

SOUTH LANARKSHIRE COUNCIL

Minutes of the meeting held via Confero and the Council Chamber on 28 September 2022

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 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 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 Dr Ali Salamati, Councillor Graham Scott, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner, Councillor Margaret B Walker, Councillor David Watson

Councillors' Apologies:

Councillor Archie Buchanan, Councillor Richard Lockhart, Councillor Monique McAdams, Councillor John Ross

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

L Sherry, Head of Education (Support Services and School Estates)

Finance and Corporate Resources

P Manning, Executive Director; N Docherty, Administration Assistant; T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; K McVeigh, Head of Personnel Services; S Somerville, Administration Manager; L Wyllie, Administration Assistant

Housing and Technical Resources

A Finnan, Head of Housing Services

Social Work Resources/Health and Social Care

S Sengupta, Director, Health and Social Care

1 Minute's Silence and Condolences following the Death of Her Majesty Queen Elizabeth II

The Provost advised that it was the first meeting of the full Council since the sad passing of Her Majesty Queen Elizabeth II. She referred to Her Majesty's decades of dedicated public service and also wanted to formally note the Council's condolences to the Royal family and, in particular, to the new monarch, King Charles III.

At the Provost's invitation, all present stood and observed a minute's silence as a mark of respect.

Councillors Fagan, Chalmers, Allison, Brown and Robb, in turn, expressed their condolences on behalf of their Groups and paid tribute to Her Majesty.

The Provost confirmed that arrangements would be made to write to His Majesty, King Charles III to convey the Council's condolences and sentiments.

2 Declaration of Interests

No interests were declared.

3 Minutes of Previous Meeting

The minutes of the meeting of South Lanarkshire Council held on 15 June 2022 were submitted for approval as a correct record.

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

4 Recommendation Referred by Executive Committee – Annual Investment Report 2021/2022

A report dated 21 September 2022 by the Chief Executive was submitted on the recommendation which had been referred to the Council by the Executive Committee of 21 September 2022 in relation to the Council's Annual Investment Report 2021/2022. The recommendation was that the Council's Annual Investment Report 2021/2022 be approved.

In response to a member's question, the Executive Director (Finance and Corporate Resources) confirmed that recent economic events would affect Treasury Management going forward, for example the increase in the cost of borrowing for councils, however, any impact would be reflected in future reports brought to committee or Council.

The Council decided: that the recommendation of the Executive Committee of 21 September 2022 in relation to the Council's Annual Investment Report 2021/2022 be approved.

[Reference: Minutes of the Executive Committee of 21 September 2022 (Paragraph 6)]

5 Notice of Motion – Flagpoles at Council Headquarters

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

“This Council notes there is no locally determined protocol governing the use of its flagpoles at Council Headquarters.

The Council therefore requests that a new protocol is developed and brought back to Council for approval, requiring that the Union Flag, Saltire and South Lanarkshire flag be flown from flagpoles at Council Headquarters as a standard practice. The Council understands that deviation from this standard practice may be permitted for reasons such as commemorations, causes and other events, such as those set out in the Scottish Government Flag Flying Guidance, and those should be detailed within the South Lanarkshire Council Protocol. The Council also understands that, in very exceptional circumstances, there may on occasion be official requests from organisations and others

to fly specific flags on certain days or to reflect particular circumstances and delegates authority to the Chief Executive to consider these requests in consultation with the political Group Leaders and determine whether they should be authorised.

This Council agrees that, until a new protocol is agreed, the national flag of Ukraine should fly as standard alongside the Union Flag and Saltire.”

In moving his motion, Councillor McCreary referred to the Queen’s Platinum Jubilee where the Union flag flew at most buildings but noticeably not outside Council Headquarters. He considered that, as Scotland was part of the UK and there was capacity in terms of the number of flagpoles, the Union flag, as well as the Saltire, should be flown on a permanent basis. Councillor Rae, in seconding the motion, referred to the Council as being the local democratic voice of the community and how it was important that its actions were seen to be inclusive, not least at a time where issues of identity and constitutional status provided regular causes for division. He considered that clarity was needed in terms of which flags were flown and under what conditions to prevent inadvertent offence.

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

“Council notes there is no locally determined protocol governing the use of its flagpoles at Council Headquarters.

