

EXECUTIVE COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 11 May 2011

Chair:

Councillor Edward McAvoy

Councillors Present:

David Baillie, Jackie Burns (Depute), Peter Craig, Jim Docherty, Hugh Dunsmuir, Tommy Gilligan, Jim Handibode, Eileen Logan, Jim McGuigan, Alex McInnes, Anne Maggs, Patrick Ross-Taylor, David Shearer, Mary Smith, Hamish Stewart, Chris Thompson, Sheena Wardhaugh, David Watson, Pat Watters

Councillors' Apologies:

Beith Forrest, Ian Gray, Henry Mitchell, George Sutherland

Attending:**Chief Executive's Service**

A Strang, Chief Executive; H McNeil, Head of Audit and Improvement

Community Resources

N Anderson, Executive Director

Corporate Resources

R McIlwain, Executive Director; G Bow, Administration Adviser; G McCann, Head of Legal Services; C McIlquham, Clerical Assistant; A Morton, Central Research Unit Manager

Education Resources

L Forde, Executive Director

Enterprise Resources

C McDowall, Executive Director

Finance and Information Technology Resources

P Manning, Head of Finance

Housing and Technical Resources

L Freeland, Executive Director

Social Work Resources

H Stevenson, Executive Director

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 23 March 2011 were submitted for approval as a correct record.

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

3 Capital Budget Monitoring for Period 1 April 2010 to 18 March 2011

A report dated 25 March 2011 by the Chief Executive was submitted on both physical and financial progress at 18 March 2011 on the various Capital Programmes.

The General Fund Capital Programme covered Education Resources, Social Work Resources, Roads and Transportation and General Services. The General Fund Capital Programme totalled £128.517 million and the Housing Capital Programme £42.033 million. At 18 March 2011, £107.068 million had been spent on the General Fund Capital Programme and £33.997 million on the Housing Capital Programme.

Housing and Technical Resources had advised that an underspend of £1.329 million was anticipated due to adverse weather conditions in November, December and January. This had impacted on the Kitchen and Bathroom, External Fabric and New Council House Building Programmes.

Details were also given on the progress of the Hamilton Ahead Capital Programme.

Ongoing monitoring of the Capital Programmes would be carried out by the Financial Resources Scrutiny Forum and reports submitted to this Committee on a regular basis.

The Committee decided: that the position of the various Capital Programmes, as detailed in the report, be noted.

[Reference: Minutes of 23 March 2011 (Paragraph 3)]

4 Revenue Budget Monitoring for Period 1 April 2010 to 18 March 2011

A report dated 28 March 2011 by the Chief Executive was submitted comparing actual expenditure against budgeted expenditure for the period ending 18 March 2011 and providing an estimated outturn for the financial year 2010/2011.

The figures included an underspend on the General Fund Revenue Account of £0.728 million and a breakeven position on the Housing Revenue Account.

The forecast outturn for the General Fund Revenue Account to 31 March 2011 was an underspend of £2.000 million.

The forecast outturn for the Housing Revenue Account to 31 March 2011 was a breakeven position.

Due to severe weather conditions during December, higher demands than normal had been placed on the Housing Repairs Service. It was anticipated that the expenditure on housing repairs would not be achieved leaving a forecast underspend of approximately £1.350 million. This underspend would be used to complete outstanding repairs in the new financial year and would be added to the Housing Revenue Account surplus at the end of the current financial year.

The Committee decided:

- (1) that the underspend on the General Fund Revenue Account of £0.728 million at 18 March 2011 and forecast to 31 March 2011 of an underspend of £2.000 million be noted; and
- (2) that the breakeven position on the Housing Revenue Account at 18 March 2011 and forecast to 31 March 2011 of a breakeven position be noted.

[Reference: Minutes of 23 March 2011 (Paragraph 4)]

5 Trading Services Financial Performance for Period 1 April 2010 to 18 March 2011

A report dated 28 March 2011 by the Chief Executive was submitted on the projected financial results for 2010/2011 for the Council's Trading Services.

