she currently held until her return on 31 July 2023.

The Council decided:

- (1) that it be noted that Councillor Hamilton would commence her family leave from 16 January 2023;
- (2) that, on a temporary basis until her return on 31 July 2023, her place on the various committees, outside bodies etc be filled, as deemed necessary, by a member of the Labour Group; and
- (3) that authority be delegated to the Chief Executive, in consultation with the Business Manager of the Labour Group, to finalise those temporary memberships.

[Reference: Minutes of 26 February 2020 (Paragraph 7)]

Councillor Hamilton, having declared an interest in the above item, took no part in the decision, however, with the agreement of all members, remained in the room

9 Councillor McAdams and Councillor Ross – Attendance at Council Meetings

A report dated 12 November 2022 by the Chief Executive was submitted on an application for an extension to the period of non attendance by Councillor McAdams and Councillor Ross at Council meetings due to ill health.

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

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

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

Due to ill health, Councillor McAdams and Councillor Ross had been unable to attend council meetings for a period of time. Both councillors were, as yet, unable to return to council duties and had requested that the Council consider an extension to their period of absence for up to 6 months in terms of Standing Order No 7.

The Council decided:

that an extension of up to 6 months further non attendance at council meetings be approved as follows:-

- ◆ effective from 21 December 2022 in respect of Councillor McAdams
- ◆ effective from 15 February 2023 in respect of Councillor Ross

10 Notice of Motion – Freedom of South Lanarkshire Area to the Royal Regiment of Scotland

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

“The Royal Regiment of Scotland (SCOTS) came in existence on 28 March 2006 when all our historical antecedent regiments;

- ◆ The Royal Scots;
- ◆ Royal Highland Fusiliers;
- ◆ Kings own Scottish Borderers;
- ◆ Black Watch;
- ◆ Highlanders (Seaforth, Gordons Argyll and Sutherland)

amalgamated in to one large Scottish Regiment.

Many of the antecedent regiments have over the decades been granted the Freedom of several Scottish towns/cities and overseas.

In the last 16 years sixteen Scottish Local Authorities/Cities have very graciously granted the SCOTS Freedom of their Local Authority. Some of these are close neighbours to South Lanarkshire.

This honour allows the SCOTS to Parade through the streets of that area with bayonets fixed, drums beating and pipes playing. With their flags Colours flying it is an amazing sight for communities to see. As Scotland’s largest Infantry Regiment is a real showcase and an opportunity to connect with the public.

The Motion

To agree that the Council grant the Freedom of South Lanarkshire to the Royal Regiment of Scotland at a date to be agreed in 2023.

Financial Implications

Cost for a civic reception for the event will be met from the Provost’s Civic Budget.”

Prior to moving the motion, the Provost advised of a minor amendment to the wording in that reference to the historical antecedent regiments should have read, after Black Watch, as The Highlanders (Seaforth, Gordons and Camerons) and also included The Argyll and Sutherland Highlanders, 2/51 Lowland Volunteers and 2/51 Highland Volunteers. The motion was seconded by Councillor Horsham, the Council’s Veterans’ Champion.

The Leader of the Council thanked the Provost and Councillor Horsham for their initiative in putting forward the motion which was the first for the Council in terms of awarding freedom of the area.

The Council decided: that the Freedom of South Lanarkshire be granted to the Royal Regiment of Scotland.

In terms of Standing Order No 14, the Provost adjourned the meeting at 10.54am following this item of business. The meeting reconvened at 11.01am

11 Notice of Motion – Parking Charges

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

“The Council is asked to agree that:-

- ◆ The charge for administering residential parking schemes approved on the 24 February 2021 is removed.
- ◆ Residents are reimbursed for any residential parking permits charges introduced as a consequence of the approval of saving CER24* on 24 February 2021.
- ◆ The cost of removing the charge in this financial year be met from Resource underspend, use of Reserves or existing resources.”

