



Council Offices, Almada Street
Hamilton, ML3 0AA

Tuesday, 19 March 2024

Dear Councillor

South Lanarkshire Council

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

Date: Wednesday, 27 March 2024

Time: 10:00

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

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

Yours sincerely

Paul Manning
Chief Executive

Members

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

BUSINESS

- 1 **Declaration of Interests**
- 2 **Minutes of Previous Meeting** 5 - 14
Minutes of the meeting of South Lanarkshire Council held on 31 January 2024 submitted for approval as a correct record. (Copy attached)
- 3 **Minutes of Special Meeting** 15 - 32
Minutes of the special meeting of South Lanarkshire Council held on 21 February 2024 submitted for approval as a correct record. (Copy attached)
- 4 **Minutes of Risk and Audit Scrutiny Committee** 33 - 42
Minutes of the meeting of the Risk and Audit Scrutiny Committee held on 31 October 2023 submitted for noting. (Copy attached)

Item(s) for Decision

- 5 **Clydeplan and Glasgow City Region Spatial Planning** 43 - 46
Report dated 13 March 2024 by the Chief Executive. (Copy attached)
- 6 **Community Facilities – Temporary Delegated Authority** 47 - 52
Report dated 13 March 2024 by the Executive Director (Housing and Technical Resources). (Copy attached)
- 7 **Notice of Motion - Immediate Ceasefire and Long-Term Peace in Gaza** 53 - 54
Motion received in terms of Standing Order No. 20 on 5 March, 2024, proposed by Councillor Andrea Cowan and seconded by Councillor Elaine McDougall. (Copy attached)
- 8 **Notice of Motion - Right to Strike** 55 - 56
Motion received in terms of Standing Order No. 20 on 12 March, 2024, proposed by Councillor Elaine McDougall and seconded by Councillor Katy Loudon. (Copy attached)

Item(s) for Noting

- 9 **Mid-Term Review of the Council's Political Management Arrangements Procedural Documentation** 57 - 60
Report dated 8 March 2024 by the Chief Executive. (Copy attached)
- 10 **Revenue Budget and Level of Local Taxation 2024/2025 – Local Government Finance (Scotland) Order 2024** 61 - 64
Report dated 4 March 2024 by the Executive Director (Finance and Corporate Resources). (Copy attached)

Urgent Business

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

For further information, please contact:-

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

Minutes of the meeting held via Confero and in the Council Chamber on 31 January 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 Poppy Corbett, Councillor Andrea Cowan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Gladys Ferguson-Miller, Councillor Elise Frame, Councillor Alistair Fulton, Councillor Ross Gowland, Councillor 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 Carol Nugent, Councillor Norman Rae, Councillor Kirsten Robb, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner, Councillor David Watson, Councillor Kirsty Williams

Councillors' Apologies:

Councillor Monique McAdams, Councillor Richard Nelson, Councillor Mo Razzaq, Councillor Margaret B Walker

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

N Docherty, Administration Assistant; G McCann, Head of Administration and Legal Services; S Somerville, Administration Manager; J Taylor, Head of Finance (Strategy)

Housing and Technical Resources

S Gibson, Executive Director

Social Work Resources/Health and Social Care

L Purdie, Head of Children and Justice Services

Order of Business

The Committee decided:

that the items of business be dealt with in the order minuted below.

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Cooper	<ul style="list-style-type: none">◆ Touch a Life, Make a Difference Initiative◆ Recommendation Referred by Executive Committee – Reduction in Number of Specialist Palliative Care Beds at Kilbryde Hospice	Member of the Board of Trustees of Kilbryde Hospice Board
Logan	Recommendation Referred by Executive Committee – Reduction in Number of Specialist Palliative Care Beds at Kilbryde Hospice	Member of NHS Board

2 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 1 November 2023 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 August 2023 were submitted for noting.

The Council decided: that the minutes be noted.

4 The Armed Forces Community Covenant Duty

A report dated 19 January 2024 by the Chief Executive was submitted advising of the Armed Forces Community Covenant Duty, a legal duty introduced by the Armed Forces Act 2021, which came into effect on 22 November 2022.

On 5 March 2012, the Council, together with a range of other partners from NHS, the military, the voluntary and charity sectors, signed up to the terms of an Armed Forces Community Covenant for South Lanarkshire.

The specific aims of the Armed Forces Community Covenant were to:-

- ◆ encourage local communities to support the armed forces community in their areas
- ◆ nurture public understanding and awareness amongst the public of issues affecting the armed forces community
- ◆ recognise and remember the sacrifices faced by the armed forces community
- ◆ encourage activities which helped to integrate the armed forces community into local life
- ◆ encourage the armed forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

In order to take the principles of the original Covenant forward, a local group was set up under the co-ordination of the army, entitled Lanarkshire Firm Base, which aimed to bring a range of organisations, including North and South Lanarkshire Councils, the NHS, the military, voluntary sector groups, appropriate charitable organisations and other community planning partners to work together to improve services and support to local veterans and their families by progressing the terms of the Covenant.

In 2018, the Armed Forces Community Covenant was updated and Lanarkshire Firm Base relaunched. To underline and raise awareness of the Covenant, the Council recommitted to it by signing an updated version of the Covenant at the Council's Armed Forces Day Flag Raising Event on 23 June 2018.

The Armed Forces Act 2021 further enshrined the Covenant into law and it was intended to help prevent service personnel and veterans being disadvantaged when accessing public services. It meant that decisions about the development and delivery of certain services must be made with conscious consideration of the needs of the Armed Forces community, details of which were outlined in Section 4 of the report.

An update on the Council's progress in each of the Service areas outlined, as well as on employment of veterans, was included in the annual report attached as Appendix 1 to the report.

A role profile for Local Government Armed Forces Champions, attached as Appendix 2 to the report, had been drafted to reflect the terms of the legislation, associated guidance and accompanying toolkit.

The Lanarkshire Firm Base Group had been renamed as the Lanarkshire Armed Forces Community and Veterans Covenant Group and its Terms of Reference had been updated to reflect the terms of the Act and associated guidance.

Councillor Horsham, as the Council's Armed Forces and Veterans Champion, welcomed the report and thanked colleagues and organisations for their input in working towards the aims and objectives of the Covenant. He advised that the membership of the Lanarkshire Armed Forces Community and Veterans Covenant Group was growing and the plan over the coming year was to focus on employment and develop a website and booklet.

Councillors Cowan, Fagan, Allison and Brown, in turn, were heard in support of the work undertaken and, in particular, to the role played by Councillor Horsham as the Council's Armed Forces and Veterans Champion.

The Provost also paid tribute to the late Councillor Jim Handibode, who was the Council's first Veterans Champion and well-known in the Armed Forces community. She considered he would have been proud of how Councillor Horsham had progressed the aims and objectives of the Covenant.

The Council decided:

- (1) that the Armed Forces Community Covenant Duty be noted;
- (2) that it be noted that the Lanarkshire Firm Base Group had been renamed as Lanarkshire Armed Forces Community and Veterans Covenant Group;
- (3) that the content of the South Lanarkshire Armed Forces Community Covenant Duty Report 2023, attached as Appendix 1 to the report, be noted; and

- (4) that the updated Armed Forces and Veterans Champion role profile, attached as Appendix 2 to the report, be approved.

[Reference: Minutes of 26 June 2019 (Paragraph 5)]

Following this item, the Provost advised that she had received a request for an Item of Urgent Business and would deal with it at this point in the meeting

5 Request in Terms of Standing Order No 4(c) for an Item of Urgent Business

Following Councillor Cowan's request for an urgent motion relating to the issues in Palestine and Israel, the Provost advised that, while it made some points that many would agree with, at the last Council meeting, a minute's silence had been observed to show sympathy for the suffering in that conflict. She further advised that the position remained the same as before when Councillor Cowan proposed a similar emergency motion at the last Council meeting. She considered that the resolution of international conflict was not a matter for political debate in this chamber and there was plenty of business to be dealt with on behalf of the constituents of South Lanarkshire. She considered that elected members could write to their own political party leaders to express their own opinions in this regard. She ruled, therefore, that she was not going to allow the emergency motion or open up a political debate as she considered it was more appropriate for a higher level of government.

Councillor Cowan expressed her disappointment that the motion would not be heard following on from the International Court of Justice's ruling.

The Provost advised that she did not consider there was a need for this motion to be brought forward as urgent business as there had been ample opportunity to submit it in the normal manner since the last Council meeting.

The Provost responded to a point from Councillor Brown to confirm that motions in relation to international matters could be considered and had been brought forward in the past, however, the premise would be that the content of motions should have a direct influence on how the Council operated in South Lanarkshire for the benefit of its people. She considered that, prior to bringing forward a motion, elected members might wish to consider the most appropriate tier of government for it to be debated at a political level.

The Head of Administration and Legal Services having clarified the terms of Standing Order Nos 4(c) and 20, the Provost ruled that any further questions on Standing Orders on Procedures could be addressed directly to G McCann's office after the meeting.

The Council decided: to note the position.

6 Composition of the Council and Membership Places

A report dated 8 January 2024 by the Chief Executive was submitted advising of the revised political composition of the Council and proposed changes to memberships.

Following the resignation of Councillor Horsham from the SNP Group, the political composition of the Council had changed and the allocation of committee and forum places required to be considered.

While there was no statutory requirement, the Council endeavoured to reflect the overall political balance in the membership of its committees, forums, Joint Boards and Outside Bodies insofar as was reasonably practicable.

The political composition of Resource Committees, Planning Committee, Risk and Audit Scrutiny Committee, Recruitment Committee and Planning Local Review Body remained unchanged, as did most of the Forum memberships. It was, therefore, proposed that those places previously filled by Councillor Horsham be allocated to the SNP Group.

There was now an equality in percentage entitlement for both the Labour and SNP Groups which did not equate to a full number and required to be rounded up or down in terms of appointments to:-

- ◆ Executive Committee
- ◆ Climate Change and Sustainability Committee
- ◆ Licensing Committee
- ◆ Petitions Committee
- ◆ Equal Opportunities Forum
- ◆ Standards and Procedures Advisory Forum

In the past, it had been custom and practice to grant any unfilled spaces on committees, forums or boards to the Ruling Group. However, there had never been a situation where the 2 largest Groups had an equality of numbers/percentage entitlement.

Following discussion, Councillor Fagan, seconded by Councillor Convery, moved that the remaining vacant places be allocated to the Labour Group which would continue to engage with smaller groups and the independent member in terms of filling those places.

Councillor Ross, seconded by Councillor Shearer, moved as an amendment that the item be deferred and remitted to the Standards and Procedures Advisory Forum for clarity going forward. Meanwhile, the Business Managers of the Labour and SNP Groups to decide on the allocation of vacant places without precluding those who did not have a place at the present time.

Councillor Allison, seconded by Councillor Hose, moved as a further amendment that the Labour Group, as part of the Ruling Administration, be given the places subject to taking into consideration Councillor Horsham's position.

Having heard Councillor Fagan's clarification that it had always been the case that there was engagement with the smaller groups and the independent member and his assurance that this would continue, Councillor Allison, with the agreement of Councillor Hose, withdrew his amendment.

The Head of Administration and Legal Services clarified that a decision could be taken today by a simple majority. If members wished to consider a change in Standing Orders on Procedures, then the opportunity would be given as part of the mid-term review of procedural documentation which was scheduled to take place in 2024/2025, during which the Standards and Procedures Advisory Forum would meet to consider matters.

Prior to the vote, the Provost responded to Points of Order by Councillor Clark in terms of clarifying her powers and duties as Chair.

On a vote being taken using the electronic voting system, 31 members voted for the motion, 26 for the amendment and 2 abstained. The motion was declared carried.

The Council decided:

- (1) that the current political composition of the Council, as detailed in Appendix 1, be noted;
- (2) that Councillor Marrs replace Councillor Horsham on the Education Resources Committee, with Councillor Horne filling the resulting place as a substitute member;

- (3) that Councillor Marrs replace Councillor Horsham on the Education Appeals Committee;
- (4) that Councillor Anderson replace Councillor Horsham on the Social Work Resources Committee, with Councillor Dewar filling the resulting place as a substitute member;
- (5) that Councillor Horne replace Councillor Horsham and Councillor Donnelly replace Councillor Ferguson-Miller on the Planning Committee, with Councillor Ferguson-Miller becoming a substitute member;
- (6) that Councillor Shearer replace Councillor Horsham on the Planning Local Review Body;
- (7) that Councillor Ferguson-Miller replace Councillor Horsham as a substitute member on the Licensing Committee;
- (8) that Councillor Clark replace Councillor Horsham as a substitute member on the Rural Task Force;
- (9) that Councillor McDougall replace Councillor Horsham as a Trustee on both the South Lanarkshire Charitable Trust and the South Lanarkshire Educational Trust;
- (10) that Councillor Marrs replace Councillor Horsham on the South Lanarkshire Cycling Partnership;
- (11) that Councillor Shearer replace Councillor Horsham as a substitute member on the Standards and Procedures Advisory Forum;
- (12) that Councillor Ross replace Councillor Horsham on the Strathclyde Partnership for Transport Board;
- (13) that the remaining vacant place on the following committees and forums be allocated to the Labour Group which would continue to engage with smaller groups and the independent member in terms of filling those places:-
 - ◆ Executive Committee
 - ◆ Climate Change and Sustainability Committee
 - ◆ Licensing Committee
 - ◆ Petitions Committee
 - ◆ Equal Opportunities Forum
 - ◆ Standards and Procedures Advisory Forum
- (14) that authority be delegated to the Chief Executive, in consultation with the Leaders of the relevant political groups, to finalise memberships of those bodies listed in Recommendation (13), or any other outstanding places, on the basis approved by the Council.

