

SOUTH LANARKSHIRE COUNCIL

Minutes of the meeting held via Confero and in the Council Chamber on 12 June 2024

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 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 Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Elaine McDougall, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Carol Nugent, Councillor Mo Razzaq, Councillor Kirsten Robb, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner, Councillor Margaret B Walker, Councillor David Watson, Councillor Kirsty Williams

Councillors' Apologies:

Councillor Poppy Corbett, Councillor Monique McAdams, Councillor Norman Rae

Chief Executive's Service

P Manning, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

C McKenzie, Executive Director

Finance and Corporate Resources

J Taylor, Executive Director, N Docherty, Administration Assistant; S Somerville, Administration Manager; I Strachan, Head of Administration and Legal Services

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 referred to her email, circulated on 7 June 2024, in relation to the Council's pre-election guidance and, having taken advice from the Chief Executive, wished to remind members that, by law, the Council could not publish anything that appeared to be designed to affect public support for a political party. She advised that this would include the live streaming footage of the meeting and, as such, in her capacity as Provost, asked that councillors be mindful of that and did not make contributions that might be considered party-political or for campaigning purposes.

In response to a comment from Councillor Ross in respect of business on the agenda, the Provost confirmed that all motions had been fully checked by the Head of Administration and Legal Services and he was satisfied that they could form part of today's agenda, however, members needed to be mindful of the pre-election guidance in their approach to making statements or contributions.

Prior to moving on to the formal business on the agenda, the Provost, on behalf of the Council, wished Scotland well for their opening game in the Euro 2024 tournament.

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 27 March 2024 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 30 January 2024 were submitted for noting.

The Council decided: that the minutes be noted.

4 Notice of Motion – New First Minister

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

“South Lanarkshire Council congratulates the new First Minister and Deputy First Minister on their appointments and welcomes their promises of a “new chapter” for Scotland and an inclusive and respectful approach to politics.

Council notes however that the previous First Minister promised a similar new start in signing the Verity House Agreement with COSLA but, within weeks, imposed a council tax freeze which damaged local government’s ability to deliver vital public services.

Council further deplores the centralising power grabs and sustained funding cuts suffered by councils and local communities under the Scottish Government.

Council calls on the new First Minister and the Scottish Government to commit to:-

- ◆ Respecting the democratic mandate of local government and the Verity House Agreement to work in partnership with councils;
- ◆ Delivering Fair Funding for councils in the spirit of the European Charter of Local Self Government.”

In moving his motion, Councillor Brown referred to the 7 ‘asks’ of COSLA. Councillor McGeever formally seconded the motion.

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

“South Lanarkshire Council congratulates the new First Minister and Deputy First Minister on their appointments and welcomes their promise of a ‘new chapter’ for Scotland and an inclusive and respectful approach to politics.

Council notes however the fragility of the Verity House Agreement with COSLA and urges all parties in Local Government and at Holyrood to strive for a better understanding of the challenges facing all of us and to continue to work together to develop the trust required for better outcomes for all.

Council notes the decision to fund a council tax freeze was made without COSLA agreement but acknowledges that our particular council secured funding in excess of that forecasted in the budget process and that in addition, this funding has been baselined for next year, enabling further support to be given to South Lanarkshire residents.

In order to help build mutual trust, we would hope that future announcements would be joint statements between COSLA and the SG.

Council therefore calls on the First Minister and the Scottish Government to commit to:-

1. Respecting the democratic mandate of local government and the Verity House Agreement to work in partnership with council.
2. To secure in partnership with COSLA the maximum funding possible for the Scottish Government for onward distribution to local authorities.”

In moving his amendment, Councillor Ross advised that it acknowledged the challenges between central and local government and how it was hoped it would help build trust for a better working relationship between COSLA and the Scottish Government which would be beneficial for all. Councillor Loudon, in seconding the amendment, referred to the restrictions placed in terms of pre-election publicity and referenced the recent cross-party statement by COSLA.