* subsequent to the meeting, it was confirmed that this should have read as CER27 and not CER24

In moving his motion, Councillor Convery referred to parking zones being first considered in 2011 when every political group, at that time, supported a ‘no charge’ policy. He advised that the charge was subsequently brought in at a time when parking in and around the town centre was particularly challenging. He considered the charge was unfair and called on all political groups to support his motion. Councillor Fagan, in seconding the motion, advised that concerns had been raised at community council meetings and by residents who considered the policy as discriminatory as it primarily applied to 2 wards within East Kilbride.

The Council decided:

- (1) that the charge for administering residential parking schemes, approved at Council on 24 February 2021, be removed;
- (2) that residents be reimbursed for any residential parking permit charges introduced as a consequence of the approval of saving CER27 on 24 February 2021; and
- (3) that the cost of removing the charge in this financial year be met from Resource underspend, use of reserves or existing resources.

[Reference: Minutes of 24 February 2021 (Paragraph 2)]

12 Notice of Motion – Open Market Purchase Scheme

In terms of Standing Order No 20, a motion proposed by Councillor Cowan, seconded by Councillor Gray, was submitted in respect of the Open Market Purchase Scheme.

Prior to its consideration, Councillor Cowan, with the agreement of Councillor Gray, advised that she wished to withdraw her motion as she had received papers for next week’s Housing and Technical Resources Committee which dealt with the matters raised. She wished to thank officers in Housing and Technical Resources, in particular A Finnan and C Mitchell, for their assistance.

The Council decided: that the position be noted.

13 Notice of Motion – 16 Days of Activism Against Gender Based Violence, Solidarity with Protestors in Iran

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

“South Lanarkshire Council marks the International 16 Days of Activism against Gender-Based Violence campaign 2022, which began on 25th November and ends this Saturday, December 10th, by applauding all local, national, and international efforts towards the prevention and elimination of gender-based violence against women and girls.

Across the world, many women and girls are suffering from human rights violations, which in reference to current events in Iran, the UN have described as stemming from 'a continuum of long-standing, pervasive, gender-based discrimination embedded in legislation, policies, and societal structures'.

Council is horrified by the murder of 22-year-old Mahsa Amini in Iran following her arrest and detention on the 13 September by so-called 'Morality Police'.

Council is alarmed by reports that the regime has begun issuing death sentences over the ensuing protests, sparked by the horror and outrage at the death, which occurred against a backdrop of misogynistic laws including one which requires women to wear the hijab. The wearing of any item of clothing, including the hijab, should be a personal one.

Council is deeply concerned that during the wave of protests both in Iran and across the world, protesters in Iran who have been demanding accountability for the death of Amini, and calling for an end to the ongoing repression of women and girls' fundamental rights have been met with intimidation, repression and violence. Over 300 people are known to have died with thousands more detained.

Council expresses its solemn and unequivocal condemnation of the actions of the Iranian authorities as well as our solidarity with the Iranian women leading and participating in the protests despite the personal repercussions they are facing, and stands firm with those who are bravely speaking truth to power in Iran and other oppressive regimes worldwide.”

In moving her motion, Councillor Calikes acknowledged the Council's role in its commitment to end violence against all women and girls across the authority area and beyond. She commended the work of officers across the Council in educating, supporting and reporting, where appropriate. She spoke in respect of the impact of COVID-19 where data had shown that the level of violence against women and girls had increased. In addition, the cost of living crisis had created new barriers and exacerbated existing issues that women faced when leaving a relationship with an abusive partner. Councillor Loudon seconded the motion.

Councillor Hamilton, on behalf of the Labour Group, spoke in support of the motion. She referred to the recent event when the Town House was lit up in orange to mark the campaign against gender-based violence. She recognised the work undertaken by the Council to combat gender based violence but highlighted that there was still much work to be done on a local and national level to eliminate it.

Councillor Razzaq referred to the injustice in certain countries where women had no right to education or employment. He further referred to other countries where women had no right to wear the hijab.

The Provost advised that she had agreed to a request from Councillor Donnelly to light a candle and for the Council to have a minute's reflection on the violence that was taking place across the world. The Provost then invited Councillor Donnelly to speak.