In terms of Standing Order No 14, the Provost adjourned the meeting during this item of business at 11.01am. The meeting reconvened at 11.10am

Councillor Lennon joined the meeting during this item of business

6 Notice of Motion – South Lanarkshire’s Nature Emergency

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

“Council:-

- 1) Notes the body of evidence which outlines the alarming extent of the global nature and biodiversity crisis due to species extinction, climate breakdown, habitat loss, pesticide use, pollution, invasive species and soil degradation.
- 2) Recognises the inherent value of nature as an integral part of culture and society, as well as its crucial importance for our health, wellbeing, and economy.
- 3) Acknowledges the key role nature will play in meeting climate targets, and for climate adaptation and resilience.

Further, Council:-

- 4) Welcomes the Edinburgh Declaration, signed by South Lanarkshire Council, which recognised local authorities’ important role in delivering biodiversity and notes there will be forthcoming statutory targets for public bodies to halt biodiversity loss by 2030 and restore it by 2045.
- 5) Acknowledges the progress made in South Lanarkshire, with the designation and expansion of nature reserves and award of Nature Restoration Fund of £1million to date.
- 6) Recognises the role that the public have played and must play in the future to meet biodiversity targets and notes the important role of the council’s Countryside and Greenspace team who between 2011 and 2022 facilitated around £2m worth of environmental volunteering.
- 7) Notes the results of the 2022 Grounds Participatory Budgeting exercise where the majority of respondents said they would like to see more areas developed for wildflowers and pollinators.
- 8) Congratulates young people in Holy Cross and Carluke High Schools for their work on the Scottish Curriculum and Qualification Framework accredited Forestry and Outdoor Learning Award (FOLA), preparing them for green economy jobs and enhancing their employability skills.

Therefore, Council agrees:-

- 9) To declare a Nature Emergency recognising the current state of nature, its value to society and the crucial role its recovery and restoration will play in ameliorating climate breakdown.

Further, Council requests reports to appropriate committees to:-

- 10) Ensure Council strategies, Resource plans and initiatives align with the Scottish Biodiversity Strategy and address any changes, data and capacity required to develop and monitor action.
- 11) Adopt a partnership approach at a landscape scale, maximising opportunities for biodiversity improvement and external funding, and propose and support the link between the South Lanarkshire Biodiversity Partnership and the South Lanarkshire Community Planning Partnership being reinstated.

- 12) Highlight council action which would improve biodiversity, such as: ceasing the use of peat and plastic grass in landscaping, reducing glyphosate use, planting only pollinator friendly species and incorporating nest boxes and minimising light pollution in the Residential Design Guide.
- 13) Ensure the current and future workforce understands the importance of biodiversity, how it impacts their role and how nature-connected organisations improve staff wellbeing. This would also determine additional skills or knowledge needed by the workforce, offer biodiversity training to all elected members, and promote and support FOLA in more schools.
- 14) Build on existing corporate communications highlighting changes that will be put in place to improve biodiversity, why they are happening and what benefits they will bring.”

In moving her motion, Councillor Robb stated that she wished to raise awareness of the nature emergency and, more importantly, to support more local action on it at the scale and pace the emergency demanded. She referred to the statistics and the anxiety felt by young people, which highlighted that nature urgently required to be protected and restored. In seconding the motion, Councillor Clark considered that transformative action was needed to combat biodiversity loss and environmental degradation.

Councillor McGeever and Councillor Allison were heard in support of the motion but highlighted the requirement for the Council to have appropriate funding and resources to continue its good work in this area.

The Council decided:

that the terms of the motion be agreed and the Council declare a nature emergency, recognising the current state of nature, its value to society and the crucial role its recovery and restoration would play in ameliorating climate breakdown and, through reports to appropriate committees, would:-

- ◆ ensure Council strategies, Resource plans and initiatives aligned with the Scottish Biodiversity Strategy and addressed any changes, data and capacity required to develop and monitor action
- ◆ adopt a partnership approach at a landscape scale, maximising opportunities for biodiversity improvement and external funding, and proposed and supported the link between the South Lanarkshire Biodiversity Partnership and the South Lanarkshire Community Planning Partnership being reinstated
- ◆ highlight Council action which would improve biodiversity, such as ceasing the use of peat and plastic grass in landscaping, reducing glyphosate use, planting only pollinator friendly species and incorporating nest boxes and minimising light pollution in the Residential Design Guide
- ◆ ensure the current and future workforce understood the importance of biodiversity, how it impacted their role and how nature-connected organisations improved staff wellbeing. This would also determine additional skills or knowledge needed by the workforce, offer biodiversity training to all elected members, and promote and support FOLA in more schools

- ◆ build on existing corporate communication highlighting changes that would be put in place to improve biodiversity, why they were happening and what benefits they would bring

Councillor Lennon left the meeting during this item of business

7 Touch a Life, Make a Difference Initiative

A report dated 17 January 2024 by the Chief Executive was submitted proposing the launch of a “Touch a Life, Make a Difference” initiative within South Lanarkshire.

The Provost had suggested that a new approach be taken within the Council to encourage local businesses, groups, organisations and schoolchildren to fundraise for local good causes which would benefit people within their communities or within the wider South Lanarkshire Council area and the “Touch a Life, Make a Difference” initiative was developed to facilitate this. Each year, one beneficiary would be recommended as the recipient of fundraising activities, although individuals, groups etc would be free to choose their own good cause. Kilbryde Hospice had been suggested as the beneficiary in 2024.

It was proposed that a South Lanarkshire Council Roll of Honour for Local Fundraising and Provost Charitable Award be established to recognise the hard work of local fundraisers. Ward councillors would be invited to submit names of individuals, groups etc for inclusion in the Roll of Honour and to be recipients of the Provost Charitable Award. To honour those included in the Roll of Honour, it was proposed that a civic reception be held at the end of the calendar year.

The Head of Administration and Legal Services responded to members’ questions on various aspects of the report.

Following discussion, Councillor Fagan, seconded by Councillor Convery, moved the recommendations in the report. Councillor Ross, seconded by Councillor Johnston-Dempsey, moved as an amendment that it be deferred for further background information and remitted for consideration at a future date.

On a vote being taken using the electronic voting system, 32 members voted for the motion and 26 for the amendment. The motion was declared carried.

The Council decided:

- (1) that the launch of the “Touch a Life, Make a Difference” initiative to encourage local organisations, community groups, local people and schoolchildren to raise money for good causes within their own and the wider South Lanarkshire area for the benefit of people be approved;
- (2) that it be approved that Kilbryde Hospice be promoted as the beneficiary of fundraising initiatives in 2024; and
- (3) that a Provost Charitable Award and South Lanarkshire Council Roll of Honour for Local Fundraising be established to honour local fundraisers.

Councillor Keatt joined the meeting during this item of business

The Provost, having declared an interest in the above item and following item, left the meeting during their consideration. The Depute Provost took the Chair for those items only

8 Recommendation Referred by Executive Committee – Reduction in Number of Specialist Palliative Care Beds at Kilbryde Hospice

A report dated 17 January 2024 by the Chief Executive was submitted on the recommendation which had been referred to the Council by the Executive Committee of 22 November 2023 in relation to the reduction in the number of specialist palliative care beds at Kilbryde Hospice.

Following on from the Executive Committee, a response had been received to the Chief Executive's letter from the Minister for Public Health and Women's Health, as outlined in paragraph 4.1 of the report. A members' briefing session, led by NHS Lanarkshire, on End of Life Care and Support had been held on Friday 19 January 2024.

The recommendation from the Executive Committee of 22 November 2023 was that the update in relation to Kilbryde Hospice be noted.

The Council decided: that the recommendation of the Executive Committee of 22 November 2023 in relation to Kilbryde Hospice be noted.

[Reference: Minutes of the Executive Committee of 22 November 2023 (Paragraph 5)]

Councillor Logan, having declared an interest in the above item, withdrew from the meeting during its consideration

9 External Auditor's Annual Report to South Lanarkshire Council

A report dated 12 January 2024 by the Chief Executive was submitted on the External Auditor's, Audit Scotland, Annual Report to the Council for 2022/2023.

In response to Councillor Kerr's question in terms of members' training and development, as outlined within the Action Plan attached to the Auditor's report, the Chief Executive advised that it was proposed that Personnel Services undertake a Training Needs Analysis with elected members in February 2024 to get feedback to help inform the 2024/2025 members' training plan. This would include a range of levels of training to suit members, including finance, with the involvement of the Chartered Institute of Public Finance and Accountancy (CIPFA).

The Council decided: that the External Auditor's Annual Report 2022/2023 to the Council be noted.

[Reference: Minutes of the Risk and Audit Scrutiny Committee of 31 October 2023 (Paragraph 4a)]

Provost's Closing Remarks

The Provost advised that at future Council meetings she intended to stick rigidly to the time limits set out in Standing Orders on Procedures in order to expedite business. At the Provost's invite, the Head of Administration and Legal Services reminded members of the contents of Standing Order No 16, in terms of the length of speeches, and Standing Order No 12 which set out the powers and duties of the Provost.

The Head of Administration and Legal Services responded to a member's question to clarify the Provost's powers and duties.

Minutes of the special meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 21 February 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 Poppy Corbett, Councillor Andrea Cowan, Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Mary Donnelly, Councillor Joe Fagan, Councillor Allan Falconer, Councillor Grant Ferguson, Councillor Gladys Ferguson-Miller, Councillor Elise Frame, Councillor Alistair Fulton, Councillor Ross Gowland, Councillor 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 Norman Rae, 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

Councillor's Apology:

Councillor Monique McAdams

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

N Docherty, Administration Assistant; G McCann, Head of Administration and Legal Services; T Slater, Administration Adviser; S Somerville, Administration Manager; J Taylor, Head of Finance (Strategy)

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 the recent Burns Supper and wished to record her personal thanks to colleagues and officers for their support.

Councillor Nelson gave his thanks to the Provost for organising the event and for the amount raised for Kilbryde Hospice.

The Provost confirmed that the amount raised for the Hospice was nearing £40,000 and fundraising would continue throughout the year following on from the Council's agreement to it being the selected charity for the Touch a Life, Make a Difference Initiative.

1 Sederunt and Declaration of Interests

Prior to inviting declaration of interests, the Head of Administration and Legal Services, as Monitoring Officer, reminded elected members of restrictions on voting in setting the level of Council Tax in the event that any member present was in arrears with payment of Council Tax which had remained unpaid for at least 2 months or had outstanding bills for Community Charge/Poll Tax. Any person who failed to comply would be guilty of an offence.

The following members made transparency statements, however, having taken account of the recent updated guidance issued by the Standards Commission for Scotland on participating in budget decision-making, did not consider that they met the criteria for declaring an interest :-

- ◆ Councillor McClymont stated that she was the Council's appointed representative to the Clydesdale Citizens' Advice Bureau and attended meetings of the Cargill House Club as a local member. Both groups were listed for potential savings at Item 2, Appendix 1 (d) of the report
- ◆ Councillor Logan stated that, in a personal capacity, she was Secretary of Carluke Gala Day Committee. Savings reference CER16 at Item 2 referred to support for gala days
- ◆ Councillor Brown stated that he was a Director of Clyde Gateway, as appointed by the Council – referenced within the savings at Item 2
- ◆ Councillor Cowie stated that she was a Director of Clyde Gateway, was Chair of Fernhill Playscheme and Vice Chair of Rutherglen Landemer Committee – referenced within the savings at Item 2

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Robb	◆ Overall Position of Revenue Budget and Level of Local Taxation for 2024/2025 – CER03 and EDR02	◆ Volunteer at Calderglen Country Park ◆ Friend employed as a school technician

At this point in the meeting, the Provost referred to the forthcoming retirement of G McCann as Head of Administration and Legal Services. Ms McCann had delayed her original retirement date to allow time for her successor to be in post. The Provost, on behalf of the Council, thanked her for all her hard work and advice over the years and wished her a long and happy retirement. Councillors Ross, Fagan, Brown and Allison spoke, in turn, to thank Ms McCann for her support and counsel

The Provost then congratulated S Sengupta in his role as Acting Depute Chief Executive

2 Overall Position of Revenue Budget and Level of Local Taxation for 2024/2025

A report dated 9 February 2024 by the Chief Executive was submitted on:-

- ◆ the 2024/2025 budget position, following the Local Government Settlement for 2024/2025
- ◆ updated savings proposals and the proposed Council Tax level for 2024/2025
- ◆ the proposed Revenue Budget for 2024/2025, including the base budget allocations to Resources

At the Executive Committee on 24 January 2024, an update to the Budget Strategy was presented which resulted in a Budget Gap of £20.570 million. This position assumed no increase in Council Tax and was based on the Local Government Settlement received in December 2023.