Council notes that the current national guidance allows us to reflect the diversity of our community and our equalities policies. However, Council also notes that broadly following the national guidance has not prevented local decision-making over the last 5 years, e.g. flying the Ukrainian National Flag and marking ‘Care Day’.

The Council understands that deviation from this may be permitted for reasons such as commemorations, causes and other events, that are not currently set out in the Scottish Government Flag Flying Guidance. The Council therefore delegates authority to the chief executive to consider official requests from organisations, councillors, and others to fly specific flags on certain days in consultation with political group leaders and determine whether they should be authorised.”

In response to a point from Councillor Watson, the Chief Executive clarified that the Council currently followed the Scottish Government guidelines which related to its own buildings. He confirmed that it was a matter for the Council to determine what was contained in its own protocol.

Following discussions, on a vote being taken electronically, 27 members voted for the amendment and 33 for the motion which was declared carried.

The Council decided:

- (1) that a new protocol be developed and brought back to Council for approval:-
 - ◆ requiring that the Union Flag, Saltire and South Lanarkshire flag be flown from flagpoles at Council Headquarters as standard practice
 - ◆ taking account of any deviation from this standard practice which might be permitted for reasons such as commemorations, causes and other events, such as those set out in the Scottish Government Flag Flying Guidance
- (2) that powers be delegated to the Chief Executive, in consultation with the political group leaders, to consider official requests from organisations and others to fly specific flags on certain days or to reflect particular circumstances; and

- (3) that, until a new protocol was agreed, the national flag of Ukraine remain flying alongside the Union Flag and Saltire.

Councillor Lennon entered the meeting during this item of business

6 Notice of Motion – Menstruation Support

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

“South Lanarkshire Council as a major employer, recognises that stigma still surrounds menstruation. That without a specific policy in place offering training, guidance, and safe spaces to discuss concerns, young people and employees can remain unsupported and in some cases their school attendance or employment can be affected.

Council resolves to ask the Executive Directors of Finance and Corporate Resources and Education Resources to consider the necessity, feasibility, and implications of implementing a menstruation policy for both schools and workplaces taking into account training for all line managers and teachers, guidance for all pupils and employees who bleed, and appropriate school and workplace supports and adjustments, including consideration of a right to up to 3 days paid leave for employees per month with medical agreement where required, and to bring a report back to our next meeting for consideration by Council.

Bleeding should not be a disadvantage and we can ensure our valued workforce and young people feel respected and supported.

Council is asked to support this Motion.”

In moving her motion, Councillor MARRS spoke of the stigma attached to what was a natural, but sometimes difficult to manage, monthly occurrence and the struggles faced by some to cope with debilitating symptoms while at school or work. Councillor DONNELLY, in seconding the motion, referred to the availability of free period products now being a transparent matter, however, she considered the issue of leave due to menstruation was not.

Members were heard in support of the motion and, in response to a member’s question, the Executive Director (Finance and Corporate Resource) clarified that financial implications would be included when drafting the policy for the Council’s consideration at its next meeting.

The Council decided: that the terms of the motion be supported and a report on a menstruation policy be brought back to the next meeting of the Council for consideration.

In terms of Standing Order No 14, the Provost adjourned the meeting following this item of business at 11.00am. The meeting reconvened at 11.05am

7 Notice of Motion – Enabling ‘Warmbanks’ Across South Lanarkshire

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

“That South Lanarkshire Council approaches winter 2022 with apprehension for tenants and householders knowing energy costs for average homes have increased significantly over the last few months.

Notes concern that such a large increase in fuel costs for households will result in further fuel poverty and people will be unable to pay their fuel bills. That those most vulnerable, our elderly, those on benefits and on low incomes will face an even greater challenge than the previous abhorrent choice of whether to heat or eat, that people horrifically will be reduced to potentially not being able to afford to do either.

Notes the recent steps taken by UK Government to limit energy bills but with concern over a lack of detail and that many will still struggle to pay their bills.

Recognises that the actions by the Scottish Government and Councils can only mitigate the problem to some extent.

Notes the decisions taken by the SNP administration earlier this year to invest £425,000 in community led activities and community halls, continuing a community-led, partnership approach with our communities, and welcomes the carefully targeted use of the Scottish Government's Financial Wellbeing Support Fund to provide holistic support for people experiencing a material and detrimental impact on their financial position.

However, the cost-of-living crisis requires us to increase the pace, investment and intensity of support.