Councillor Donnelly highlighted that the 16-day campaign theme this year was to ask all men to 'step up to the plate' and call it out wherever they witnessed violent behaviour against women or girls. She advised that gender inequality was still pervasive in Scotland, despite primary prevention being a core objective of the Equally Safe Strategy.

In concluding, Councillors Donnelly and Hamilton then lit a candle in memory of not only the Iranian woman who had lost her life in custody, but to all women who had lost their lives at the hands of an abuser. A minute's silent reflection then followed.

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

14 Notice of Motion – To Adopt the All-Party Parliamentary Group Definition of Islamophobia

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

"That South Lanarkshire Council restates its commitment to opposing racism and discrimination in all its forms, delights in the growing diversity across the council area and commits to and adopts the UK APPG (All-Party Parliamentary Group) definition of Islamophobia, including all of its examples in full, reproduced below:

- ◆ "Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.
- ◆ Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, taking into account the overall context, include, but are not limited to:
- ◆ Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/ fascist ideology, or an extremist view of religion.
- ◆ Making mendacious, dehumanising, demonising, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism, and claims of a demographic "threat" posed by Muslims or of a "Muslim takeover".
- ◆ Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- ◆ Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- ◆ Accusing Muslim citizens of being more loyal to the "Ummah" (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- ◆ Denying Muslim populations, the right to self-determination e.g. by claiming that the existence of an independent Palestine or Kashmir is a terrorist endeavour.
- ◆ Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, e.g. loyalty tests.

- ◆ Using the symbols and images associated with classic Islamophobia (e.g. Muhammed being a paedophile, claims of Muslims spreading Islam by the sword or subjugating "Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness." minority groups under their rule) to characterise Muslims as being "sex groomers", inherently violent or incapable of living harmoniously in plural societies.
- ◆ Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic."

South Lanarkshire Council has been home to a significant Muslim population for generations and recognises that our Muslim citizens play an integral role in all aspects of life in our towns and rural communities.

Council agrees to continue to tackle hate crime and Islamophobia in partnership with communities, Police Scotland and other stakeholders, to encourage better reporting of such incidents, and to raise awareness of Islamophobia in all its forms.

South Lanarkshire Council will support and promote Islamophobia Awareness Month in November each year. Council will consider how the APPG definition can be incorporated into the council's ethos and work and mandatory training programmes, and report back to the Equal Opportunities Forum and other appropriate council reporting and scrutiny committees."

In moving his motion, Councillor Salamati referred to the rise in Islamophobia in recent years and his own personal experiences of being subject to racist attacks. He emphasised how it was important to raise awareness to prevent families from suffering. Councillor Calikes seconded the motion.

Councillor Razzaq spoke in support of the motion and referred to the outstanding work of the cross-party working group within the Scottish Parliament in tackling the issue. He also spoke in terms of his own personal experiences.

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

In terms of Standing Order No 14, the Provost adjourned the meeting at 11.30am during this item of business. The meeting reconvened at 11.32am

15 Notice of Motion – 75 Years of East Kilbride New Town

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

"This Council notes that:-

- ◆ This year marked 75 years since East Kilbride was designated as Scotland's first New Town.
- ◆ Throughout the year events and activities have taken place to celebrate East Kilbride, its heritage and the wider contribution of East Kilbride and the people of the town.
- ◆ East Kilbride 75th anniversary grants have helped the community mark a landmark year.

This Council believes that:-

- ◆ Following the 75th anniversary year, there must be a new focus from the Council and its partners on renewing the economy of the town and building prosperity and wellbeing for future generations.