Budget transfers in relation to legislative compliance from the Roads and Building Maintenance Trading Operations had occurred in the period and, following completion of the probable outturn exercise, it was now forecast that surpluses for the year ending 31 March 2011 would total £8.211 million. At 18 March 2011, surpluses of £7.610 million had been achieved.

Officials were working to maximise the levels of surplus for each Trading Service using the projected figure as a minimum target.

The Committee decided: that the report be noted.

[Reference: Minutes of 23 March 2011 (Paragraph 5)]

6 Additional Funding from the Scottish Government and Other External Sources

A report dated 19 April 2011 by the Chief Executive was submitted on additional funding totalling £0.611 million made available to the Council from the Scottish Government and other external sources to undertake various initiatives. The funding was summarised as follows:-

Revenue Funding Resource	£ million
	2011/2012
Enterprise	0.286
Total Revenue Funding	0.286
Capital Funding Resource	£ million
	2010/2011
Enterprise	0.075
Housing and Technical	0.250
Total Capital Funding	0.325

The Committee decided: that the report be noted.

[Reference: Minutes of 23 March 2011 (Paragraph 6)]

7 Revision of Organisational Structure

A report dated 22 April 2011 by the Chief Executive was submitted on a revised structure for the Council's senior management and Resource/Service groupings.

A review had been undertaken to reflect the various changes which had taken place in the local government environment since the late 1990s and the prospect of reduced levels of revenue grant support for a number of years ahead.

The proposals included the merger of Finance and Information Technology and Corporate Resources to streamline the Council's support functions and of Enterprise and Community Resources to reflect the synergy between the operations carried out by those 2 Resources.

If implemented, the proposals would achieve a 25% reduction in the number of Chief Officers and would result in a Corporate Management Team comprising:-

- ◆ Chief Executive
- ◆ Executive Director (Community and Enterprise Resources)
- ◆ Executive Director (Education Resources)
- ◆ Executive Director (Corporate and Finance Resources)
- ◆ Executive Director (Housing and Technical Resources)
- ◆ Executive Director (Social Work Resources)

The implementation of the new structure would be carried out on a phased basis and would be completed by the end of the financial year 2011/2012. It was also proposed that any future Chief Officer appointments be made on a permanent basis rather than on a fixed-term basis.

The Chief Executive would designate an appropriate post as the Council's "proper officer" in terms of financial administration.

The cumulative financial saving from implementing the proposals was estimated at £550,000 annually and Executive Directors would identify further efficiencies within the revised structures. There would be an initial one-off cost of £890,000 to meet the cost of severance/pension enhancement which would be phased over 2 years and recovered within the second year of implementation. This cost would be met from accumulated funds of the Council.

The proposals at this stage focused entirely on the officer structure with no direct impact on the political management arrangements of the Council. It was highlighted, however, that this might be an area for consideration in the future.

Councillor McAvoy, seconded by Councillor Burns, moved that the recommendations contained in the report be approved. Councillor McGuigan, seconded by Councillor Craig, moved as an amendment that consideration of the report be continued to allow more time for the detail of the proposals to be considered. On a vote being taken by a show of hands, 6 members voted for the amendment and 14 members voted for the motion which was declared carried.

The Committee decided:

- (1) that the revised organisational structure of the Council, as detailed in the report, be approved;
- (2) that action be taken to progress the proposals with a view to implementing the revised structure by the end of March 2012; and
- (3) that future Chief Officer appointments be made on a permanent basis.

8 Remuneration Report

A report dated 12 April 2011 by the Chief Executive was submitted on the requirement introduced by The Local Authority Accounts (Scotland) Amendment Regulations 2011 to include a specific Remuneration Report as part of the Council's Annual Report and Accounts.

Details of what would be included in the Report were provided including confirmation that the report would highlight, in separate tables, the disclosure of remuneration information for:-

- ◆ relevant senior officers of the Council
- ◆ relevant senior councillors
- ◆ any subsidiary bodies

The individuals from within the Council that would fall into each of the tables were detailed and sample disclosures were attached as an appendix to the report. Information on pension rights for senior officers and councillors also required to be included in the Annual Report and the Pension Office would be approached to provide advice to the Council of accrued benefit for relevant officers and councillors.