Councillor Fagan, having considered there was scope for consensus given that COSLA represented the collective view of local government, intimated that there was merit in adding the following as an addendum to Councillor Brown’s motion:-

Insert at end:

“The Council endorses the expectations set out in COSLA’s June 2024 Position Statement that the new First Minister and the government formed after the UK General Election, irrespective of its political composition, should, for the benefit of people across Scotland, work together to:

- ◆ provide fair funding for essential services and infrastructure
- ◆ achieve greater devolution of decision-making powers to local government
- ◆ support local democracy through enactment of the European Charter for Local Self-Government
- ◆ support a just transition to a sustainable economy
- ◆ protect human rights of all those seeking sanctuary in the UK and address the risks migrants face of exclusion and destitution
- ◆ work collectively to accelerate work to tackle the causes and effects of poverty”

In response to a point raised by Councillor Clark on why this motion could be accepted during the pre-election period but consideration of proposals relating to school transport was not acceptable, the Chief Executive confirmed that the motion had been assessed by himself and the Council’s Monitoring Officer as being competent from a procedural perspective and also as being lawful in terms of the legislation covering pre-election practice. As regards the consideration of proposals relating to school transport, the Chief Executive further advised that he had sent a communication to all councillors and had spoken to Group Leaders regarding it. He advised that, in a pre-election period, there was a need for heightened sensitivity. National guidance stated that councils might delay decisions that could be seen as contentious during the pre-election period.

In terms of the school transport proposal, it was of relevance to many families across South Lanarkshire and involved a potential change in Council policy which could be seen as contentious. On that basis, he had decided that the Executive Committee's consideration of the proposals should be postponed until the General Election had passed. It was now intended that the Executive Committee would consider the matter at its meeting on 7 August 2024. In coming to that conclusion, he had taken into consideration the fact that the decision in terms of school transport could be postponed until August 2024 and still enacted within the timescale previously communicated. He had also taken into account the fact that the school transport issue represented a substantive policy change for the Council.

Following an adjournment, Councillor Ross intimated that he wished to accept Councillor Fagan's addendum into his amendment. Councillor Fagan advised that he still had difficulties with part of Councillor Ross' amendment and would, therefore, be inclined to support Councillor Brown's motion as Councillor Brown had indicated that he was prepared to make some concessions. Councillor Brown confirmed that, while he could not accept Councillor Ross' amendment, he was prepared to delete paragraph 3 which commenced 'Council further deplores . . . ' as this was in the context before the election. He also confirmed that he was willing to accept Councillor Fagan's addendum to the motion.

Following a comment made by Councillor Loudon, the Chief Executive further clarified that the position in relation to school transport had been discussed with all Group Leaders. The Head of Administration and Legal Services confirmed that, as the matter of school transport was not on the agenda for today's meeting, his advice to the Provost would be that it should not be discussed further. He confirmed that, in terms of agenda content, senior officers worked with senior elected members in relation to the proposed business.

Prior to the vote, the Provost emphasised that she wanted the discussion to be open and fair to all parties.

On a vote being taken using the electronic voting system, 35 members voted for the motion, 25 for the amendment and 1 abstained. The motion was declared carried.

The Council decided:

that the motion, as amended, be agreed as follows:-

'South Lanarkshire Council congratulates the new First Minister and Deputy First Minister on their appointments and welcomes their promises of a "new chapter" for Scotland and an inclusive and respectful approach to politics.

Council notes however that the previous First Minister promised a similar new start in signing the Verity House Agreement with COSLA but, within weeks, imposed a council tax freeze which damaged local government's ability to deliver vital public services.

Council calls on the new First Minister and the Scottish Government to commit to:-

- ◆ respecting the democratic mandate of local government and the Verity House Agreement to work in partnership with councils;
- ◆ delivering Fair Funding for councils in the spirit of the European Charter of Local Self Government

The Council endorses the expectations set out in COSLA's June 2024 Position Statement that the new First Minister and the government formed after the UK General Election, irrespective of its political composition, should, for the benefit of people across Scotland, work together to:

- ◆ provide fair funding for essential services and infrastructure
- ◆ achieve greater devolution of decision-making powers to local government
- ◆ support local democracy through enactment of the European Charter for Local Self-Government
- ◆ support a just transition to a sustainable economy
- ◆ protect human rights of all those seeking sanctuary in the UK and address the risks migrants face of exclusion and destitution
- ◆ work collectively to accelerate work to tackle the causes and effects of poverty'

In terms of Standing Order No 14, the Provost adjourned the meeting at 10.35am to allow the SNP Group time to consider Councillor Fagan's addendum. The meeting re-convened at 10.52am

5 Notice of Motion – Keep the Beat Alive

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

“South Lanarkshire Council recognises that:-

1. Over 100 organisations from across South Lanarkshire have come together in a new campaign called Keep the Beat Alive <https://keepthebeatalive.org.uk/>, because our Third, or 'Essential' sector of social enterprises, voluntary and community groups are the beating heart of our communities.
2. The recent impact report shows that this sector is relied on by so many in our communities for essential, life enhancing and sometimes life saving services <https://keepthebeatalive.org.uk/#report>.
3. The sector plays a vital, different and complementary role to the public sector. It adds value, in line with the shared principles and ambitions of the South Lanarkshire Community Planning Partnership, even more important at a time when funding is tight for all.
4. For the sector to survive and thrive and therefore enhance our communities, the campaign is calling for the sector's impact to be recognised, for funding to be smarter, and for more meaningful engagement with the public sector.