I therefore call upon this Council, with cognisance to the support I have outlined; noting other existing or potential individual support or grants available, to work alongside our community and voluntary organisations to make plans for 'warmbanks' across South Lanarkshire. This includes making available our public buildings including libraries, halls, and community centres through the winter, offering safe places for people to go, to heat up, get a hot drink or meal, and access advice and support."

Councillor Marrs, in moving her motion, referred to energy price rises and the associated cost of living crisis which had led to growing concerns that the most vulnerable would face the brunt of this winter's challenge. Councillor Chalmers, in seconding the motion, referred to the unprecedented nature of the current social and economic crisis and that, during the pandemic, the Council, communities and community planning partners had developed strong working relationships to support individuals and families with food, social and wellbeing supports, and should do so again.

Councillor Fagan wished to recognise the spirit in which the motion had been brought forward and the severity of the challenges that communities might face this winter. He advised that the Council had been considering the case for warmbanks and how it, alongside partners, could develop a network of warm places. Earlier this month, he had met with church and community groups in East Kilbride to understand the aspirations of the community. From that meeting, he had taken 3 relevant points. Firstly, the language of warmbanks was thought to attract a stigma or potential stigma. Secondly, there was concern on how to assess the potential level of demand for warmbanks as a solution to the winter heating crisis and how building on existing practices and activities was likely to be a more compelling approach, acknowledging this would require to be scaled up. Thirdly, solutions should be place based and developed from the ground up, making best use of community capacity. Consequently, by using that feedback constructively, he wanted to refine the terms of the motion by submitting the following as an amendment:-

"As an amendment to Item 7, South Lanarkshire Council agrees that:

- 1) "decisions taken by the SNP administration earlier this year" be replaced with "decisions taken by the Council earlier this year".
- 2) The final paragraph beginning "I therefore call..." be replaced with the following:
"The Council notes the work of council officers and communities in assessing the potential role of warm banks in alleviating cost of living pressures this winter.

The Council recognises community concerns about difficulties anticipating demand for warm banks, potential stigma and the importance of proportionate, effective place-based solutions.

The Council therefore agrees to work alongside our community, SLLC and voluntary organisations to take forward a 'Warm Welcome' initiative, a network of warm spaces in community settings and public buildings where members of the public are welcomed and can access advice and support.

Given the crisis many households are facing, the Council also instructs the Chief Executive to bring forward a further package of cost of living supports, for agreement, in consultation with Group Leaders, and for these to be homologated at a future Executive Committee, including support for a Warm Welcome Initiative."

This was seconded by Councillor Brown.

Following discussions, Councillor Marrs, with the agreement of Councillor Chalmers, intimated that she was content to accept the terms of Councillor Fagan's amendment and the motion was duly amended and unanimously agreed by the Council.

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

- ◆ work with the community, South Lanarkshire Leisure and Culture and voluntary organisations to take forward a 'Warm Welcome Initiative', a network of warm spaces in community settings and public buildings where members of the public were welcomed and could access advice and support
- ◆ instruct the Chief Executive to bring forward a further package of cost of living supports for agreement, in consultation with Group Leaders, and for those to be endorsed at a future meeting of the Executive Committee, including support for a Warm Welcome Initiative

8 Notice of Motion – Investing South Lanarkshire Money for Positive Change

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

"Motion pre-amble:-

- Recalls that in 2018, a motion passed calling for Strathclyde Pension Fund to keep their investments under continuous review with regards ethical investment and that in 2019, all political parties on South Lanarkshire Council recognised the climate emergency;
- Further recognises that the Strathclyde Pension Fund supports low carbon initiatives through its direct investment portfolio, but is concerned that the Fund retains large holdings, worth £836 million last year (1), in fossil fuel industries that are driving the climate and ecological crises and perpetuating global inequalities;
- Notes Strathclyde Pension Fund committee and board members must make their fiduciary duty paramount in all decision making and recognises that this duty is consistent with selecting investments according to ethical, environmental, social and governance criteria as well as financial return;

- Further notes recent analysis (2) showing companies on Strathclyde Pension Fund's 'Green List' are still investing disproportionately in fossil fuels and heeds the calls from fund members themselves to divest (3). South Lanarkshire Council notes that many other major pension funds have already made and acted on commitments to fossil fuel divestment, demonstrating leadership on the climate emergency at the same time as protecting the long-term interests of their individual investors;
- Finally notes that South Lanarkshire Council's Treasury Management strategy estimates investments of £154,551m in 2022/23; that its bankers are Natwest and Lloyds, who together invested \$25billion into financing fossil fuels 2016-20 (4), and, in Natwest's case also funds firms accused of destroying tropical rainforests, fuelling the climate crisis further (5).