Any confidentiality agreement in place before 7 February 2011 would only apply to the 2010/2011 Remuneration Report.

The Committee decided: that the requirement to include a Remuneration Report in the Council's Annual Report and Accounts be noted.

9 Connect 2012 to 2017 - Consultation Proposals

A report dated 15 April 2011 by the Chief Executive was submitted on the development of the new Council Plan, Connect 2012 to 2017.

The new Plan would, as far as possible, develop the focus established at the 2009 Mid Term Review. The proposed structure for the new Plan was detailed in the report together with a brief explanation for each section.

As part of the initial preparatory work, consideration had been given to the current version of Connect and to the options available for taking the new Plan forward. The preferred option included a rationalisation of existing objectives and themes into a more manageable and relevant format. In the main, the existing objectives would be retained and grouped under simple strategic organisers which would easily inform the reader of the general subject and content.

In order to progress work on Connect 2012 to 2017, senior managers would participate in a workshop to consider the detail of the new Plan including priorities and the key requirement to take account of the impact of local and national outcomes.

The outcomes from the workshop would inform an initial draft Plan for consultation with stakeholders between July and September 2011 in line with the Plan development timetable which was attached as an appendix to the report.

The Committee decided:

- (1) that the proposals in terms of the structure and organisers contained in the new Council Plan, Connect 2012 to 2017 be endorsed;
- (2) that consideration of the detail to be included in the Plan be progressed by officers in line with the development timetable;
- (3) that appropriate consultation be undertaken with key stakeholders; and
- (4) that a draft Plan be presented to this Committee in line with the development timetable.

[Reference: Minutes of 10 June 2009 (Paragraph 9)]

10 Best Value 2 - Shared Risk Assessment - Assurance and Improvement Plan

A report dated 29 March 2011 by the Chief Executive was submitted on the:-

- ◆ outcome of the Shared Risk Assessment process carried out by Audit Scotland in association with other inspection agencies
- ◆ 2011/2012 refresh of the Assurance and Improvement Plan

The Council's Shared Risk Assessment submission for Year 2 had been considered by the Local Area Network (LAN) during December 2010. The LAN had compiled an Assurance and Improvement Plan (AIP) which would be published in the near future by Audit Scotland for all Scottish local authorities. A copy of the draft AIP was attached as an appendix to the report. All AIPs would remain in draft form until they had been confirmed by the Strategic Group.

The key points included within the Plan were detailed in the report and relevant Resources would consider the content to ensure adequate progress was made to maintain the existing risk assessment status and to mitigate any identified risk in advance of next year's Assurance and Improvement Plan.

Based on the details contained in the Plan, Executive Directors, through the Corporate Improvement Advisory Board, would assess any areas of uncertainty with a view to addressing those areas in the coming year as well as taking note of the changes to the Scrutiny Plan.

The Committee decided:

- (1) that the draft Assurance and Improvement Plan be noted; and
- (2) that the report be referred to the Risk and Audit Scrutiny Forum for consideration.

[Reference: Minutes of 1 December 2010 (Paragraph 14)]

11 Submission to the Scottish Government on the Future of the Fire and Rescue Service in Scotland

A report dated 11 April 2011 by the Chief Executive was submitted on the Council's response to the Scottish Government's consultation on the future of the Fire and Rescue Service in Scotland.

The key issues raised in the Council's response were detailed in the report including confirmation that the Council supported a rationalised Fire and Rescue Service model rather than a national model or the model that existed currently. This was on the basis that this would be most likely to retain the linkages with other services that were needed to improve outcomes for individuals and communities.

The full Council response was attached as an appendix to the report.

The Committee decided: that the Council's response to the consultation on the future of the Fire and Rescue Service in Scotland be approved for submission to the Scottish Government.

12 Submission to the Scottish Government on the Future of Policing in Scotland

A report dated 11 April 2011 by the Chief Executive was submitted on the Council's response to the Scottish Government's consultation on the future of Policing in Scotland.

The Sustainable Policing Project had carried out, on behalf of the Scottish Policing Board, a detailed analysis of the options available including projected savings and a detailed breakdown of the functions and responsibilities associated with a national and regional model.