The 2024/2025 Finance Order had not yet been approved, therefore, further changes might arise and members would be notified of the final settlement value as appropriate. It was also highlighted that the UK Spring Budget was set for 6 March 2024 and there was a risk that this could affect the Scottish Government/Scottish Public Sector Budgets should there be fundamental changes from those agreed in the Scottish Budget.

The Council's proposed Revenue Budget for 2024/2025 included a budget for Social Work Resources. This included budget for the delegated services of the Integration Joint Board (IJB) (Adults and Older People) as well as non-delegated services such as Children and Families.

As previously advised, the recent actuarial valuation of Strathclyde Pension Fund had meant that the level of Employer Pension Contributions would be reduced into 2024/2025. This meant that the IJB would not incur the same level of costs in 2024/2025. The total Social Work Resources Budget for 2024/2025 would remain the same, however, funds released as a result of the reduced pension contributions for the IJB in 2024/2025 could be used to contribute towards continued pressures in Children and Families.

Options to eliminate the Budget Gap of £20.570 million were outlined in Section 5 of the report.

An updated package of savings proposals was attached as Appendix 1 to the report. This included a proposed reduction of £1.000 million in the Management Fee paid by the Council in 2024/2025 to South Lanarkshire Leisure and Culture (SLLC). The package of savings also included 2 proposals that impacted on teacher numbers – EDR10 and EDR12. The Council had received notification that the allocation of funding for teacher numbers of £145.5 million for 2024/2025 would be distributed via Specific Resource Grants and those grants would be conditional on councils agreeing at the outset to maintain teacher numbers.

A national allocation of £144 million had been advised for a Council Tax Freeze, the Council's indicative share being £7.869 million. This was not included in the Local Government Settlement received in December 2023. Any allocation of those monies to the Council would be conditional on the Council approving a Council Tax Freeze. In arriving at the Budget Gap, no account had been taken of any increase in Council Tax nor of any Scottish Government Funding for a Council Tax Freeze.

At the Executive Committee on 24 January 2024, approval was given to transfer £6.000 million to reserves which presented an option to assist with the Council's Budget Strategy. Appendix 2 illustrated the budget gap over the next 4 years. As this funding was one-off, it could not be used to replace the need for permanent savings, however, it might help in phasing in the delivery of agreed savings or delay the need to make savings for a period of time. It was considered that those reserves be used as a contingency should cost pressures, specifically pay, be higher than anticipated in the Budget Strategy.

Councillor Fagan, seconded by Councillor Brown, proposed the following amendment, which had been agreed by those political/independent groups which had participated in the cross-party Budget Working Group:-

"As an amendment to Item 2 'Overall Position of Revenue Budget and Level of Local Taxation for 2024/2025', the Council is asked to approve the following recommendation(s):

- (1) that the Budget Gap of £20.570 million (section 4.1), be noted;
- (2) that the assumptions detailed at paragraph 7.2, used to arrive at the Budget presented in section 7, be noted;
- (3) **that the amount of savings, the level of Council Tax, investments and the Use of Reserves to be used to balance the 2024/2025 Budget as detailed in this amendment be agreed;**
- (4) that the budget figures detailed at section 7 (based on the assumptions in section 7.2 and 7.3) are to be updated following agreement of the Budget, be noted;

- (5) that the potential impact of savings beyond 2024/2025 (section 9), be noted; and
(6) that the Revenue Budget for 2024/2025, including the base budget allocations to Resources, as shown in Appendix 3, be approved, subject to Members' decision on recommendation 3.

Savings agreed:

It is proposed that the savings outlined below totalling £13.190 million be agreed.

Saving Ref.	Description	Value £m
M&O01	Overtime	0.300
M&O02	Charging Increase at 3% - revised to 6%	0.400
M&O03	Alternative Working Patterns	0.075
M&O04	Mechanical Sweeping – Large	0.150
M&O05	Central Administration Support	0.375
M&O06	Early Administration Support	2.150
M&O07	Additional Income from Statutory Additions	0.050
CER01	Waste	0.460
CER02	School Crossing Patrols	0.010
CER03	Countryside and Greenspace	0.120
CER04	Roads Spend –£480k reinvested in loans fund through investments to create £7.2 million capital investment in roads	1.800
CER07	Food Waste Liners	0.100
CER08	Secondary Meals Price Increase	0.177
CER10	Business Support Programmes	0.070
CER11	Leisure and Culture – revised saving	0.750
CER14	Winter Shrub Beds	0.700
CER15	Bedding and Hanging Baskets – revised saving to protect services to war memorials	0.124
EDR01	Librarians	0.240
EDR02	Secondary School Technicians	0.590
EDR03	Period Poverty	0.080
EDR04	ELC Quality Support and Service Delivery	0.300
EDR05	Delivery of the Curriculum, Quality and Improvement Service (CQIS)	0.350
EDR06	Early Learning and Childcare Food Provision	0.150
EDR07	Remove SLC Summer Programme Provision	0.143
EDR08	Mentoring and Learner Journey	0.380
EDR09	Payments to Regen:fx	0.115
FCR01	Community Grants, Civic Events and Gifts – revised saving to protect Civic Hospitality and Community / Playscheme Grants	0.270
FCR02	Council Tax and Benefits Call Centre	0.096
FCR03	Community Engagement – revised saving	0.215
FCR04	Payment to Regen:fx	0.200

Saving Ref.	Description	Value £m
HTR01	Community Safety Budget	0.046
HTR02	Housing Strategy Service	0.113
HTR03	CCTV	0.039
HTR04	Scheme of Assistance (Housing)	1.052
SWR01	Reduce the Subsidy of the In-House Residential Care Home Service	0.790
SWR02	Increase the Taper for Non-Residential Care Services from 60% to 70%	0.147
SWR03	Reduce the subsidy of the In-House Day Service	0.020
SWR04	Introduce a New Charge for the Installation of Key Safes	0.043
Total		13.190

Council Tax Increase: - It is proposed that the Council Tax is frozen.

Investments: It is proposed that the following investments be agreed :

Investment	Description	Value
Roads Investment – Revenue for Capital Borrowing	<p>£0.480 of permanent budget will be used to fund borrowing of £7.2 million of capital roads investment.</p> <p><i>Capital investment funded through revenue spending on a recurring basis.</i></p>	£0.480
Transitional Funding for Regen:fx	<p>Transitional funding for Regen:fx will be provided to maintain current funding levels for the coming year. A review of Regen:fx will be conducted during this period.</p> <p><i>Funded on a one-off basis through use of reserves.</i></p>	£0.315
Community Fightback Fund	<p>£800,000 will be used to enhance existing budget of £200,000 for transitional funding for South Lanarkshire Council's leisure and culture assets. This will create a £1 million Community Fightback Fund.</p> <p>The Community Fightback Fund will be a council-controlled fund that keeps open community facilities considered by SLLC for rationalisation where there has been credible interest in Community Asset Transfer, CAT-lite or a similar agreement.</p> <p><i>Funded on a one-off basis through use of reserves.</i></p>	£0.800

Investment	Description	Value
Transitional Funding for Voluntary Organisations	To assist community groups and causes, £270,000 will be used for transitional funding to delay implementation of the revised FCR01 saving until 2025. <i>Funded on a one-off basis through use of reserves.</i>	£0.270
Future Libraries Fund	Additional revenue support of £150,000 will be made available over more than one financial year to fund alternative library provision models for those areas affected by SLLC library rationalisation. <i>Funded on a one-off basis through use of reserves.</i>	£0.150
Net Zero Innovation Fund	£150,000 will be used to develop 'spend to save' and sustainable income generation options for South Lanarkshire Council over more than one financial year. These options will reflect the Council's ambition to transition to net zero. <i>Funded on a one-off basis through use of reserves.</i>	£0.150
Central Energy Efficiency Fund	£500,000 will be invested in the form of an additional contribution to the Central Energy Efficiency Fund over more than one financial year. <i>Funded on a one-off basis through use of reserves.</i>	£0.500
Total		£2.665

Appendix – Balanced Budget Reconciliation

Budget Gap from Officers' Report <i>(Section 5.1)</i>		£20.570m
Agreed Savings:		
M&O01	0.300	
M&O02	0.400	
M&O03	0.075	
M&O04	0.150	
M&O05	0.375	
M&O06	2.150	
M&O07	0.050	
CER01	0.460	
CER02	0.010	
CER03	0.120	
CER04	1.800	
CER07	0.100	
CER08	0.177	
CER10	0.070	
CER11	0.750	
CER14	0.700	
CER15	0.124	
EDR01	0.240	
EDR02	0.590	
EDR03	0.080	
EDR04	0.300	
EDR05	0.350	
EDR06	0.150	
EDR07	0.143	
EDR08	0.380	
EDR09	0.115	
FCR01	0.270	
FCR02	0.096	
FCR03	0.215	
FCR04	0.200	
HTR01	0.046	
HTR02	0.113	
HTR03	0.039	
HTR04	1.052	
SWR01	0.790	
SWR02	0.147	
SWR03	0.020	
SWR04	0.043	
Total Savings (A)	£13.190m	
Proposed Council Tax Increase - Freeze - if council tax freeze then £7.869m will be received in grant	<u>£7.869m</u>	
= Total Savings and Increase from Council Tax		<u>£21.059m</u>
Balance After Savings and Council Tax (Budget Gap) / Investment Opportunity		<u>£0.489m</u>
Further Investment Proposed:		
Permanent Budget required for Loans fund for Roads investment		£0.480

Transitional Funding for Regen:fx		£0.315
Community Fightback Fund		£0.800
Transitional Funding for Voluntary Organisations		£0.270
Future Libraries Project		£0.150
Net Zero Innovation Fund		£0.150
Central Energy Efficiency Fund		£0.500
Total Further Investment Proposed (B)		(£2.665m)
Add: Use of Reserves Proposed (C) <i>Using some of the £6 million set aside at Probable Outturn. The balance of reserves will be used as a contingency in the event of more funds being required for pay award.</i>		£1.676m
<i>Use £500k EY clothing grants reserves money not needed</i>		£0.500m
Budget Gap – should be zero		£0

Restatement of Net Expenditure Figure (report section 7.4)

Net Expenditure Figure within Revenue Budget Paper (sections 7.4 and associated appendices)	£956.076m
Add Back Assumed Level of Savings in Budget Paper (section 7.2)	£12.701m
Adjusted Net Expenditure Figure (before savings)	£968.777m
<i>Deduct: Actual Savings Taken from Table above (A)</i>	£13.190m
<i>Add: Any Further Investment Proposed (from Table above (B))</i>	£2.665m
Revised Net Expenditure figure for Revenue Budget (D)	£958.252m

Restatement of Net Sum Funded by Council Tax (Table 2, report section 7.5)

Revised Net Expenditure Figure for Revenue Budget for 2024/2025 (from Table above (D))	£958.252m
<i>Deduct: Government Grant</i>	£750.533m
<i>Deduct: Use of Reserves / Underspends in the Budget Strategy (£47.500m plus C from Table above)</i>	£49.676m
= Resultant Net Sum to be Funded Locally from Council Tax	£158.043m

At the invite of the Provost, the Leader of the Council spoke on his proposals. He wished to thank the Budget Working Group and officials who had supported the budget process. He referred to COSLA's counter proposal to the Scottish Government which he considered would have led to the Council not having to face the significant Budget Gap of £20.7 million, meaning no cuts to jobs or services. He advised that the Working Group had chosen to freeze Council Tax, not because it was the best outcome but the best in terms of options available. He confirmed that there was still a requirement to make approximately £13 million in savings and, for the most part, that would mean cuts to balance the budget. He said a number of the options that were being accepted could be mitigated or would have a limited impact, while some would have consequences, but he considered the Council did not have the resources to avoid those consequences. He advised that some options were only accepted partially or the introduction of savings had been deferred, while some had been rejected entirely.

He advised that £0.480 million had been identified to fund £7.2 million of capital investment in roads to offset the impact of revenue budget cuts through borrowing. He referred to the challenges in balancing the budget and the difficulties still faced, such as meeting low carbon ambitions, and wished to recognise the work of the Climate Change and Sustainability Committee. He advised that it was proposed that a £0.150 million Net Zero Innovation Fund be established and a cash injection to the Central Energy Efficiency Fund of £0.5 million. He stated SLLC could not be protected from the challenges facing the Council but the Council would intervene where it could, therefore, the original savings required from SLLC had been halved to £0.750 million. He advised of 2 new funds that would help transition to a new operating model and mitigate the impact on the community. Those were a Future Libraries Fund, totalling £0.150 million, and a Community Fightback Fund, totalling £1 million, which would act as a transition fund to help sustain assets under new community operators.