This Council will:-

- ◆ Progress with a Master Plan for transformation of East Kilbride Town Centre, in conjunction with owners/administrators, partners and community stakeholders, including a new civic and cultural development.
- ◆ Prepare a bid to the Levelling Up Fund and/or other potential funders to support transformational investment in East Kilbride.
- ◆ Identify opportunities for working in partnership with businesses to secure private sector investment in the East Kilbride economy, including the green economy.
- ◆ Make immediate representations to the Scottish Government and partners, expressing support for the full electrification and dual track of the East Kilbride line and early engagement on the benefits of a Glasgow Metro system to the town and the surrounding area.
- ◆ Scope with partners the potential for an 'East Kilbride Festival of Ideas' to celebrate East Kilbride's history of innovation in technology, science, industry and living and promote the place of innovation and sustainability in the future development of the town.
- ◆ Seek to replace the East Kilbride Task Force with a business-led successor organisation to champion a sustainable, inclusive economy for East Kilbride.
- ◆ Seek the agreement of partners to make a modest financial contribution to Smart, Sustainable East Kilbride, to renew its facilitation, engagement, and wealth building work in the town."

Councillor Fagan, in moving his motion, advised that he was willing to accept the following minor amendments which had been suggested by Councillor Robb:-

"Add a second point under 'believes that'

- the principles of EK New Town, where planners built places for people to live, work and thrive in their local communities, should be celebrated and valued in the future regeneration of the town.

Add a point below EK Task force

- Call for the formation of an EK Community Locality Partnership at pace to ensure communities are heard and empowered to help drive forward regeneration of the town

And a small amendment to SSEK - Seek the agreement of partners to make a modest financial contribution to Smart, Sustainable East Kilbride, to renew its facilitation, engagement, and wealth building work in the town, *bringing a presentation on planned project delivery and wider engagement to a future EK Area Committee."*

He advised that East Kilbride's success depended on its outlook in meeting the challenges of the future – innovation, sustainability, modern living and an enterprising local economy backed by democratic access to modern, public services. He considered that a Masterplan was needed to set out a way forward for East Kilbride Town Centre and that this needed to be backed up by bids for external funding. He advised that the Council was awaiting the outcome of Levelling Up fund bids for Shawfield, Clydesdale and to drive its EV charging revolution. During the next round of Levelling Up bids, he asked that the Council support a bid to support East Kilbride town centre. Councillor Watson, in seconding the motion, confirmed his agreement to the minor amendments suggested by Councillor Robb.

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

16 Notice of Motion – National Care Service

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

“This Council notes:-

1. The criticism of the finances of the National Care Service (Scotland) Bill by Audit Scotland
2. The estimate of bureaucratic costs in the Bill’s Financial Memorandum of between £644 million and £1,262 million for the period 2022-23 to 2026-7 – money diverted away from local care services
3. The cross party opposition to the Bill expressed in trenchant terms by COSLA
4. The increasing pressure on public sector finances indicated particularly by cuts made by the Deputy First Minister in the Scottish Government’s Autumn Statement
5. The increasing demand for care services
6. The terms of the European Charter for Local Self Government which the Scottish Parliament unanimously wish to see incorporated into Scots Law

The European Charter provides that:-

- a. local authorities should have the right and ability to regulate and manage “a substantial share of public affairs under their own responsibility and in the interests of the local population”;
- b. local authorities “shall be entitled, within national economic policy, to adequate financial resources of their own”;
- c. “the financial systems on which resources available to local authorities are based shall be of a sufficiently diversified and buoyant nature to enable them to keep pace ... with the ... cost of carrying out their tasks”;

Whilst South Lanarkshire Council has always opposed the National Care Service Bill as damaging to the future both of community care and the future viability of local government, the Council believes that increasing financial pressures on both central and local government finances now demand an urgent rethink of the Bill.

Council therefore calls on the Scottish Government:-

- a. To focus the objectives of the proposed National Care Service on developing high care standards and entitlements across Scotland and on workforce planning to support the recruitment of more, high quality care staff to meet the growing demand
- b. To abandon forthwith those parts of the Bill which take powers and responsibilities from councils to Ministers and Boards as being highly damaging and unaffordable
- c. To enable the provision of a care service with local delivery, local accountability, and care users and care staff at its heart.
- d. To fund Local Authorities fairly and equitably in such a way as to enable them to deliver key council – and specifically care services – effectively.”

