

EXECUTIVE COMMITTEE

Minutes of meeting held via Confero and in the Council Chamber, Council Offices, Almada Street, Hamilton on 24 August 2022

Chair:

Councillor Joe Fagan (ex officio)

Councillors Present:

Councillor Alex Allison, Councillor John Anderson, Councillor Walter Brogan (*substitute for Councillor Andy Carmichael*), Councillor Robert Brown, Councillor Ross Clark, Councillor Gerry Convery (Depute), Councillor Margaret Cooper, Councillor Andrea Cowan, Councillor Margaret Cowie (*substitute for Councillor Mo Razzaq*), Councillor Maureen Devlin, Councillor Gladys Ferguson-Miller, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Hugh Macdonald, Councillor Ian McAllan, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Lesley McDonald, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Richard Nelson, Councillor Kirsten Robb, Councillor Dr Ali Salamati (*substitute for Councillor John Ross*), Councillor David Shearer, Councillor Margaret B Walker

Councillors' Apologies:

Councillor Andy Carmichael, Councillor Maureen Chalmers, Councillor Mo Razzaq, Councillor John Ross

Attending:

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

T McDaid, Executive Director

Finance and Corporate Resources

P Manning, Executive Director; T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; P MacRae, Administration Adviser; K McLeod, Administration Assistant; K McVeigh, Head of Personnel Services; S Somerville, Administration Manager

Housing and Technical Resources

D Lowe, Executive Director

Health and Social Care/Social Work Resources

S Sengupta, Director, Health and Social Care

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Allison and McClymont	Land and Property Transfers and Disposals	Known to the owners of 21 Couthally Terrace, Carnwath

2 Minutes of Previous Meeting

The minutes of the meeting of the Executive Committee held on 29 June 2022 were submitted for approval as a correct record.

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

3 Revenue Budget Monitoring for Period 4 - 1 April to 15 July 2022

A report dated 25 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the overall financial position of the Council's General Fund Revenue Account and Housing Revenue Account for the period 1 April to 15 July 2022.

At 15 July 2022, the position on the General Fund Revenue Account was an underspend of £0.362 million. The underspend was mainly within Social Work Resources (Adults and Older People) as a result of vacancies relating to Social Workers, day care and residential homes. This formed part of the delegated Integration Joint Board (IJB) budget. The core Council position, without the IJB underspend, was a small overspend of £0.045 million.

The Housing Revenue Account showed a breakeven position at 15 July 2022, as detailed in Appendix 2 to the report.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the underspend of £0.362 million on the General Fund Revenue Account at 15 July 2022, relating to the delegated Integration Joint Board (IJB) budget, detailed in section 4 and Appendix 1 of the report, be noted; and
- (2) that the breakeven position on the Housing Revenue Account at 15 July 2022, detailed in section 5 and Appendix 2 of the report, be noted.

[Reference: Minutes of 29 June 2022 (Paragraph 2)]

4 Capital Programme 2022/2023 Update and Monitoring Period 4 - 1 April to 15 July 2022

A report dated 3 August 2022 by the Executive Director (Finance and Corporate Resources) was submitted providing an update on progress on the General Fund Capital Programme and the Housing Capital Programme for the period 1 April to 15 July 2022.

At its meeting on 29 June 2022, the Committee had approved a General Fund Capital Programme for 2022/2023 totalling £99.534 million. A revised programme of £98.093 million was now anticipated which included proposed adjustments to the programme totalling a net decrease of £1.441 million. Those were detailed in Appendix 1 to the report. The programme included a budget allocation for the following 3 significant projects where the level of spend in year had still to be confirmed:-

- ◆ Clyde Bridge
- ◆ Larkhall Leisure Centre
- ◆ Levelling Up Fund match funding

At 15 July 2022, £8.176 million had been spent on the General Fund Capital Programme, a slight overspend of £0.080 million, and actual funding received to 15 July 2022 totalled £71.677 million. The programme spend and funding for the General Fund for the period was detailed in appendices 2 and 3 to the report.

The Housing Capital Programme 2022/2023, approved by the Executive Committee at its meeting on 29 June 2022, totalled £52.230 million. Details of the position of the programme at 15 July 2022 were provided in Appendix 4 to the report. The adjustments to the Housing Programme were detailed at sections 5.1 and 5.2 of the report. As a result of those adjustments, a revised programme of £66.361 million was proposed. Programmed funding for the year also amounted to £66.361 million and funding sources were detailed in Appendix 4 to the report.

At 15 July 2022, expenditure on the Housing Capital Programme amounted to £11.339 million and actual funding received to 15 July 2022 totalled £11.339 million.