The key issues highlighted in the Council's response were detailed in the report including confirmation that the Council supported a rationalised Police Service model rather than a national model or the model that existed currently. This was on the basis that this would be most likely to retain the linkages with other services that were needed to improve outcomes for individuals and communities as well as being more likely to ensure that policing continued to be delivered by consent and retained public support.

The final Council response was attached as an appendix to the report.

The Committee decided: that the Council's response to the consultation on the future of Policing in Scotland be approved for submission to the Scottish Government.

Councillor Shearer left the meeting during this item of business

13 Land and Property Transfers and Disposals

A report dated 21 April 2011 by the Executive Director (Enterprise Resources) was submitted on recommendations to:-

- ◆ declare certain areas of land and property surplus to operational requirements
- ◆ reallocate certain areas of land and property between Resources

The recommendations had been made in terms of agreed procedures for dealing with surplus land and property.

The Committee decided:

- (1) that the land/properties at 130 Almada Street, Hamilton (0.052 hectares), West Faulds Road, Lanark (1.200 hectares) and Dalsersf Primary School, Ashgill (0.589 hectares) be reallocated from Social Work Resources to the Corporate Land Bank, Housing and Technical Resources to Community Resources and from Education Resources to the Corporate Land Bank respectively;
- (2) that land at the following locations be declared surplus to the Council's requirements:-
 - ◆ 1 Ash Grove, Law (0.0081 hectares)
 - ◆ 12 Hamilton Place, East Kilbride (0.0071 hectares)
- (3) that land/property at the following locations be declared surplus to the Council's requirements and referred to the Executive Director (Enterprise Resources) to negotiate its disposal:-
 - ◆ land at Pathhead/Blackwood Court, Douglas (0.21 hectares)
 - ◆ land at Hamilton Road Industrial Estate, Strathaven (0.043 hectares)
 - ◆ land at Western Road, Cambuslang (0.031 hectares)
 - ◆ land and servitude at Summerlee Road, Larkhall (25 square metres)
 - ◆ land at Annsfield Farm, Strathaven Road, Hamilton (2.87 hectares)
 - ◆ Keir Hardie Road, Larkhall (2.54 hectares)

- (4) that the site of the former David Walker House, Rutherglen (0.16 hectares) be transferred from Social Work Resources to Housing and Technical Resources.

[Reference: Minutes of 23 March 2011 (Paragraph 11)]

14 South Lanarkshire Local Plan Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs

A joint report dated 20 April 2011 by the Executive Directors (Enterprise Resources) and (Housing and Technical Resources) was submitted on the "Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs".

The Supplementary Guidance had been developed in recognition of the need for Council officers and developers to clearly set out how planning policies on "Affordable Housing and Housing for Particular Needs" would be implemented in practice. The Supplementary Guidance would also clarify how sites for particular needs were to be identified and, in respect of affordable housing, clarify for developers what would be expected in negotiations on individual developments.

The detailed Guidance had been made available to members of the Committee prior to the meeting and the key issues contained in the Guidance were highlighted in the report.

Following approval, the Guidance would become a material planning consideration in deciding planning applications and appeals. The document would be made available on the Council's web site and copies would be available for purchase.

The Committee decided:

- (1) that the "Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs" be approved subject to any notification requested; and
- (2) that the Executive Director (Enterprise Resources) be authorised to modify the Supplementary Planning Guidance prior to publication to take account of minor drafting and technical matters.

[Reference: Minutes of 23 February 2011 (Paragraph 19)]

15 Former Audiology Unit, 4b Auchingramont Road, Hamilton - Lease Obligations

A joint report dated 6 April 2011 by the Executive Directors (Education Resources) and (Enterprise Resources) was submitted on:-

- ◆ the Council's liabilities in terms of its lease of the property known as the former Audiology Unit at 4b Auchingramont Road, Hamilton
- ◆ proposals to meet the cost of refurbishing and improving the property to a tenable condition

The building was currently held by the Council on a long term lease with a current rent of £14,000 per annum. The terms of the current lease required the Council to maintain the building in good condition and, as the building had fallen into a state of dilapidation, the landlord had threatened to terminate the lease. If the landlord was successful in terminating the lease, the Council would require to meet the landlord's estimate of refurbishing the property and would lose any benefits arising from the tenancy. To protect the interests of the Council, it was proposed that any attempt by the landlord to terminate the lease be resisted.