In seconding the proposals, Councillor Brown considered the motion was set against the worse financial economic background he could recall. Therefore, the core principles in approach were:-

- ◆ to get as much as possible from efficiencies and charging policies to reduce the pressure on services
- ◆ to fund spend to save projects which would reduce core revenue bills and contribute to tackling climate change
- ◆ to sustain education and community care services as well as increase the voluntary capacity of organisations

The Provost advised that she was going to make a statement, not in her role as Provost, but as Leader of the Independent Group. As Chair of the Budget Working Group, she highlighted its aim had always been to find consensus and put party politics aside to identify the best solutions for the residents of South Lanarkshire and expressed her regret that not all political groups had participated. She advised that this was the most difficult budget period to date after years of under-funding. She wanted to thank officers across the Council for bringing forward options, however, emphasised it was for members to decide on how to balance the Council's budget. She considered that the amendment presented by the Leader would protect frontline services across the Council and would:-

- ◆ avoid cuts in schools that would impact on teacher numbers
- ◆ maintain the number of cuts and weedkiller applications that were needed to keep communities tidy
- ◆ avoid introducing parking charges at Chatelherault, the James Hamilton Heritage Park, Calderglen and Tinto
- ◆ maintain and improve roads for future years
- ◆ enable work with communities to find new futures for buildings such as halls and libraries
- ◆ enable continued support to voluntary groups while assisting them to find long-term funding solutions

Councillor Allison concurred that this was the most difficult budget process and, while not part of the Administration, he advised that his Group had always worked with the Administration to try to get the best deal for constituents. He referred to the requirement to save in excess of £90 million over the next 4 years. He considered that while reserves could be used, this would make the situation worse in the future. He advised that his Group's priorities were Education, the roads budget and the Leisure Trust. He said he fully agreed with 92% of those who had responded to the consultation that the roads budget should not be cut, although how that could be funded had presented challenges and his Group had reluctantly accepted that the Council had no alternative but to borrow £7.2 million which would be paid back over a 40 year period at a total cost of £19.2 million.

Councillor Nelson was then heard and wished to thank members of the Budget Working Group and officers, in particular the Chief Executive and the Head of Finance (Strategy), for their assistance to the Working Group. He referred to the difficult financial challenges and recognised the complexities of achieving a balanced budget.

The Provost clarified that Councillor Fagan’s amendment would be considered as the motion as no-one had moved the officer’s recommendations. She then invited Councillor Ross to speak to his amendment.

Councillor Ross, seconded by Councillor Chalmers, moved the following:-

“As an amendment to Item 2 ‘Overall Position of Revenue Budget and Level of Local Taxation for 2024/2025’, the Council is asked to approve the following recommendation(s):

- (1) that the Budget Gap of £20.570 million (section 4.1), be noted;
- (2) that the assumptions detailed at paragraph 7.2, used to arrive at the Budget presented in section 7, be noted;
- (3) that the amount of savings, the level of Council Tax and the Use of Reserves to be used to balance the 2024/2025 Budget (detailed in section 6), are agreed as follows;
- (4) that the budget figures detailed at section 7 (based on the assumptions in section 7.2 and 7.3) are to be updated following agreement of the Budget, be noted;
- (5) that the potential impact of savings beyond 2024/2025 (section 9), be noted; and
- (6) that the Revenue Budget for 2024/2025, including the base budget allocations to Resources, as shown in Appendix 3, be approved, subject to Members’ decision on recommendation 3.

Savings agreed: £7.306m

It is proposed that the savings outlined below totalling £7.306m million be agreed.

In accepting the following savings, the SNP Group has sought to minimise the harmful effects of service reduction, protect communities where possible from the Cost-of-Living Crisis and reflect the views of as many of our residents as possible.

Saving Ref.	Description	Value £m
CER01	Bulky Waste – Remove Free Bulk Uplift	£0.460m
CER05	Christmas Events	£0.045m
CER07	Food Waste Liners	£0.100m
CER12	Grass Cutting	£0.900m
CER13	Weedkilling	£0.550m
CER14	Winter Shrub Cover	£0.700m
CER15	Hanging Baskets	£0.144m
CER16	Gala Day Support	£0.055m
HTR04	Scheme Assisted Housing	£1.052m
M&O 01	Overtime	£0.300m
M&O 02	Charging	£0.200m
M&O 03	Alternative Work Patterns	£0.075m
M&O 04	Mechanical Sweeping	£0.150m
M&O 05	Central Admin Support	£0.375m
M&O 06	Early Learning	£2.150m
M&O 07	Additional Income	£0.050m
TOTAL		£7.306m

Council Tax Increase: CT Freeze - £7.869m

We welcome the Scottish Governments Council Tax Freeze and note that South Lanarkshire's funding allocation exceeds the amount which would have raised if the council had increased Council Tax by 5%. This freeze will be welcomed by many households who feared an even higher increase than the 5.5% imposed by this council last year, adding additional pressures during a cost-of-living crisis.

The Scottish Government has baselined the council tax freeze funding so the Council can include in the budget strategy for 2025/2026 and beyond.

Investments: £605k

Leisure and Culture provides so many benefits to our communities promoting individual and community wellbeing, tackling inequalities, and providing safe inclusive spaces for community led activities, informal learning, community development, sport and cultural activities. The work they do is central to delivery of the Community Plan and the Child Poverty Action Plan.

Residents' responses to surveys provide a clear steer to elected members. SLLC services such as libraries, sports centres, swimming pools and community halls are highly valued. So, instead of reducing our funding to SLLC we propose to protect services with an increase of £0.605m in 2024-25.

Use of £6.000m uncommitted Funds

In order to protect front line jobs and services, we propose using all the funding available to us in setting out our budget. This includes using the £6m probable outturn underspend as set out in the Executive Committee Report on 24th January 2024, [Agenda Item 3 Recommendations 5] in 2024-25 rather than keeping in reserve for future years' budget strategies.

In doing so we note the SG decision to baseline the council tax funding of £7.869m and also the potential Barnett Consequential from additional UKG funding dependent on the outcome of the Spring Statement.

Appendix – Balanced Budget Reconciliation

Budget Gap from Officers' Report <i>(Section 5.1)</i>		£20.570m
Agreed Savings:		
Total Savings (A)	£7.306m	£7.306m
Proposed Council Tax Increase 0%	£7.869m	£7.869m
= Total Savings and Increase from Council Tax		<u>£15.175m</u>
Balance After Savings and Council Tax (Budget Gap) / Investment Opportunity		<u>£5.395m</u>
Further Investment Proposed:		
SLLC	£0.605m	£0.605m
Total Further Investment Proposed (B)		(£0.605m)

Add: Use of Reserves Proposed (C) £6m Probable Outturn Underspend		£ 6.000m
Budget Gap – should be zero		£0.000m

Restatement of Net Expenditure Figure (report section 7.4)

Net Expenditure Figure within Revenue Budget Paper (sections 7.4 and associated appendices)	£956.076m
Add Back Assumed Level of Savings in Budget Paper (section 7.2)	£12.701m
Adjusted Net Expenditure Figure (before savings)	£968.777m
<i>Deduct: Actual Savings Taken from Table above (A)</i>	(£7.306m)
<i>Add: Any Further Investment Proposed (from Table above (B))</i>	£0.605m
Revised Net Expenditure figure for Revenue Budget (D)	£962.076m

Restatement of Net Sum Funded by Council Tax (Table 2, report section 7.5)

Revised Net Expenditure Figure for Revenue Budget for 2024/2025 (from Table above (D))	£962.076m
<i>Deduct: Government Grant</i>	£750.533m
<i>Deduct: Use of Reserves / Underspends in the Budget Strategy (£47.500m plus C from Table above)</i>	£53.500m
= Resultant Net Sum to be Funded Locally from Council Tax	£158.043m

In moving his amendment, Councillor Ross advised that, to protect frontline jobs and services, his Group had used all money available in setting the budget and this included the £6 million probable outturn underspend, as set out in the Executive Committee report of 24 January 2024, rather than keeping it in reserves. He wished to thank the Corporate Management Team in bringing forward saving proposals and to the Finance team for ensuring the proposals were competent. From savings proposals of £18 million, only £7 million had been taken. Those included management efficiencies and the least harmful Resource saving proposals, while protecting all of the areas that raised concerns in the budget survey. He considered his budget amendment was balanced, measured, took cognisance of the views expressed by South Lanarkshire residents and was targeted at those families and communities in most need of the Council's help.

Councillor Chalmers, in seconding the amendment, said her Group had attended many community meetings and had based their amendment on what was heard. She considered that community empowerment needed relationship based engagement, trust and a partnership built on mutual respect between elected members and the communities they represented.

In response to Councillor Loudon's Point of Order, the Provost advised that she was trying to be equitable across the Chamber in allowing political debate. In relation to a further Point of Order by Councillor Clark in terms of people online not being able to raise their hands, the Provost confirmed that those who wished to speak should press their 'request to speak' buttons.

The Chief Executive, in response to a question from Councillor Watson, confirmed that both amendments had been checked by the Head of Finance (Strategy) and were deemed competent.

In response to a Point of Order from Councillor Ross following comments made by Councillor Convery, the Provost ruled that Councillor Convery should go no further in reading from the document.

Following a further Point of Order raised by Councillor Chalmers regarding behaviour and language, the Provost expressed her disappointment in the behaviour of some in the chamber in terms of consistent, sometimes irrelevant, Points of Order being disruptive to the meeting so asked that when making a Point of Order it be about a matter specific to the discussion at that particular time.

Having heard the views of a number of councillors, on a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, Ralph Barker, Walter Brogan, Robert Brown, Mathew Buchanan, Andy Carmichael, Gerry Convery, Margaret Cooper, Poppy Corbett, Margaret Cowie, Maureen Devlin, Joe Fagan, Allan Falconer, Ross Gowland, Lynsey Hamilton, Celine Handibode, Mark Horsham, Martin Hose, Gavin Keatt, Susan Kerr, Ross Lambie, Martin Lennon, Richard Lockhart, Eileen Logan, Catherine McClymont, Kenny McCreary, Lesley McDonald, Mark McGeever, Davie McLachlan, Richard Nelson, Norman Rae, Mo Razzaq, Graham Scott, Bert Thomson, Margaret B Walker, David Watson, Kirsty Williams

Amendment

John Anderson, John Bradley, Janine Calikes, Maureen Chalmers, Ross Clark, Andrea Cowan, Colin Dewar, Mary Donnelly, Grant Ferguson, Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Geri Gray, Cal Johnston-Dempsey, Katy Loudon, Hugh Macdonald, Julia Marrs, Ian McAllan, Elaine McDougall, Carol Nugent, John Ross, David Shearer, Helen Toner

37 members voted for the motion and 23 for the amendment. The motion was declared carried.

The Council decided:

- (1) that the Budget Gap of £20.570 million be noted;
- (2) that the assumptions detailed at paragraph 7.2, used to arrive at the Budget presented in section 7, be noted;
- (3) that the amount of savings, the level of Council Tax, investments and the Use of Reserves to be used to balance the 2024/2025 Budget, as detailed in Councillor Fagan's motion, be agreed;
- (4) that it be noted that the budget figures detailed at section 7, based on the assumptions in sections 7.2 and 7.3, would be updated to reflect the agreed Budget;
- (5) that the potential impact of savings beyond 2024/2025 be noted; and
- (6) that the Revenue Budget for 2024/2025, including the base budget allocations to Resources, as shown in Appendix 3, be approved.

[Reference: Minutes of the Executive Committee of 24 January 2024 (Paragraph 8)]

In terms of Standing Order No 14, the Provost adjourned the meeting during this item of business at 12.10pm to allow members time to read both amendments. The meeting reconvened at 12.20pm. A second adjournment, for an eye break, commenced at 12.40pm and the meeting resumed at 12.50pm. Following this item of business, a further adjournment commenced at 2.11pm and the meeting reconvened at 2.52pm

Councillors A Buchanan and Horne left the meeting during this item of business and prior to the vote

Councillor Robb, having declared an interest in the above item, left the meeting during its consideration

3 Recommendation Referred by Executive Committee – Housing Revenue and Capital Account Budget for 2024/2025

A report dated 21 February 2024 by the Chief Executive was tabled on recommendations referred to the Council by the Executive Committee of 21 February 2024. The recommendations were as follows:-

- ◆ **Housing Revenue and Capital Account Budget 2024/2025**
 - ◆ that the rent increase of 6.50% to be applied in 2024/2025 with a further 6.50% increase in 2025/2026 and again in 2026/2027 subject to annual review and customer engagement for all Council houses, Gypsy/Traveller sites, lockups and garage sites and the revenue estimate proposals for the Housing Revenue Account (HRA), as detailed in Appendix 1 to the report to the Housing and Technical Resources Committee, be approved
 - ◆ that the findings of the HRA Loans Fund Review, as detailed in Section 4 of the report to the Housing and Technical Resources Committee, be approved for implementation
 - ◆ that based on the rent increase of 6.50%, the 2024/2025 Housing Capital Programme of £77.303 million, as detailed in Appendix 2 to the report to the Housing and Technical Resources Committee, be approved

The Council decided: that the recommendations of the Executive Committee of 21 February 2024 in relation to the Housing Revenue and Capital Account Budget 2024/2025 be approved.