In moving his motion, Councillor Brown referred to care services being underfunded for a number of years and the current crisis in continuing to ensure the safety and wellbeing of those dependent on them. He advised of delays in getting assessments, staff shortages and an under recognition of the work carried out by care workers. He considered adult social care required more funding, higher standards and a national aspiration to improve provision across the country, however, did not require the bureaucracy and inflexibility of a national care service. He believed that adult care was local in nature as it linked with housing services, community support, community groups and local health services, and the money being used in respect of the National Care Service Bill would be better spent on frontline services, particularly given the current cost of living crisis. Councillor Rae, in seconding the motion, referred to local decision-making and accountability being vital to ensure it was effective and responsive to the needs of local communities.

Councillor Walker indicated her support for the motion and wished to acknowledge the quality of the response submitted by the Council which highlighted those issues as well as the representation made by the Executive Director (Finance and Corporate Resources) at the Scottish Parliament's Finance Committee. She referred to measures that had already been carried forward in terms of service development to tackle issues, such as the delays in assessment, which were inextricably linked to the problems within the NHS and delayed discharges. She advised that this was undertaken with limited funding and considered that spending over a billion pounds on structural change was an intolerable situation.

Councillor Nelson echoed the sentiments of Councillor Brown and confirmed his Group's support for the motion.

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

In terms of Standing Order No 14, the Provost adjourned the meeting at 11.54am and reconvened at 12.30pm. Councillors A Buchanan, Lambie, Nelson and Razzaq were not present when the meeting reconvened

17 Notice of Motion – Cut Fuel Bills, Cut Carbon Emissions, Kick Start the Green Economy

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

“Motion Pre-amble:-

Fuel bills impact on council budgets, poverty and business profitability – The council's budget strategy identified an exceptional additional budget pressure of £7.450 million due to projected increases in utilities costs (Full Council, June 2022) and the risk to budgets of future energy price inflation has been repeatedly flagged by officers. Equally, our residents and businesses are seeing their bills rising dramatically too, plunging more householders into fuel poverty (in 2019, 22% of South Lanarkshire households lived in fuel poverty) and undermining business profitability.

Climate change – The largest source of the council's emissions is from our council buildings and South Lanarkshire wide, the domestic sector makes up the largest source of South Lanarkshire's emissions (SLC State of the Environment report 2021). The costs of not acting on climate change, far outweigh the costs of acting boldly now.

Policy drivers – National building standards are changing on 1st Feb 2023 with further increased energy standards and mandatory testing of all new builds. All new builds will need to be heated by a non-fossil fuel source by 2024. All public sector buildings should be zero-carbon heated by 2038 and fuel poverty should be eradicated by 2040. National Planning Framework 4 Policies 1, 2 and 19 seeks to ‘minimise emissions from development’, ‘build more efficient net zero homes with decarbonised heating and cooling systems’ and ‘support development proposals for buildings that will be occupied by people to promote sustainable temperature management, for example by prioritizing natural or passive solutions such as siting, orientation, and materials’.

In South Lanarkshire, both the Community Plan and the Council plan seek to deliver on People, Planet and Progress. And the South Lanarkshire administration’s ‘New Hope’ agreement aims to ‘maximise the energy efficiency of homes’ and wishes to ‘Develop a Green New Deal for South Lanarkshire’. This motion will contribute to that.

Examples – ‘Fabric First’ - Buildings designed and constructed using a fabric first approach aim to minimise the need for energy consumption – the cheapest form of energy is that which you don’t use, so it makes sense to maximise insulation whilst also maintaining a healthy environment. There are various voluntary quality standards which would help ensure a vast improvement in energy efficiency. One is the Net Zero Public Sector Building Standard <https://www.scottishfuturetrust.org.uk/page/net-zero-public-sector-buildings-standard>, now being encouraged to access funding for new schools and also takes into account the carbon embodied in the construction materials used and how the building operates. Another is the Passivhaus standard (<https://www.passivhaustrust.org.uk>, <http://www.architype.co.uk/blog/what-how-and-why-passivhaus-the-pupils-of-wilkinson-primary-school-explain/>), which aims to reduce energy demand as much as possible but also improves health and comfort too through ventilation without heat loss. Heat demand in a Passivhaus non-domestic building is less than a fifth of that in a typical non-domestic building with architects reporting a £30,000-£50,000 saving in fuel bills in primary schools and a third of costs in domestic properties (more now with energy price increases). Edinburgh council has adopted Passivhaus for its future school builds and Glasgow council has Passivhaus offered as a route to achieve Gold Level compliance for all new residential developments. Overall, a study showed that the Passivhaus standard in the UK can be achieved now for a modest extra-over cost and this is likely to reduce to nominal levels if adopted at scale: https://www.passivhaustrust.org.uk/guidance_detail.php?gld=41. Any additional upfront costs will save money further down the line on energy bills.