The Committee decided:

- (1) that the Period 4 position at 15 July 2022 of the General Fund Capital Programme, as detailed at appendices 1 to 3 to the report, and the Housing Capital Programme, as detailed in Appendix 4 to the report, be noted;
- (2) that the adjustments to the General Fund programme, as detailed in Appendix 1 to the report, and the Housing Capital Programme, as detailed in the report at sections 5.1 and 5.2, be approved; and
- (3) that the revised programmes be monitored by the Financial Resources Scrutiny Forum.

[Reference: Minutes of 29 June 2022 (Paragraph 5)]

5 Additional Funding from Scottish Government and Other External Sources

A report dated 25 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on additional funding, totalling £2.902 million, which had been made available to the Council by the Scottish Government and other external sources.

The funding had been allocated as follows:-

Capital Funding

Resource	2022/2023 (£m)
Housing and Technical	2.902
Total	2.902

The Committee decided: that the report be noted.

[Reference: Minutes of 29 June 2022 (Paragraph 6)]

6 South Lanarkshire Council Response to the Pre-Budget Scrutiny Call for Views

A report dated 16 August 2022 by the Chief Executive was submitted on the Council's response to the Call for Views issued by the Finance and Public Administration Committee of the Scottish Parliament as part of the prebudget scrutiny process.

The 8 questions on which the Finance and Public Administration Committee had asked for views were detailed in the report and the Council's response to those questions was attached as Appendix 1 to the report. The response emphasised the unprecedented financial pressures faced by local government and made the point that any further reductions in budgets would have severe implications for councils' ability to deliver services. This, in turn, would impact on the ability of councils to support Scottish Government priorities and the achievement of national outcomes.

Key points within the Council's response were highlighted in the report including:-

- ◆ reduction of funding for councils in real terms
- ◆ impact of inflation on council services
- ◆ impact of the reduction of funding on the role of local authorities in delivering national outcomes
- ◆ requirement of any financial settlement to recognise the key role played by councils in providing assistance to those struggling to meet the costs of living
- ◆ requirement for councils to have flexibility across their budgets

There followed a discussion during which a number of matters were raised for inclusion in the Council's response to the Call for Views as follows:-

- ◆ financial pressures being faced by local authorities and the requirement for adequate funding, without which there would be a long term, worsening impact on council services
- ◆ the further and projected increases in inflation adding to the pressures faced by local authorities
- ◆ the funding model for local government and its impact on councils' ability to deliver in terms of national outcomes and services generally

The deadline for the Call for Views was 19 August 2022. To meet this deadline, the Council's response had been submitted to the Scottish Government on the understanding that further views agreed at the meeting of the Executive Committee would be incorporated as an addendum to the substantive response.

The Committee decided:

- (1) that the Council's response to the Call for Views, attached as Appendix 1 of the report, be approved; and
- (2) that the further comments agreed by the Executive Committee be forwarded to the Scottish Government for consideration along with the response previously provided.

7 Local Child Poverty Action Report

A report dated 15 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the local work undertaken to address child poverty and the draft Local Child Poverty Action Report.

The Child Poverty (Scotland) Act 2017 introduced a new requirement for local authorities and each relevant Health Board to prepare Local Child Poverty Action Reports (LCPAR) as soon as reasonably practicable after the end of each reporting year. This commenced in June 2019.

The report required to contain any measures taken in the local authority area during the reporting year and planned measures for the year ahead. Those were organised around the following 3 drivers:-

- ◆ cost of living
- ◆ income from benefits
- ◆ income from employment

Actions were identified using local data, the lived experience of families and the expertise of partnership staff.

The Poverty and Inequality Commission had been tasked by the Scottish Government to provide feedback on all the local action reports. Feedback on the South Lanarkshire LCPAR had been positive. In addition, the South Lanarkshire LCPAR had been used as an example of good practice for other local authorities and health boards.

The LCPAR provided background information, a progress report on South Lanarkshire activity and an action plan organised in relation to the 3 child poverty drivers.

Throughout the last year, partners had worked with the Improvement Service to take a fresh approach to identifying local areas for improvement. This work had been supported by the Council's Corporate Management Team, and, in particular, the Director of Health and Social Care. The main priorities for the forthcoming year were detailed in the report, with an emphasis on improvement areas such as routine enquiry, parental employability and cost of living issues.

Given the challenges identified in producing a yearly plan, it was proposed that a 3 year strategy be created in 2023, with an annual update report on progress being provided.