[Reference: Minutes of the Executive Committee of 21 February 2024 (Paragraph 6) and Minutes of the Housing and Technical Resources Committee of 7 February 2024 (Paragraph 8)]

Councillor McGeever left the meeting during this item of business

4 2024/2025 Capital Programme Update

A report dated 30 January 2024 by the Chief Executive was submitted on the proposed General Services Capital Programme for 2024/2025, reflecting the spend requirements identified by Resources and the availability of funding.

The proposed Capital Programme for 2024/2025 had taken account of ongoing programmes of work and priorities, commitments from the approved Glasgow City Region City Deal Programme, as well as incorporating the programme moves and additions from financial year 2023/2024.

Capital grant for 2024/2025 had seen a significant reduction of £1.9 million on the funding available in financial year 2023/2024. There had also been reductions in funding allocated to partner organisations which impacted on Council projects.

The level of funding available to support the programme was provided at Section 5 of the report, with a detailed breakdown of funding sources included as Appendix 4 to the report.

As part of the 2023/2024 Revenue Budget, an allocation of £1.182 million had been approved to pay for the cost of borrowing £13 million of capital investment for a Leisure and Culture Transformation Fund. A process for identifying projects was being progressed and initial proposals would be brought to the Executive Committee in May 2024 for approval.

Funding of £11.900 million had previously been approved for the replacement of Larkhall Leisure Centre. As this funding would be insufficient to cover the anticipated cost of the project, it was proposed that an additional £12 million be earmarked in future capital programmes to address the estimated budget gap and allow the project to progress.

Details of the proposed 2024/2025 capital programme, totalling £49.512 million, were as follows:-

	£million
Ongoing programmes of work (paragraph 4.2 and Appendix 1)	18.200
New priority projects (paragraph 4.3)	1.500
Specific capital projects (paragraphs 4.4 and 4.5)	1.865
Glasgow City Region City Deal (paragraph 4.6)	4.747
Clyde Gateway (paragraph 4.7)	0.800
Leisure and Culture Transformation Fund (paragraphs 4.8 and 4.9)	-
Larkhall Leisure Centre – additional (paragraphs 4.10 to 4.14)	-
Projects approved in previous financial years (paragraphs 4.15 and 4.16)	6.827
Secondary school estate – capacity issues (paragraphs 4.17 and 4.18)	-
2023/2024 movements (paragraph 4.19)	40.008
2024/2025 movements (paragraph 4.20)	(23.390)
Reduction in match funding requirements (paragraphs 4.21 and 4.22)	(1.045)

The Chief Executive highlighted that Table 1, showing the compilation of the capital programme, did not take account of:-

- ◆ the £13 million for the Leisure and Culture Transformation Fund
- ◆ any additional money for Larkhall Leisure Centre
- ◆ any additional money in respect of secondary estate capacity issue
- ◆ the consequences in the capital programme of decisions that were taken earlier in the meeting when setting the Council's Revenue Budget which would direct more spend through the capital programme. Those would be added in and reported to committee in the new financial year

Bids for additional funding in 2024/2025 had been submitted to Strathclyde Partnership for Transport (SPT) to progress the existing projects at Hairmyres Park and Ride and Lanark Interchange. SPT had advised that funding reductions to their 2024/2025 budget would have an impact on the level of grant funding they could provide to local authorities. As a result, this expenditure had not been included in the 2024/2025 Capital Programme at this time. An update would be provided to members when the outcome of discussions with the Scottish Government were known, however, it was noted that there was a risk to the projects if this funding was not received.

Local members were heard in support of the replacement of Larkhall Leisure Centre.

The Chief Executive and Executive Director (Community and Enterprise Resources) responded to members' comments and questions in respect of Larkhall Leisure Centre, Hairmyres Park and Ride, Lanark Interchange and the bid to the Scottish Government's Learning Estate Improvement Programme (LEIP).

The Council decided:

- (1) that the 2024/2025 Capital Programme totalling £49.512 million, as detailed in paragraph 4.23 and Appendix 3 of the report, be approved and augmented taking account of decisions taken earlier as part of agreement of the Revenue Budget 2024/2025; and
- (2) that the funding for Larkhall Leisure Centre for the period to 2027/2028, as detailed in paragraphs 4.10 to 4.14, be approved.

Councillor Nelson left the meeting following this item of business

5 Prudential Indicators, Treasury Management Strategy and Annual Investment Strategy 2024/2025

A report dated 30 January 2024 by the Chief Executive was submitted on the:-

- ◆ Prudential Code indicators for 2024/2025 to 2026/2027
- ◆ Council's Treasury Management Strategy for 2024/2025
- ◆ Council's Annual Investment Strategy for 2024/2025

The Prudential Code for Capital Finance in Local Authorities was introduced through the Local Government (Scotland) Act 2003 with the aim of supporting strategic planning for capital investment at a local level.

The key objectives of the Prudential Code were to ensure, within a clear framework, that:-

- ◆ local authorities' capital expenditure plans were affordable, prudent and sustainable
- ◆ treasury management decisions were taken in accordance with good professional practice and in full understanding of the risks involved and how those risks would be managed to levels that were acceptable to the organisation

The Prudential Indicators for 2024/2025 to 2026/2027 were shown in Appendix 2, together with explanations for each indicator. An updated position for 2023/2024 was also included.

The Prudential Indicators included estimates of capital expenditure. When considering potential capital investment, the Council ensured that the objectives of capital investment were in line with its strategic plans and informed through the asset management planning process.

The Council's treasury activities were regulated by statute and a professional code of practice. The Treasury Management Strategy for 2024/2025 was detailed at Appendix 3 to the report. The main areas covered by the Strategy were:-

- ◆ debt and investment projections
- ◆ expected movement in interest rates
- ◆ borrowing strategies
- ◆ statutory repayment of loans fund advances

The level of borrowing required to fund the Council's Capital Programme, together with the variable nature of interest rates, increased the risks associated with the treasury management function. The Council would, therefore, take a cautious approach to its Treasury Strategy by setting treasury management indicators to contain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of adverse movements in interest rates.

The Local Government Investments (Scotland) Regulations 2010 provided a formal investment framework for councils. The Regulations required an Annual Investment Strategy, detailing the permitted investments to be approved by the Council.

The Annual Investment Strategy for 2024/2025 was attached as Appendix 4 to the report.

The Head of Finance (Strategy) highlighted the steps the Council had taken in terms of ensuring its money was invested for positive change and did not fuel the climate and ecological crises, as well as ways in which it could incorporate additional factors covering climate change and sustainability into the creditworthiness assessment service.

The Council decided:

- (1) that the Prudential Code indicators for 2024/2025 to 2026/2027 be approved;

- (2) that the 2024/2025 Treasury Management Strategy be approved; and
- (3) that the Annual Investment Strategy be approved.

Councillor Cowan left the meeting during this item of business

6 Urgent Business

There were no items of urgent business.

RISK AND AUDIT SCRUTINY COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 31 October 2023

Chair:

Councillor Elaine McDougall

Councillors Present:

Councillor Colin Dewar (*substitute for Councillor Mary Donnelly*), Councillor Alistair Fulton, Councillor Ross Gowland, Councillor Cal Johnston-Dempsey, Councillor Gavin Keatt (*substitute for Councillor Mathew Buchanan*), Councillor Susan Kerr, Councillor Richard Lockhart

Councillors' Apologies:

Councillor Mathew Buchanan, Councillor Mary Donnelly, Councillor Celine Handibode

Councillor Also Present:

Councillor Joe Fagan (for items 4 and 5)

Attending:

Chief Executive's Service

C Sneddon, Chief Executive (for items 4 and 5)

Finance and Corporate Resources

P Manning, Executive Director; Y Douglas, Audit and Compliance Manager; S Dunsmore, Insurance and Risk Adviser; E-A McGonigle, Administration Officer; A Norris, Administration Assistant; N Reid, Research and Improvement Manager; J Taylor, Head of Finance (Strategy)

Also Attending:

Audit Scotland

J Boyd and M Ferris, External Auditors

East Lothian Council

D Stainbank, Service Manager – Internal Audit

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Risk and Audit Scrutiny Committee held on 22 August 2023 were submitted for approval as a correct record.

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

3 Leadership of the Development of New Local Strategic Priorities: Best Value Thematic Work in South Lanarkshire Council 2022/2023

A report dated October 2023 by Audit Scotland, the Council's external auditors was submitted entitled South Lanarkshire Council Leadership of the Development of New Local Strategic Priorities: Best Value Thematic Work in South Lanarkshire Council 2022/2023.

The Accounts Commission had noted that councils were operating in a complex and increasingly volatile, unprecedented and unpredictable environment. Strong leadership from councils was needed now more than ever, with new and returning councillors able and willing to make difficult decisions about where and how to spend highly pressurised resources.

This report concluded on the effectiveness of the Council's leadership of the development of the Council's strategic priorities, following the local government elections in May 2022. The coverage of the work was in line with the expectations for the Council's arrangements for the 7 Best Value themes in the Local Government in Scotland Act 2003: Best Value Statutory Guidance.

The Audit Director, Audit Scotland, highlighted the following sections of the report:-

- ◆ key messages
- ◆ scope of the audit
- ◆ Council visions and priorities
- ◆ citizen and community engagement
- ◆ reducing inequalities and tackling climate change
- ◆ alignment of delivery plans
- ◆ leadership

The report detailed the following audit recommendations:-

- ◆ the Council should continue its work to embed its Fairer Scotland duties by completing and referencing Fairer Scotland assessments in council papers, strategies and plans. It should also check that all assessments were listed online
- ◆ officers should continue to engage with elected members to support their training and development requirements, including specific training to build confidence and allow scrutiny

An improvement action plan, attached as Appendix 1 to the report, set out those audit recommendations, and the Council's planned response which included responsible officers and dates for implementation.

Progress against Best Value improvement recommendations from the 2019 Best Value Assurance Report (BVAR) was detailed at Appendix 2 to the report and those had now been addressed.

The Chair, on behalf of the Committee, thanked the Audit Scotland team for the comprehensive work that had been undertaken to prepare the report.

The Committee decided: that the report be noted.

4a External Auditors' Annual Report to South Lanarkshire Council 2022/2023

The following documents were submitted by Audit Scotland, the Council's external auditors:-

- ◆ letter and appendices relating to the 2022/2023 Annual Audit report on South Lanarkshire Council
- ◆ 2022/2023 South Lanarkshire Council proposed Annual Audit report to members of the Council and the Controller of Audit

The Audit Director, Audit Scotland, spoke on the Annual Audit report and highlighted the following:-

- ◆ the audit of the 2022/2023 Annual Accounts
- ◆ financial management
- ◆ financial sustainability
- ◆ best value
- ◆ vision, leadership and governance
- ◆ use of resources to improve outcomes
- ◆ key messages
- ◆ significant findings and key audit matters:-
 - ◆ job evaluation: back pay for home carers
 - ◆ pension ceiling asset
- ◆ significant risks of material misstatement in the annual accounts identified during planning of the audit:-
 - ◆ risk of material misstatement due to fraud caused by management override of controls
 - ◆ estimation in the valuation of land and buildings
- ◆ 2022/2023 action plan on recommendations for improvement
- ◆ summary of corrected misstatements

One adjusted difference had not been included at the time of writing the proposed 2022/2023 Annual Audit report. This was in relation to unfunded pension benefits, which were historic pension obligations that were not offset through pension scheme assets. This was included in the Audited Annual Accounts 2022/2023 which had been presented to members and would be reflected in the final version of the 2022/2023 Annual Audit report. A verbal update was provided on some further minor changes that would be included in the final version of the Annual Audit report.

The external auditors' opinion on the Council's Annual Accounts 2022/2023 and those of the 3 charities administered by the Council was unmodified, that is, the financial statements and related reports were free from material misstatement.

Due to the interaction of section 106 of the Local Government in Scotland Act 1973 with the charities legislation, a separate independent auditor's report was required for the statement of accounts of each registered charity where members of the Council were sole trustees and this was irrespective of the size of the charity. The Council had made good progress in reducing or removing the number of charitable trusts where it was the sole trustee.

The Audit Director, Audit Scotland extended thanks to the Executive Director (Finance and Corporate Resources), the Head of Finance (Strategy) and the wider team for their help and support during the course of the audit.