Motion: This council agrees to take the following additional action on energy efficiency to achieve multiple benefits: save money for front-line services, reduce South Lanarkshire’s risk to future energy price shocks, cut carbon emissions, improve wellbeing, reduce fuel poverty and kick start the local green economy.

1. **Produce an energy demand reduction plan for council buildings** considering actions such as consulting on a set point of 18 degrees **where it is safe to do so**, reducing heating times or boiler temperatures and engaging and supporting Members and staff in other immediate, no/low cost ways to reduce bills.
2. **Adopt the highest standards of energy efficiency for all South Lanarkshire Council funded building projects and in the forthcoming Residential Design Guide**, including:
 - ◆ Moratorium on fossil-fuelled heating systems in new builds
 - ◆ Formally adopt the ‘Fabric First’ approach by using Passivhaus, Net Zero Public Building Standard or equivalent highest energy efficiency standards for all future council funded new builds. Doing this work at scale will reduce build costs but also fuel bills for the council and tenants.

- ◆ Investigate retrofitting council buildings to Passivhaus /Gold standards for properties where it could bring substantial savings for council and /or tenants.
 - ◆ Use learning from council funded high energy efficiency building projects to engage with volume house builders to share learning and develop a future mandatory 'South Lanarkshire Standard' to reach the highest efficiency levels possible
 - ◆ In the meantime, when submitting plans for planning permission, ask developers in their energy statement to demonstrate how the development will adhere to the principles of 'Fabric First', and how high standards of operational energy efficiency will be achieved
 - ◆ To close the building performance gap, develop a local system to check compliance against a suitable indicator which gives a good measure of build quality and energy efficiency such as air tightness. Professionally prepared reports on energy efficiency deficiencies in new builds can be reviewed by officers and random spot checks carried out. The council can then provide a remediation and instruction for correction, as currently exists for safety matters.
3. **Kick start the local green economy** through the council's own long term new build / retrofit programme so giving local businesses the confidence to develop new products and skills to serve the council's investment programme and the growing wider market
- ◆ Working with local colleges, Hamilton based <https://www.be-st.build/about/> , Skills Development Scotland and businesses to review the local supply chain for low carbon construction materials, construction / retrofit qualifications and skills to identify current supply, gaps and opportunities for local workers and the economy.
 - ◆ Using and encouraging others to use / gain the government TrustMark (or equivalent) which details registered qualified professionals who build/install to the standards required to meet high energy efficiency standards
 - ◆ Exploring setting up / expanding a green-economy skills academy and apprenticeship programme with local colleges, social landlords and businesses to skill-up and embed the high standards required and provide local work force opportunities."

Prior to speaking to her motion, Councillor Robb thanked councillors for their engagement on the matter and advised that she was happy to accept the following amended wording by Councillor Fagan:-

"As an amendment to Item 16, South Lanarkshire Council agrees that:

Paragraph numbered 1 be amended to:

"Produce an energy demand reduction plan for council buildings as part of its coming strategy for corporate assets considering actions such as consulting on a set point of 18 degrees or a 'one degree less' approach **where it is safe to do so**, reducing heating times or boiler temperatures and engaging and supporting Members and staff in other immediate, no/low cost ways to reduce bills."