Motion:

Therefore, we believe that South Lanarkshire Council can show climate leadership by resolving to write to the Strathclyde Pension Fund Committee as follows:-

- Asking that it renews its commitment to fossil fuel divestment and vastly increases investments in projects bringing about positive change, as well as tackling the climate and ecological crises, with the intention of divesting from fossil fuel investments completely as quickly as possible, and no later than 2029;
- That it further considers how it can reinvest the Pension Fund members' hard-earned money to drive community wealth building and climate and ecological action within South Lanarkshire; and
- Asks that Strathclyde Pension Fund develop, in conjunction with the trade unions, a meaningful consultation mechanism with Fund members and that employers, such as South Lanarkshire Council, are consulted on the Fund's investment strategies and divestment policy.

And for South Lanarkshire Council to further demonstrate its own climate leadership by:-

- Reviewing its Investment Strategy and developing and implementing a Responsible Investment Policy to ensure that South Lanarkshire money is invested for positive change and does not fuel the climate and ecological crises; and
- Reporting back on work to incorporate sustainability into Treasury Management decisions to the Climate Change and Sustainability Committee."

References

1. <https://foe.scot/resource/strathclyde-briefing/>
2. <https://www.channel4.com/news/energy-companies-investing-just-5-of-profits-in-renewables>
3. <https://unison-scotland.org/public-service-workers-want-an-ethical-local-government-pension-fund-says-unison/>
4. <https://www.bankingonclimatechaos.org/bankingonclimatechaos2021/#score-card-panel> and <https://www.ethicalconsumer.org/money-finance/climate-change-impact-ratings-banks>
5. <https://www.globalwitness.org/en/campaigns/forests/deforestation-dividends/#responses>

Councillor Robb, in moving her motion, confirmed its aim was to help secure a safer and better future for pension fund members and generations to come. She wished to recognise the previous efforts from all Groups to acknowledge the climate emergency and considered it was now time to turn words into action and turn investments that were fuelling the climate crisis into ones which would help fund the net zero projects needed, while securing returns for pension fund members and South Lanarkshire citizens alike. She advised that, in 2017 to 2020, Strathclyde Pension Fund (SPF) lost £46 million due to the fossil fuel fall in stock prices.

Councillor Fagan, in seconding the motion, acknowledged that SPF had a fiduciary duty to those in the pension scheme to invest wisely and achieve the best outcome for workers by prudent decision-making, however, he advised that the world was transitioning to net zero and, therefore, there was a case for change as some traditional investments were not only harmful to the environment but also harmful to the long-term sustainability of the fund.

Following discussions, Councillor Allison, seconded by Councillor Nelson, moved as an amendment that SPF:-

- ◆ take a positive stance and increase its support for alternative, sustainable companies
- ◆ consult with its members as to how they would wish their money to be invested

On a vote being taken electronically, 6 members voted for the amendment and 54 for the motion. The motion was declared carried.

The Council decided:

- (1) to write to SPF asking that:-
 - ◆ it renew its commitment to fossil fuel divestment and vastly increase investments in projects bringing about positive change, as well as tackling the climate and ecological crises, with the intention of divesting from fossil fuel investments completely as quickly as possible, and no later than 2029
 - ◆ it further considers how it can reinvest the Pension Fund members' hard-earned money to drive community wealth building and climate and ecological action within South Lanarkshire
 - ◆ it develop, in conjunction with the trade unions, a meaningful consultation mechanism with Fund members and that employers, such as South Lanarkshire Council, be consulted on the Fund's investment strategies and divestment policy
- (2) to review the Council's Investment Strategy and develop and implement a Responsible Investment Policy to ensure that South Lanarkshire money was invested for positive change and did not fuel the climate and ecological crises; and
- (3) that a report be submitted to a future meeting of the Climate Change and Sustainability Committee on work undertaken to incorporate sustainability into Treasury Management decisions.

9 Urgent Business

There were no items of urgent business.