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

The Committee decided: that the report be noted.

4b External Auditors' Annual Report to South Lanarkshire Council 2022/2023: South Lanarkshire Council Charitable Trusts

Summary letters, proposed independent auditor's reports and letters of representation (ISA 580) were submitted by Audit Scotland, the Council's external auditors for:-

- ◆ South Lanarkshire Council Educational Trust
- ◆ South Lanarkshire Council Charitable Trust
- ◆ East Kilbride Information Technology Centre Trust

The Senior Auditor, Audit Scotland advised that there were no unadjusted misstatements to be corrected for the 3 charities administered by the Council and an unqualified audit opinion was expressed for all.

The Committee decided: that the report be noted.

5 Audited Annual Accounts 2022/2023

A report dated 12 October 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the:-

- ◆ Council's Certified Annual Accounts and Charitable Trusts' Accounts for 2022/2023, which had received a clean audit certificate from the Council's external auditors, Audit Scotland
- ◆ requirement to approve the Annual Accounts 2023/2023 for signature in terms of both the Council's accounts and related charitable trusts

The accounts covered the Council as well as 3 Charitable Trusts managed by the Council, namely South Lanarkshire Council Educational Trust, South Lanarkshire Council Charitable Trust and the East Kilbride Information Technology Trust. A clean audit certificate had been received for each with no qualifications on the Council's accounts. An agreed action plan had been included in the external auditor's report and officers would work to ensure those were implemented in 2022/2023.

The Annual Accounts would be advertised as being available for public inspection on the Council's website and on request from Finance Services.

The Chief Executive commended the professional approach and collaborative working from the Audit Scotland team. There was cognisance of the current challenges of audit work around the UK, particularly around timescales. Appreciation was extended to the Internal Audit team and to colleagues in Finance and Corporate Resources for the exemplary financial stewardship. The Chair, on behalf of the Committee, echoed those remarks.

The Committee decided:

- (1) that it be noted that the South Lanarkshire Council Annual Accounts 2022/2023 and the Charitable Trusts' Accounts had each received a clean audit certificate from the Council's external auditors, Audit Scotland;
- (2) that the audited South Lanarkshire Council Accounts 2022/2023 and the Charitable Trusts' Accounts be approved for signature;
- (3) that it be noted that the external auditor's report would be referred to a future meeting of South Lanarkshire Council for information; and

- (4) that it be noted that the Audited Accounts 2022/2023 would be available on the Council's website, as detailed at section 3.7 of the report.

6 2022/2023 External Quality Assessment of Internal Audit Service

A report dated 13 October 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the 2022/2023 External Quality Assessment of South Lanarkshire Council's Internal Audit Service.

The Internal Audit Service was delivered within the context of the Public Sector Internal Audit Standards (PSIAS). Those standards required that a Quality Assurance and Improvement Programme (QAIP) was developed to provide assurance that Internal Audit activity:-

- ◆ operated in an efficient and effective manner
- ◆ was perceived to be adding value and improving operations
- ◆ was conducted in accordance with an Internal Audit Charter

The Programme included periodic and ongoing internal assessments as well as an external review once in every 5 year period. The Council's external review had been undertaken by East Lothian Council's Internal Audit Service Manager. The findings from the external review, which had been issued in October 2023, were detailed in the appendix to the report.

The overall assessment was that South Lanarkshire Council's Internal Audit function "fully conformed" with 7 standards and "generally conformed" with the remaining 7 areas. This was considered to be a positive outcome, with no significant areas of improvement identified.

The main areas for improvement were detailed in the Action Plan included in the appendix to the report and were summarised as follows:-

- ◆ the Chief Audit Executive (Audit and Compliance Manager) should report in their own name to the Risk and Audit Scrutiny Committee, enhancing the clarity of independence
- ◆ job profiles/descriptions should be refreshed for all Internal Audit staff to provide a clear expectation of the requirements of each role
- ◆ consideration should be given to developing a formal questionnaire or feedback mechanism from clients to obtain quantifiable client feedback
- ◆ the Audit and Compliance Manager should complete the assurance mapping exercise that was currently underway and report the findings to the Committee

Further updates would be provided to the Committee to confirm that the actions had been implemented and the recommendations were anticipated to be delivered by March 2024.

The Committee decided: that the contents of the report be noted.

[Reference: Minutes of Risk and Audit Scrutiny Forum of 21 March 2018 (Paragraph 6) and Minutes of 9 September 2022 (Paragraph 4)]

7 Internal Audit Activity as at 13 October 2023

A report dated 13 October 2023 by the Executive Director (Finance and Corporate Resources) was submitted on work completed by Internal Audit during the period 5 August to 13 October 2023.

Findings from internal audit assignments were reported to this Committee throughout the year and the last progress report was considered by this Committee on 22 August 2023. Key performance indicators, which reflected quality, on time and within budget as at 30 September 2023, were summarised in Appendix 1 to the report.

A list of all assignments completed in the period 5 August to 13 October 2023, together with a summary of overall assurances for each area of work, was provided in Appendix 2 to the report. All of those assignments related to South Lanarkshire Leisure and Culture (SLLC) and were reported to its Audit Committee.

As at 30 September 2023, 9% of the 2023/2024 Audit Plan was completed to draft report stage and a further 26 assignments were in progress at that date. In the reporting period, all elements of the Audit Plan had been progressed with a specific focus on the National Fraud Initiative (NFI), investigative activities and external client audit plans.

Updates were also provided on:-

- ◆ the contributions Internal Audit had made to:-
 - ◆ the implementation of Oracle Fusion - the cloud based human resources and financial management system in the Council
 - ◆ a review of controls around unmasking of bank account details
- ◆ the Public Sector Internal Audit Standards (PSIAS) external review which had been concluded
- ◆ progress against the Audit Strategy which was a requirement of the PSIAS. Delivery of the 2023/2024 Strategy had been evidenced by the completion of the Internal Audit Plan in year, and monitored during the year by performance indicators which were regularly reported to the Committee

The Committee decided: that the report be noted.

[Reference: Minutes of 22 August 2023 (Paragraph 3)]

8 Year End Risk Management Report (2022/2023) and Review of Council's Top Risks (2023/2024)

A report dated 3 October 2023 by the Executive Director (Finance and Corporate Resources) was submitted providing an update on:-

- ◆ progress with risk management activity undertaken during 2022/2023
- ◆ the Council's top risk register following the review and consultation process

Annual reviews of the Council's top risks were undertaken, with the findings of the last review reported to the Committee on 25 October 2022. This year's full review commenced in April 2023 and the consultation had sought views from Heads of Service, elected members and trades unions on new areas of risk.

Risk Sponsors were required on an annual basis to assess their Resource's compliance with the Risk Management Strategy and provide supporting evidence. The information for 2022/2023 was summarised in the end of year compliance statement, which was detailed in Appendix 1 to the report. Resources continued to demonstrate full compliance with the Strategy, having scored 45 out of 45.

The annual review, in line with previous years, did not result in wholesale changes to the top risk register. The risks from the previous year's review, as detailed in the report to this Committee on 25 October 2022, were still deemed to be valid.

Details were given on the main changes to the Council's top risk register in section 6.2 of the report and, taking account of the revision of risk scores, the top risk register for 2023/2024 was provided in Appendix 2 to the report. The main changes to the risk profile from the previous year were:-

- ◆ 2 new very high risks had been added to the top risk register:-
 - ◆ failure to comply with or meet the expected standards, scrutiny levels or improvement as identified by regulatory bodies
 - ◆ changes in response to automatic fire alarms by the Scottish Fire and Rescue Service (SFRS) within the Council's non-domestic estate
- ◆ 3 new high risks had been added to the top risk register:-
 - ◆ failure to deliver the outcomes of the Economic Strategy
 - ◆ third and private sector market capacity
 - ◆ inability to maintain infrastructure, assets and properties in a safe and well-maintained condition due to budget constraints and failure to achieve objectives of asset and property reviews
- ◆ 3 risks had moved from being high to very high:-
 - ◆ the Council fails to meet statutory and legislative duties in respect of public protection
 - ◆ the Council does not fully deliver the strategic outcomes required of the Integration Joint Board (IJB) as outlined in its Strategic Commissioning Plan
 - ◆ inability of the Council to effectively balance the provision of accommodation and support to households who arrived in South Lanarkshire as part of refugee resettlement and the asylum seeker dispersal programmes, including those for unaccompanied children, whilst also meeting demands from other high need groups including homeless household
- ◆ one risk had moved from being very high to high:-
 - ◆ the Council is materially affected by the implications arising from the National Care Service Bill

The Council's top risk register was monitored on an ongoing basis and updates were reported annually to this Committee. Risk scores and rankings would be amended if new information came to light that allowed the position to be reassessed.

Horizon scanning was used to identify several areas that could pose potential threats and risks or emerging issues and opportunities that could affect the Council. Areas identified had included the COVID-19 National Inquiry, Martyn's Law and Health and Care (Staffing) Act 2019 (effective from 1 April 2024) and those would continue to be monitored.

A model had been developed by the Institute of Internal Auditors which aimed to provide assurance of the adequacy of control measures that were in place for strategic risks. The model aimed to ensure that top risks were mitigated through 'three lines of defence' which were:-

- ◆ Line 1 – control by operational management
- ◆ Line 2 – control and compliance by functions that had an oversight role (for example Risk Management)
- ◆ Line 3 – independent assurance

A process to categorise controls that mitigated top risks using the Three Lines model had taken place throughout 2022/2023 and would be concluded in 2023/2024.

The Insurance and Risk Adviser responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that Resource compliance with the requirements of the Risk Management Strategy be noted;
- (2) that the progress being made in delivering actions to mitigate top Council risks be noted; and
- (3) that the updated Council's top risks be noted.

[Reference: Minutes of 25 October 2022 (Paragraph 4)]

9 Audit Scotland: Local Government in Scotland Overview 2023

A report dated 15 September 2023 by the Executive Director (Finance and Corporate Resources) was submitted providing a summary of the information contained within the Audit Scotland Report entitled 'Local Government in Scotland: Overview 2023' which had been published in May 2023.

Audit Scotland published an annual overview report on behalf of the Accounts Commission, covering key areas of current and future activity relative to local government and providing an opinion on how those were, or should be, managed.

The Overview 2023 report was the third and final in a series of reports which reflected on the impact of the COVID-19 pandemic. The 2021 and 2022 reports considered the initial response phase of the pandemic and the second year of the pandemic respectively. The 2023 report built on the previous reports and examined the following:-

- ◆ how had the pandemic affected councils and their performance
- ◆ what were the current and future challenges facing local government
- ◆ how well placed were councils to deal with the current and future challenges

The Overview 2023 report, which could be accessed on the Audit Scotland website, had been structured around the following 3 main topics:-

- ◆ the impact of the pandemic on councils' performance
- ◆ what were the current challenges facing local government
- ◆ how were councils responding

A number of key messages were detailed in the Overview 2023 report and summarised in the report to the Committee. Audit Scotland's recommendations were detailed in the report, along with an assessment of the Council's position and any action considered necessary.

The Accounts Commission had prepared a checklist of questions for elected members' consideration to accompany the Overview 2023 report and the checklist, including narrative responses from a South Lanarkshire Council perspective, was attached as Appendix 1 to the report.

The Research and Improvement Manager responded to a member's question in relation to workforce challenges.

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

[Reference: Minutes of 6 December 2022 (Paragraph 6)]

10 Forward Programme for Future Meetings

A report dated 6 October 2023 by the Executive Director (Finance and Corporate Resources) was submitted on the outline forward programme for the meetings of the Risk and Audit Scrutiny Committee to 19 November 2024.

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

The Committee decided: that the outline forward programme for the meetings of the Risk and Audit Scrutiny Committee to 19 November 2024 be noted.

[Reference: Minutes of 22 August 2023 (Paragraph 6)]

11 Urgent Business

There were no items of urgent business.

Report

5

Report to:	South Lanarkshire Council
Date of Meeting:	27 March 2024
Report by:	Chief Executive

Subject:	Clydeplan and Glasgow City Region Spatial Planning
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ seeks the Approval of Council to formally withdraw from the Clydeplan Joint Committee and agree to transfer the responsibility for the development of a Regional Spatial Strategy to the Glasgow City Region (GCR) Cabinet.
- ◆ this is within the context of proposed new governance structures to continue the collaborative approach to Regional Planning that has existed in the Glasgow and Clyde Valley/Glasgow City Region Area since the creation of Unitary Authorities in 1996 and within the context of the Planning (Scotland) Act 2019 and the Scottish Government's National Planning Framework 4 (NPF4) 2023.