Paragraph numbered 2 be amended to:

"Adopt the highest possible standards of energy efficiency for all South Lanarkshire Council funded building projects and in the forthcoming Residential Design Guide, by:

- ◆ Requesting a report on the transition to higher energy standards be brought to the Climate Change and Sustainability Committee with recommendations made to a future meeting of the full Council and that this report consider: -
 - ◆ Challenges, opportunities, current and emerging issues and progress in the transition to higher standards of energy efficiency.
 - ◆ A moratorium on fossil-fuelled heating systems in new builds and appropriate lead-in times.
 - ◆ Further development of the 'Fabric First' approach, including Passivhaus, Net Zero Public Standard or equivalent highest possible energy efficiency standards for all future council funded new builds.
 - ◆ The Council's expectations of volume house-builders and developers and the case for a 'South Lanarkshire Standard' to help reach the highest energy efficiency standards possible.
 - ◆ Investigating retrofitting council buildings to Passivhaus/Gold or equivalent standards for properties where it could bring substantial savings for council and/or tenants.
 - ◆ Use learning from council funded high energy efficiency building projects and research from South Lanarkshire College and other partners to engage with volume house builders to share learning.
 - ◆ Asking developers in their energy statement to demonstrate how the development will adhere to the principles of 'Fabric First', and how high standards of operational energy efficiency will be achieved
 - ◆ To close the building performance gap, consider a local system to check compliance against a suitable indicator which gives a good measure of build quality and energy efficiency such as air tightness, reporting back to a suitable committee on options.

She highlighted her motion was seeking support to minimise energy consumption through behaviour, campaigns, simple changes and high standards of insulation. Councillor Clark, in seconding the motion, thanked members of other parties, including the Leader of the Council, for cross-party engagement on the matter and confirmed that he was happy to accept the amended wording from Councillor Fagan. He considered that the Council needed to be ambitious in terms of Climate Change and that the cost of not acting far outweighed the cost of taking action now.

Councillor Fagan commended the constructive approach taken by Councillor Robb and Councillor Clark in moving the motion. He referred to the Council making its capital programme as ambitious as it could be in terms of driving towards net zero while making sure that the targets and standards set were achievable and affordable. He considered that the amended wording took account of the requirement to give officers the time to assimilate what was often a constant developing area of policy.

The Council decided: that the terms of the motion, as amended, be supported and a report be brought to a future meeting of the Climate Change and Sustainability Committee, with recommendations made to a future meeting of the Council.

Councillors A Buchanan, R Lambie and M Razzaq left the meeting during this item of business

18 External Auditor's Annual Report to South Lanarkshire Council

A report dated 25 October 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the External Auditor's, Audit Scotland, Annual Report to the Council for 2021/2022.

In response to a question from Councillor Kerr in relation to paragraph 119 of the Auditor's Report and what the financial impact was in cash terms for the Council, the Executive Director (Finance and Corporate Resources) advised that this referenced the fact that councils had seen underlying cumulative funding fall by 4.2% in real terms since 2013/2014. Other analysis indicated that when funding for Scottish Government priority areas was removed, there had been a real terms reduction of 9.6%. In terms of what that represented in cash value to the Council, he advised that Audit Scotland had calculated the 9.6% on a national basis. If, as an approximation of a cash figure, he calculated that as it applied to South Lanarkshire Council's budget, looking at 2013/2014's budget, net of council tax and net of other non-government revenue income, the Council had a budget at that point of £537 million, therefore, taking Audit Scotland's reduction of 9.6%, if expressed in pounds, would be £51.5 million.

Councillor Fagan advised that COSLA had launched a budget SOS to ask, collectively as local government, that the Scottish Government move £1 billion of funding into Scottish councils' budgets. He called on all Groups to engage with the COSLA campaign and to, collectively as a council, lobby for every penny to come to local government.

The Council decided: that the External Auditor's Annual Report 2021/2022 to the Council be noted.

[Reference: Minutes of the Risk and Audit Scrutiny Committee of 25 October 2022 (Paragraph 2)]

Provost's Closing Remarks

The Provost thanked everyone for their attendance and wished them the compliments of the season.