The Council estimate for refurbishing the property to a tenantable condition was £0.500 million and the landlord would be approached for approval of the work. Assuming that the Council successfully resisted the landlord's attempts to terminate the lease and following completion of the refurbishment work, potential occupiers would be invited for the property. It was estimated that any future sub-lease could achieve an annual rental of approximately £0.030 million per annum.

The Committee decided:

- (1) that the Executive Director (Enterprise Resources) be authorised to progress the dilapidation and refurbishment works to the property known as the former Audiology Unit, 4b Auchingramont Road, Hamilton;
- (2) that the Executive Director (Enterprise Resources) be instructed to obtain the necessary landlord's consent to the refurbishment works and, thereafter, commence arrangements to secure an occupier for the property; and
- (3) that the Executive Director (Education Resources), in consultation with the Executive Director (Enterprise Resources) and the Head of Legal Services, if appropriate, be authorised to conclude all matters and complete any necessary legal agreements on terms that were in the best interests of the Council.

Councillor Shearer re-entered the meeting during this item of business

16 Recommendation Referred by Corporate Resources Committee

A report dated 4 May 2011 by the Chief Executive was submitted on the following recommendation which had been referred to this Committee by the Corporate Resources Committee of 30 March 2011.

Health and Safety Strategy and Policy

- ◆ that the revised Health and Safety Strategy and Policy be approved

The Committee decided: that the recommendation of the Corporate Resources Committee in relation to the revised Health and Safety Strategy and Policy be approved.

[Reference: Minutes of Corporate Resources Committee of 30 March 2011 (Paragraph 7)]

17 Member/Officer Task and Finish Group - Review of Fixed Play Areas

A report dated 7 April 2011 by the Executive Director (Community Resources) was submitted on the outcome of the review of fixed play areas undertaken by the Member/Officer Task and Finish Group established for that purpose.

The objectives of the review were provided together with statistical information which compared the Council's fixed play area provision with that of 7 neighbouring authorities. This clearly indicated that the Council had the highest number of fixed play areas. Set against this was an indication from the APSE framework that the Council's rating was poor in terms of the play value.

Details were provided on:-

- ◆ the value behind fixed play areas
- ◆ the scope of the review of existing fixed play area provision

- ◆ the service options for the future provision of fixed play areas

The preferred option included a reduction in fixed play areas in South Lanarkshire from 357 to 239 and the development of a detailed investment programme for the remaining play areas. A key element of taking the investment programme forward would be a series of meetings between appropriate officers and locally elected members on an electoral ward basis.

In terms of future investment in play areas, it was highlighted in the review that this could be supported by additional resources from the Planning Gain process (Section 75 Agreements). It was proposed that, where the full development contribution was £0.025 million or less, it be automatically allocated to fixed play areas.

A capital allocation of £0.100 million would be made available during 2011/2012 as well as £0.590 million over 5 years of revenue investment in the Council's fixed play areas.

A wide ranging consultation process had been undertaken on the proposals which included engagement with school pupils in primary 5, 6 and 7 from 24 primary schools in the South Lanarkshire area.

The Committee decided:

- (1) that the preferred option identified by the Task and Finish Group to reduce the number of existing fixed play areas by 118 and to develop a reinvestment programme covering the remaining 239 fixed play areas be approved;
- (2) that, in terms of Planning Gain, where the full development contribution was £0.025 million or less, this be automatically allocated towards the provision of children's fixed play areas; and
- (3) that uses for surplus fixed play area sites be considered in detail at an appropriate time in the future.

[Reference: Minutes of 23 June 2010 (Paragraph 10) and Performance and Review Scrutiny Forum of 18 January 2011 (Paragraph 8)]

18 Urgent Business

There were no items of urgent business.