2. Recommendation(s)

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

- (1) that the recommendation of the Clydeplan Joint Committee to transfer responsibility for the development of a Regional Spatial Strategy to the Glasgow City Region Cabinet be noted;
- (2) that the GCR Cabinet's approval of the establishment of a new Regional Spatial Planning Sub Committee to oversee the development of a Regional Spatial Strategy be noted;
- (3) that the approval of participation in any future Regional Spatial Strategy will remain a decision for South Lanarkshire Council be noted;
- (4) Agree to formally withdraw from the Clydeplan Joint Committee and transfer existing funding to Glasgow City Council as lead authority for the Glasgow City Region; and
- (5) Agree that Councillor Robert Brown and Councillor Richard Nelson continue their existing role on the Clydeplan Joint Committee and act as the South Lanarkshire Council representatives on the new Regional Spatial Planning Sub-Committee.

3. Background

3.1. The National Planning Framework 4 (NPF4) approved by the Scottish Parliament in 2023 removed the statutory requirement to produce a Strategic Development Plan and replaced it with a duty to prepare a non-statutory Regional Spatial Strategy (RSS).

- 3.2. Since 1996 the eight Glasgow City Region local authorities have worked together to develop a series of regional spatial plans, the most recent being the Clydeplan Strategic Development Plan (“SDP”), which was approved by Scottish Ministers in July 2017.
- 3.3. The previous SDP set out a Vision and Spatial Development Strategy from now until 2036, suggesting where new development should be located and a policy framework that helps deliver sustainable economic growth through the creation of high quality development which seeks to reduce inequalities and enhances the quality of life in Glasgow City Region. The SDP also set the strategy and policy context for the individual local authority Local Development Plans.
- 3.4. This requirement is no longer in place since the introduction of NPF4, and has been replaced by the requirement to prepare a Regional Spatial Strategy.

4. Governance

- 4.1. Clydeplan has been governed by a Joint Committee for the purpose of representing the eight local authorities in the Glasgow and Clyde Valley area in carrying out the functions conferred upon them under Sections 4 to 14 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act and have each passed the necessary resolution for giving effect to this Agreement. Renfrewshire Council provides support functions for the Joint Committee on behalf of the Member Authorities.
- 4.2. The Clydeplan Joint Committee has previously agreed that work should be undertaken to explore the future governance arrangements for the delivery of the functions undertaken by the Joint Committee particularly in relation to the new duty on local authorities for strategic planning as part of the Planning (Scotland) Act 2019, namely to prepare a Regional Spatial Strategy.
- 4.3. Unlike the current Strategic Development Plan the Regional Spatial Strategy will not form part of the statutory Development Plan which will now comprise the National Planning Framework and the Local Development Plan.
- 4.4. Given these changes it was acknowledged that the role and remit for which the Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee as originally established will significantly change and therefore the future role of the Committee required to be reviewed.
- 4.5. The Joint Committee itself has recommended to its members that the functions transfer to the Glasgow City Region, with GCR Cabinet overseeing the development of the RSS. At its meeting on 12th February 2024, the Cabinet agreed to establish a Regional Planning Sub Committee to discharge this function, subject to approval by the 8 Local Authorities through their own local democratic structures.
- 4.6. This approval by GCR Cabinet set out the proposed approach to future collaboration, based on three fundamental principles, namely:
 - (i) A collaborative approach to Regional Spatial Planning;
 - (ii) Integration with wider regional activity to maximise impact; and,
 - (iii) The need for local democratic accountability with no local authority being bound by any decision they cannot support

- 4.7. To achieve this, the new Sub-Committee will not have decision making powers and will oversee the development of an RSS for the region. This will then be presented to the 8 Local Authorities for consideration, with Cabinet simply noting the approved document. This ensures that approval sits with local democratic structures whilst collaboration is facilitated through regional ones and in this respect in order to provide continuity from the existing process into the new arrangement it is recommended that Cllr Robert Brown will represent South Lanarkshire Council on this Sub-Committee with Cllr Richard Nelson providing a role as substitute if required.
- 4.8. Under the new arrangements, South Lanarkshire Council will remain accountable and responsible for all planning decisions within the area.

5. Employee Implications

- 5.1 The proposed arrangements will have no impact on South Lanarkshire Council employees. Clydeplan currently has a Core Team of Officers who are employed by Renfrewshire Council as Administering Authority and it is proposed that the staff will transfer to Glasgow City Council who administer the City Region functions. This process will be carried out under Transfer of Undertakings (Protection of Employment) (TUPE) regulations.

6. Financial Implications

- 6.1 It had been anticipated that South Lanarkshire Council would have received a requisition of £60,439 from Renfrewshire Council for 2024/25 to support staff and associated costs with the operation of Clydeplan. It is proposed that this funding will now be paid to Glasgow City Council as lead authority for the Glasgow City Region to support ongoing resource, operational and associated costs.
- 6.2 While it is anticipated that there should be efficiencies in the budgets to deliver the Regional Spatial Strategies as a result of a review of its management, structure and operational costs, this will be managed through regional structures with the Finance Strategy Group consisting of the 8 Finance Directors overseeing the budget and reporting to the 8 Chief Executives. The final budget for the new Regional Planning Sub Group will be approved by Cabinet on an annual basis.
- 6.3 Appropriate due diligence will be carried out by Glasgow City Council and Renfrewshire Council to ensure the transfer of assets. Any reserves will be returned to the 8 constituent authorities following conclusion of the process.

7. Climate Change, Sustainability and Environmental Implications

- 7.1. Having appropriate Regional Spatial Planning arrangements in place will help in providing a policy context for development priorities across the Glasgow City Region.

8. Other Implications

- 8.1. None

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. This report does not introduce any new activities that would have an impact on the Council's Equality Objectives and consultation has taken place across the eight Local Authorities in the Glasgow City Region.

Paul Manning
Chief Executive

13 March 2024

Link(s) to Council Values/Priorities/Outcomes

- ◆ Achieve results through leadership, good governance and organisational effectiveness
- ◆ Accountable, effective, efficient and transparent

Previous References

- ◆ None

List of Background Papers

- ◆ Agenda - Glasgow City Region Cabinet 17th February 2024 - [Committee Information - Meetings \(glasgow.gov.uk\)](#)

Contact for Further Information

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

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Report

6

Report to:	South Lanarkshire Council
Date of Meeting:	27 March 2024
Report by:	Executive Director (Housing and Technical Resources)

Subject:	Community Facilities – Temporary Delegated Authority
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request authority is temporarily delegated to officers to enter into short term arrangements with community organisations wishing to take on the management of community facilities affected by the impact of recent budget decisions.

2. Recommendation(s)

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

- (1) that the Executive Director (Housing and Technical Resources), in conjunction with the Head of Administration and Legal Services, be authorised to enter into short term lease arrangements for the properties listed in appendix 1 and 2 of this report, subject to the criteria set out in sections 4.1 and 4.2 of this report;
- (2) that this period of delegated authority will cover the period from 19 June to 18 September 2024; and
- (3) that a report will be presented to the Housing and Technical Resources Committee on 18 September 2024 to confirm progress made during this period.

3. Background

- 3.1. The facilities set out in Appendix 1 and 2 of this report are affected by the budget setting decisions made by the Council and South Lanarkshire Leisure and Culture on 21 February and 28 February 2024 respectively.
- 3.2. At Full Council and Executive Committee on 21 February 2024, the proposals for managing the Community Fightback Fund and changes to the criteria in relation to Renewable Energy Funding (REF) were agreed to assist community organisations develop alternative operating models and community capacity.
- 3.3. Whilst this is a dynamic situation and the arrangements will be different in each circumstance, it is envisioned that a number of requests for leases under CAT lite will be received in the next few months.
- 3.4. A CAT lite lease is a lease for a period of up to 1 year at a rental of £1 p.a. if asked, with the tenant being responsible for the revenue costs associated with the property including regular health and safety checks. It is "CAT lite" because it is not progressed as a formal Community Asset Transfer in terms of the relevant legislation. The Council may retain some responsibilities in respect of the property.

3.5. In terms of the Council's Terms of Reference, and to demonstrate transparency, any leases or sales on concessionary terms are reported to Housing and Technical Resources Committee for approval. The next scheduled meetings of this Committee will be held on 19 June 2024 and 18 September 2024. Due to this timetable and the desire to avoid a situation where the schedule of meetings could result in a break in the continuity of services, this report seeks approval for the Executive Director (Housing and Technical Resources), in consultation with the Head of Administration and Legal Services, to have temporary delegated authority to approve CAT lite applications. If approved, the applications would be required to meet agreed criteria, as set out in section 4 below. This report is being submitted to this meeting of South Lanarkshire Council to provide clarity to interested parties as to the process the Council will follow in respect of these applications.

4. Proposal

4.1. It is proposed that the Executive Director (Housing and Technical Resources), in conjunction with the Head of Administration and Legal Services, be authorised to enter into short term lease arrangements for the properties listed in appendices 1 and 2 of this report, subject to the following criteria: -

- (1) The organisation applying for the tenancy is:-
 - a) Appropriately constituted.
 - b) Has a bank account and is able to provide suitable evidence that it has access to funding to cover the initial costs of operation.
- (2) There is suitable evidence of community support for the proposal and no competing community interests, including there being no formal Community Asset Transfer applications in respect of the property in question.
- (3) There are no legislative, health and safety or repair issues affecting the property which would prevent occupation and use of the property by the organisation.

4.2. The lease agreements will be on such terms and conditions as the Executive Director (Housing and Technical Resources) considers appropriate, but provided that they will include the following:-

- a) The duration of a lease will be for a period of up to 1 year
- b) The rent will be £1 p.a. if asked
- c) They will require the tenant to have appropriate public liability insurance;
- d) They will require the tenant to meet all ongoing revenue costs associated with the property, including utilities, non-domestic rates and internal repair/maintenance costs;
- e) They will require that the tenant cannot sub-let/transfer the lease; and
- f) They will require each party to bear their own legal fees and expenses in connection with the grant of the lease

4.3. This delegated authority is a temporary arrangement from 19 June to 18 September 2024 to address requests for short term occupation of specific properties. It is not intended to replace the process for approval of formal Community Asset Transfer requests or the grant of other concessionary leases.

4.4. The grant of the 1-year lease arrangements will provide community organisations with the opportunity to develop their capacity and longer term proposals in respect of specific properties, with a view to applying formally for Community Asset Transfer at a future date.

4.5. A report will be presented to the Housing and Technical Resource Committee on 18 September 2024 to confirm the outcome of applications made during this period of delegated authority.

5. Employee Implications

5.1. There are no employee implications arising specifically from this report.

6. Financial Implications

6.1. The short-term lease agreements will remove the revenue liabilities associated with managing their facilities, in line with the 2024/2025 budgetary decisions of the Council and SLLC.

6.2. Although the leases would be granted at less than market value, there is potential for community benefits and other social value to be generated. As the leases are for 1 year there is minimum risk and an evaluation of the benefits will be undertaken before arrangements are extended. This approach is consistent with the Council's duties to secure Best Value, and under the Disposal of Land by Local Authorities (Scotland) Regulations 2010.

7. Climate Change, Sustainability and Environmental Implications

7.1. There are no implications for sustainability in terms of the information contained within the report.

8. Other Implications

8.1. Officers in Property Services will work closely with the Community Engagement Team and External Funding Team to streamline the overall process.

9. Equality Impact Assessment and Consultation Arrangements

9.1. Consultation will take place with SLLC, Planning, Community Engagement Team, Community and Enterprise and Legal in respect of each request.

9.2. Organisations applying for lease will be encouraged to engage with their local communities.

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

Stephen Gibson

Executive Director (Housing and Technical Resources)

13 March 2024

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, effective, efficient and transparent
- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities.

Previous References

List of Background Papers

Contact for further Information

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

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Appendix 1

Relevant facilities which fall within REF catchment areas

Clydesdale
Braehead Village Hall
Carmichael Village Hall*
Carstairs Junction Hall
Coulter Village Hall*
Crawford Village Hall
Crossford Village Hall
Tom Craig Hall
Carstairs Village Hall
Douglas St Brides Hall
Pettinain Village Hall
Thankerton Village Hall*
Hollandbush Golf Course

East Kilbride
Calderwood Hall
Greenhills Hall
Kirktonholme Hall
Strathaven Park
Westwood Community Hall

Hamilton
Netherburn Community Hall

*These facilities are within SSE catchment areas. Officers are currently engaging with SSE with the aim of introducing arrangements similar to the REF revenue proposals.

Appendix 2

Relevant facilities which fall outwith REF catchment areas

Hamilton
Ferniegair Hall
High Blantyre Community Hall
Tileworks Park (Pitches)
Uddingston Community Centre
June Stewart Centre (Hall)
TACT Hall

Cambuslang
Eastfield Community Centre
North Halfway Hall
Peter Brownlie Pavilion

Immediate Ceasefire and Long-term Peace in Gaza

Notice of Motion

Motion received in terms of Standing Order No 20 on 5 March, 2024, proposed by Councillor Andrea Cowan, seconded by Councillor Elaine McDougall, as follows:-

“Council unequivocally condemns the terrorist attacks by Hamas on 7 October 2023 and calls for the immediate unconditional release of all hostages. Council recognises the rights of Israel, in common with all nations, to protect itself from terror. However, Council asserts that Hamas’ actions are not a justification for genocide – there are no justifications for genocide. Council shares the sorrow and outrage of South Lanarkshire’s Jewish and Muslim Communities and all other like-minded people.