Therefore, this motion calls for South Lanarkshire Council to:-

5. Recognise the sector's impact by sharing the impact report and videos widely internally and externally and continue to provide opportunities to showcase the impact and campaign with elected members and senior officers.

6. Endorse the principles of the Third Sector Fair Funding Charter which calls for a) A Strategic Investment Approach b) Accessible, Proportionate and Transparent Funding and Commissioning Processes c) Adequate and Secure Funding and d) Proportionate Evaluation and Reporting to Funders, but noting the financial challenges facing the Council and need for the Council to comply with its legal and regulatory framework.
7. Agree that relevant officers meet with VASLAN, as campaign representatives, to explore how the council can implement as much of the Third Sector Fair Funding Charter as it can within the scope of its legal and regulatory framework, with a report to be submitted to a future meeting of the Executive Committee with the outcome of this detailed consideration and discussion.
8. Engage meaningfully by inviting the sector to be in the room at an early enough stage, maximising opportunities for commissioning, collaboration, external funding, service reviews/design and local community planning, all to best meet shared outcomes for our communities, where the same is appropriate and in accordance with the Council's legal and regulatory framework.
9. Write to the Scottish Government Minister responsible for the Third Sector to convene a meeting with the council, South Lanarkshire Third Sector and the Minister to share the campaign and discuss the need for national action to support the campaign asks".

In moving her motion, Councillor Robb referred to the fact that commitment to the campaign's 3 'big asks' required no budget but did require a commitment to principles, to an improved culture and to genuine collaboration to achieve the best for South Lanarkshire's communities. This aligned with the aims of the South Lanarkshire Community Plan which committed partners to sharing power and resources, growing the sector and working together to achieve more for communities. In seconding the motion, Councillor Ross referred to the importance of the third sector in supporting the Council to deliver on its initiatives, especially during the pandemic.

Councillors Fagan, Brown and Allison were heard in support of the motion.

The Council decided: that the terms of the motion be supported and that the Council:-

- ◆ recognise the sector's impact by sharing the impact report and videos widely internally and externally and continue to provide opportunities to showcase the impact and campaign with elected members and senior officers
- ◆ endorse the principle of the Third Sector Funding Charter which called for a) A Strategic Investment Approach; b) Accessible, Proportionate and Transparent Funding and Commissioning Processes; c) Adequate and Secure Funding; and d) Proportionate Evaluation and Reporting to Funders
- ◆ agree that relevant officers meet with VASLAN, as campaign representatives, to explore how the Council could implement as much of the Third Sector Fair Funding Charter as it could within the scope of its legal and regulatory framework, with a report to be submitted to a future meeting of the Executive Committee with the outcome of this detailed consideration and discussion

- ◆ engage meaningfully by inviting the sector to be in the room at an early enough stage, maximising opportunities for commissioning, collaboration, external funding, service reviews/design and local community planning, all to best meet shared outcomes for communities, where the same was appropriate and in accordance with the Council's legal and regulatory framework
- ◆ write to the Scottish Government Minister responsible for the Third Sector to convene a meeting with the Council, South Lanarkshire Third Sector and the Minister to share the campaign and discuss the need for national action to support the campaign asks

In terms of Standing Order No 14, the Provost adjourned the meeting during this item of business at 11.19am. The meeting reconvened at 11.27am

6 Notice of Motion – Declaration of a Housing Emergency

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

“The Council agrees that, further to the report to the Executive Committee on 8 May on ‘Homelessness Pressures – Impact and Mitigation’ and heightened pressures on housing and homelessness services, a housing emergency be declared in South Lanarkshire.

The Council notes that South Lanarkshire remains a top performing local authority in addressing homelessness applications but, nonetheless, is experiencing significant pressures, in common with other local authority areas, including:-

- ◆ a 28% increase in the number of people applying to the council for assistance due to homelessness.
- ◆ a 38% increase in the number of people recorded by the council as homeless.
- ◆ a 101% increase in the backlog of urgent need homeless households awaiting housing.