Council recognises that many families and communities in South Lanarkshire are affected by violence in the region, offers condolences to all those who have suffered as a result of this horrific conflict; and resolves to be alert to, and to stand up against, discrimination and hate crime, and resolves that there is no place for antisemitism, Islamophobia or hatred of any kind in our communities.

Council recognises that a humanitarian catastrophe is being inflicted on the civilian population of Gaza by the far-right, Likud-led government of Israel and that this collective punishment has to date resulted in the killing of almost 40,000 civilians including 21,000 women and children. In addition, at least 70,450 people have been wounded and 7000 are missing in the rubble that is Gaza.

Council condemns any military assault on the 1.5 million refugees sheltering in Rafah and demands that the UK Government immediately halts the transfer of all military equipment and technology, including components, to Israel and suspends the issuing of new licences.

Council repeats calls from the Scottish Government asking the UK Government to use the already established UK Resettlement Scheme, which works with the UN High Commission for Refugees, to allow a route to safety for the most vulnerable such as children and families, those with severe health needs, and those with links to residents in Scotland.

Council also calls on the UK Government to support an immediate permanent ceasefire and humanitarian corridor, to commit supplies and aid to mitigate the human tragedy unfolding in Gaza and to be prepared to offer sanctuary and support to Palestinian refugees.

Council further supports moves towards a long-term peace for all communities in Israel-Palestine and urges all international partners to work together to establish a diplomatic process to deliver the peace of a two-state nation.

Council instructs the Chief Executive to write to both the Scottish First Minister and the UK Prime Minister outlining the details of this motion, as agreed.”

Right to Strike

Notice of Motion

Motion received in terms of Standing Order No 20 on 12 March, 2024, proposed by Councillor Elaine McDougall, seconded by Councillor Katy Loudon, as follows:-

“That this Council:-

(a) notes:-

- (i) the right to strike is a fundamental freedom which is protected by international law; this can be seen in the Human Rights Act, Article 11 of the European Convention on Human Rights, the International Labour Organisation’s Convention 87 and Article 6(4) of the European Social Charter;
- (ii) the Strikes (Minimum Service Levels) Act 2023 sets out that when employees in relevant sectors democratically vote to strike they can be required to work, lose their right to automatic protection from unfair dismissal, and potentially be sacked if they don’t comply;
- (iii) the Joint Committee on Human Rights has expressed concern that this legislation is not compatible with the UK’s commitments to human rights for workers and trade union members; and
- (iv) the Regulatory Policy Committee has determined that the impact assessment for this Bill was ‘not fit for purpose’;
- (v) that the Scottish Government has committed not to use the powers to compel workers not to strike

(b) believes:-

- (i) the Strikes (Minimum Service Levels) Act 2023 is a direct attack on the right to strike fundamental freedom;
- (ii) that consecutive Conservative Governments have been carrying out brutal attacks on trade unions for decades, culminating with this most recent attack on the right to strike;
- (iii) that this Westminster Government, instead of tackling the causes of the cost-of-living crisis, are attempting to shift the blame from profiteering bosses who have manufactured unsustainable levels of inflation, on to ordinary workers who are exercising their right to fight for dignity and fair pay at work and in their lives;
- (iv) the regime initiated by the Strikes (Minimum Service Levels) Act 2023 is draconian, unnecessary and unworkable;

- (v) the Act undermines constructive industrial relations and is likely to inflame and prolong disputes; and
- (vi) the issuing of a “work notice” by an employer compelling named workers to attend work under threat of dismissal with no recourse to the courts is a denial of justice;
- (vii) that this Act is a direct attack on the freedoms of the ordinary, hardworking residents of South Lanarkshire; and

(c) resolves:-

- (i) to direct Council officers not to use powers in this Act to compel workers, who would otherwise be on strike, to work, subject to the Council’s overarching legal duties;
- (ii) to work with local unions to oppose this legislation together as effectively as possible.

Report

9

Report to:	South Lanarkshire Council
Date of Meeting:	27 March 2024
Report by:	Chief Executive

Subject:	Mid-term Review of the Council's Political Management Arrangements Procedural Documentation
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise members of arrangements to take forward the mid-term review of the Council's political management arrangements procedural documentation

2. Recommendation(s)

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

- (1) that the commencement of the mid-term review of the Council's political management arrangements procedural documentation be noted.

3. Background

3.1. The current political management arrangements procedural documentation, including the Terms of Reference, Standing Orders on Procedures, Standing Orders on Contracts, Financial Regulations and Scheme of Delegation, was formally approved by the Council at its statutory meeting in May 2022 following the Local Government Elections.

3.2. In the period since that time, amendments have been made to the Scheme of Delegation as a result of decisions taken by committee or Council.

3.3. In line with good governance requirements, it is considered good practice, at the mid-term point of the Council term, to formally review the documentation to take account of legislative amendments, external guidance requirements, structural changes and to reflect and/or streamline working practices.

4. Process for Review

4.1. Initial consultation on the current documents has commenced with officers and it is now proposed that each Group, as well as the independent member, submit comments to the Chief Executive on the areas they would like addressed/considered by the end of April 2024.

4.2. At its meeting on 23 August 2023, the Council agreed that the matter of sustainability assessments be referred to the Standards and Procedures Advisory Forum (SPAF) for consideration as part of the mid-term review.

4.3. The documents can be accessed via the following links:-

[Financial Regulations](#)

[Scheme of Delegation](#)

[Standing Orders on Contracts](#)

[Standing Orders on Procedures](#)

[Terms of Reference](#)

4.4. Arrangements will be made for a meeting of the SPAF to be held in June 2024 to consider feedback received. Further meetings of the SPAF will be scheduled, as necessary, to consider proposals and agree recommendations to submit to the full Council for formal approval later in the year.

5 Employee Implications

5.1 At this stage, there are no employee implications in terms of the content of this report.

6. Financial Implications

6.1 None at this stage.

7. Climate Change, Sustainability and Environmental Implications

7.1. There are no implications in terms of climate change, sustainability or the environment.

8. Other Implications

8.1 To ensure that there is no risk of being in breach of legislative requirements and to ensure compliance with good governance principles, the political management arrangements supporting documentation requires to be kept under review.

8.2. There was no requirement for a Fairer Scotland Duty Assessment in terms of the information contained in this report.

9. Equality Impact Assessment and Consultation Arrangements

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

9.2. Consultation has commenced with all Resources as part of the mid-term review of the procedural documentation.

Paul Manning
Chief Executive

8 March 2024

Link(s) to Council Values/Priorities/Outcomes

- ◆ Fair, open and sustainable
- ◆ Accountable, effective, efficient and transparent

Previous References

South Lanarkshire Council of 23 August 2023 and 18 May 2022

List of Background Papers

None

Contact for Further Information

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

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Report

10

Report to:	South Lanarkshire Council
Date of Meeting:	27 March 2024
Report by:	Executive Director (Finance and Corporate Resources)

Subject:	Revenue Budget and Level of Local Taxation 2024/2025 – Local Government Finance (Scotland) Order 2024
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1. Purpose of Report

1.1. The purpose of the report is to:

- ◆ confirm receipt of the Local Government Finance (Scotland) Order 2024

2. Recommendation(s)

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

- (1) that the update to the Council's Budget as a result of the Local Government (Finance) Order 2024, detailed in sections 4.1 to 4.7, be noted;
- (2) that the information contained in the Local Government Finance (Scotland) Order 2024 has no impact on the Budget decisions taken by Council on 21 February 2024, be noted; and
- (3) that Scottish Government's commitment to £62.7 million of funding, following the UK Spring Budget (section 4.10), be noted; and
- (4) that the position on the funding for the increased Teachers' Pension contributions (section 4.12), be noted.

3. Background

3.1. At its meeting on 21 February 2024, the Council approved the Revenue Budget and Level of Local Taxation for 2024/2025.

3.2. The Budget paper noted that the Local Government Finance (Scotland) Order 2024 had not been received and that members would be notified of the final settlement value as appropriate. This report to Council confirms receipt of the Order and section 4 updates the Budget for 2024/2025.

4. Local Government Finance (Scotland) Order 2024

4.1. The Council's Budget was set on 21 February 2024 and was based on the Draft Local Government Settlement issued to councils on 20 December 2023. The December Settlement allocation (£742.664 million) was augmented by the Council's allocation of the national Council Tax Freeze monies (£7.869 million) meaning the overall assumption of Scottish Government Grant was £750.533 million.

4.2. Subsequently, the Local Government Finance (Scotland) Order 2024 (the Order) was laid in Parliament on 27 February 2024, and was issued to councils on 29 February 2024. The Order showed a Government Grant allocation for the Council of £752.291 million. This did not include an allocation for the Council Tax Freeze. By adding the assumed Council Tax Freeze monies to this (£7.869 million), the

Council's new Settlement totals £760.160 million. This is an increase of £9.6 million compared to the Council's Settlement which had been used to form the budget approved by the Council at its meeting on 21 February 2024.

- 4.3. The £9.6 million is predominantly due to annual allocations which are now being distributed but which were not in the December Settlement namely Discretionary Housing Payments (£4.1 million) and Scottish Disability Assistance (£0.2 million). In addition, new money has been allocated to take the hourly pay rate for external providers of Health & Social Care and Early Learning & Child Care to £12 per hour (being £13.737 million and £0.990 million respectively).
- 4.4. It is noted that Order does not change the Council's bottom line budget gap as the monies now allocated are fully committed. The Base Budget allocations across Resources will be updated as part of the first Revenue monitoring cycle reported to Committee (June 2024).
- 4.5. The additional monies allocated since the Draft December Settlement are offset by a reduction of £9.4 million due to the Government holding back funds in relation to Teacher Numbers.
- 4.6. Members are advised that the treatment of Teacher Numbers hold back is a change to the original Settlement approach where the funds were allocated to councils in the Draft Local Government Settlement in December 2023. There is no reference in the Order letter on how or when councils will be advised of the conditions around funding for Teacher Numbers.
- 4.7. For clarity, in relation to the council tax freeze monies (£7.869 million), which are not yet allocated, and the teachers holdback funding (£9.4 million) which has now been removed from the Order, these are both still assumed as funding in the Council's approved budget.
- 4.8. Taking into account the information contained in sections 4.1 to 4.7, it is confirmed that the Order does not require any change to the Budget decisions taken by Council on 21 February 2024.
- 4.9. The Scottish Government had previously written to councils to state that any further funding coming to Local Government are subject to the outcome of the UK Government Spring Budget delivering net additional funding. This relates to earlier correspondence where Councils had been advised of additional funding for Local Government totalling £63 million nationally. The Order does not include any allocation of these monies and states that any additional funding will be discussed and agreed through the formal financial governance process and will be included for approval in the Local Government Finance (Scotland) Order 2025.
- 4.10. Further correspondence from the Scottish Government, following the UK Spring Budget in early March, advised that the UK Government have identified £48 million of funding for Scottish Local Government and that they will pass that funding through to councils. It also states that the Scottish Government will make the decisions in year which are necessary to top that up to the £62.7 million, for those who have agreed to freeze their Council Tax.
- 4.11. The Council has yet to be formally advised of its share of these monies. As advised through previous Budget reports to Council (21 February 2024), recent pay claims presented have identified a risk that any pay deal for 2024/2025 will exceed the pay funding that has been included in the Council's Budget Strategy. It is suggested that

it would be prudent, when an allocation is made, that members consider holding this as a contingency against higher than budgeted costs of pay.

- 4.12. In addition, the letter also advised that the Scottish Government has had no confirmation yet of any funding in relation to increased Teacher Employer Pension Contributions, however, officials at the Scottish Government understand that this will be confirmed later in the year by the UK Government. The letter states that the Minister is committed to passing these through once confirmation is received. The Council's budget has been set on the basis that this will be forthcoming as the increased contributions will commence on 1 April 2024.

5. Employee Implications

- 5.1. There are no employee implications.

6. Financial Implications

- 6.1. The placing of the Local Government Finance Order provides an update to the 2024/2025 Local Government Settlement, included in the Budget presented to Council on 21 February 2024.

7. Climate Change, Sustainability and Environmental Implications

- 7.1. There are no implications in terms of sustainability arising from the recommendations in this report.

8. Other Implications

- 8.1. There are no other implications arising from the recommendations in this report.

9. Equality Impact and Assessment and Consultation Arrangements

- 9.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

- 9.2. No consultation was required in terms of the recommendations in this report.

Jackie Taylor

Executive Director (Finance and Corporate Resources)

4 March 2024

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, Effective, Efficient and Transparent

Previous References

- ◆ South Lanarkshire Council, 21 February 2024

List of Background Papers

- ◆ Local Government Finance (Scotland) Order 2024

Contact for Further Information

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

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