The Council welcomes the measures reported to the Executive Committee to mitigate the impact of the emergency homelessness situation but, in light of the level of need, urges central governments at Scottish and UK level to immediately consider the following:-

- ◆ a full or partial restoration of ‘local connection’ within Scotland to help manage out-of-area homelessness presentations.
- ◆ the reversal of cuts to the Affordable Housing Supply Programme budget to ensure South Lanarkshire Council can deliver all 1300 additional council homes set out in the Strategic Housing Investment Plan and that national housing targets can be met.
- ◆ further assistance to manage housing need arising from humanitarian and asylum programmes”.

Councillor McLachlan, in moving his motion, referred to the fact that 5 local authorities had already declared a housing emergency and, more recently, the Scottish Government had done so as well. He advised that he had met twice with the Housing Minister and, on the first occasion, had discussed local connection and how much that was impacting on local authorities. Councillor Cowie formally seconded the motion.

Councillor Cowan, seconded by Councillor Chalmers, moved the following as an amendment:-

After the first three bullet points insert:

“The Council commits to the development of a Housing Emergency Action Plan to be brought to the September meeting of the Housing & Technical Resources Committee for consideration.”

In the second list of bullet point, after the first point, insert:

“the reversal of cuts to the Capital Budget grant and Financial Transactions funding to allow fulfilment of the ambition of Housing 2040 Scotland to build 110,000 homes.”

Councillor Cowan, in moving her amendment, acknowledged that there had been a typographical error and clarified the figure referred to as being 110,000 homes. She recognised that Scotland was facing a housing emergency and wished to add wording to strengthen the motion’s content. She referred to the Council having an excellent record in dealing with homelessness, however, asked that an emergency housing action plan be put in place, highlighting existing policies and giving consideration to some new ones. Councillor Chalmers, in seconding the amendment, wished to draw attention to her Register of Interests to note that, as COSLA spokesperson for Community Wellbeing, she led on this policy area on behalf of local government in Scotland. She considered that by declaring an emergency, it brought a responsibility to identify both short-term actions to tackle the immediate crisis and an appraisal of longer-term plans to ensure that the Council made sustainable change and improvement.

In response to the Provost’s question on whether the Council had an action plan or were preparing an action plan, the Executive Director (Housing and Technical Resources) advised that, at the meeting of the Housing and Technical Resources Committee in February 2024, a range of mitigations were approved and those were discussed again at the Executive Committee in May 2024, therefore, without formally calling it an action plan, the Council had agreed a range of mitigations to respond to the issues raised in the motion.

Councillor Fagan referred to the extreme pressures being seen across the Council’s services. He said that while South Lanarkshire was performing well against other authorities, the issue was the sheer level of demand. He referred to the position already adopted by the Council in relation to COSLA’s funding asks in terms of fair funding for essential services and infrastructure, and he suggested that by adopting that position, it would allow the Council to address its housing and capital investment needs. He, therefore, suggested that the following be added to the original motion as follows:-

“Insert an additional bullet point at end:

- ◆ fair funding for essential services and infrastructure, in line with the expectations set out by COSLA in their June 2024 Position Statement, to address housing and capital investment needs.”

Councillor Robb referred to the pressures, particularly in East Kilbride, and in response to what she considered were 3 solutions that would help the situation, the Provost suggested that she put them in writing to the Executive Director (Housing and Technical Resources) for his consideration. She also suggested Councillor Barker raise his concerns in terms of demolitions directly with the Executive Director.

Councillor Cowan indicated that she was willing to accept Councillor Fagan’s addendum, however, could not accept removing the ask in terms of the development of an Action Plan.

Councillor McLachlan referred to COSLA’s position statement and advised that he was willing to accept Councillor Fagan’s addendum.

On a vote being taken using the electronic voting system, 33 members voted for the motion and 27 for the amendment. The motion was declared carried.

The Council decided:

that the terms of the motion, as amended, be supported and a housing emergency be declared in South Lanarkshire and, in light of the level of housing need, the Council urged central governments at Scottish and UK level to immediately consider the following:-

- ◆ a full or partial restoration of 'local connection' within Scotland to help manage out-of-area homelessness presentations
- ◆ the reversal of cuts to the Affordable Housing Supply Programme budget to ensure South Lanarkshire Council could deliver all 1300 additional council homes set out in the Strategic Housing Investment Plan and that national housing targets could be met
- ◆ further assistance to manage housing need arising from humanitarian and asylum programmes
- ◆ fair funding for essential services and infrastructure, in line with the expectations set out by COSLA in their June 2024 Position Statement, to address housing and capital investment needs

7 Urgent Business

There were no items of urgent business.

Chair's Closing Remarks

The Provost wished everyone well who was standing at the forthcoming General Election.