There followed a full discussion during which officers responded to members' questions and undertook to submit a further report to a future meeting of the Committee on assistance which could be provided to facilitate access to the labour market.

The Committee decided:

- (1) that the progress and improvement work being carried out around the Local Child Poverty Action Report be noted;
- (2) that the content of the draft report, attached as Appendix 1 to the report, and its publication, be approved; and
- (3) that the ongoing work on areas of improvement and the intention to create a 3 year Strategy in 2023 be noted.

[Reference: Minutes of 25 August 2021 (Paragraph 7)]

8 Resource Plans and Connect Reporting 2022/2023

A report dated 22 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the 2022/2023 Resource Plans.

The draft Resource Plans for 2022/2023 had been prepared prior to the local government elections in May 2022, in line with corporate Resource Planning guidance and a Resource Plan template. Following the election and subsequent approval of the new Council Plan on 15 June 2022, the draft Resource Plans had been reviewed and updated to take account of the new Priorities and Outcomes within Connect 2022 to 2027.

In preparing the 2022/2023 Plans, Resources had undertaken a horizon scanning and situational awareness exercise covering:-

- ◆ social change, legislation and policies
- ◆ areas for improvement, including the Local Government Benchmarking Framework (LGBF)
- ◆ customer views and external inspection results
- ◆ other triggers for action such as top risks

From that exercise, a maximum of 10 areas had been selected for inclusion and development in each Resource Plan and those were detailed in the report. The draft Resource Plans 2022/2023 were attached as Appendix 1 to the report.

Resources had used the 6 Connect outcomes to generate their own Resource outcomes, supported by a range of actions and measures. Additional actions and measures had also been developed under the heading Delivering the Plan and Achieving Best Value. Details were given on the number of measures from each Resource Plan selected to be reported against Connect

If approved by the Committee, the 2022/2023 draft Resource Plans would be submitted to each individual Resource Committee for noting and subsequent monitoring.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the draft Resource Plans 2022/2023, prepared in line with revised corporate guidance and attached at Appendix 1 to the report, be approved;
- (2) that the reporting intention in relation to Connect, shown at Table 2 in the report, be noted; and
- (3) that the Resource Plans 2022/2023 be referred to individual Resource Committees for noting and performance monitoring at Quarter 2 and Quarter 4.

[Reference: Minutes of 28 April 2021 (Paragraph 6) and Minutes of South Lanarkshire Council of 15 June 2022 (Paragraph 3)]

In terms of Standing Order No 14, the Chair adjourned the meeting at 11.55am for a 15 minute period. The meeting reconvened at 12.10pm

9 Electric Vehicle (EV) Infrastructure Proposed Tariffs

A report dated 3 August 2022 by the Executive Director (Community and Enterprise Resources) was submitted:-

- ◆ providing an update on the status of the Electric Vehicle Charging Infrastructure Network
- ◆ proposing the introduction of tariffs
- ◆ setting out potential future opportunities for a more commercial approach

The Scottish Government had pledged to phase out the need for new petrol and diesel cars and vans across Scotland by 2032. To date, free electric charging had been offered to incentivise car owners to move to electric vehicles, however, given the planned ban on fossil fuel car sales, a free fuel subsidy incentive would no longer be necessary.

Details were given on:-

- ◆ current Electric Vehicle (EV) infrastructure numbers across South Lanarkshire
- ◆ electricity costs associated with the EV charge points for the last 3 years and projected electricity costs
- ◆ tariff models
- ◆ current public sector tariffs
- ◆ regulation of bays

Of the 3 main options for tariffs for EV charging points, namely, fixed rate, costs only and fixed rate plus costs, it was considered that the costs only option, where customers were charged a rate based on the number of units of electricity consumed, offered the most equitable and flexible charging model for the user and the Council.

There followed a full discussion, during which officers responded to members' questions on various aspects of the report, including potential uses for a new EV Infrastructure sinking fund.

Councillor Fagan, seconded by Councillor Convery, moved the recommendations contained in the report. Councillor Anderson, seconded by Councillor Clark, moved as an amendment that recommendation 2 of the report be amended to read "agree that tariffs will be set initially and will track the market, increasing energy and other costs and that delegated authority be given to the Executive Director (Community and Enterprise Resources), in consultation with the Group Leaders, to undertake a cost analysis and bring back total tariff costs to a future meeting of the Committee." On a vote being taken electronically, 9 members voted for the amendment and 18 for the motion which was declared carried.

The Committee decided:

- (1) that the current and future costs, assumptions and plans associated with operating the public electric vehicle (EV) and charge points in South Lanarkshire, including future commercial opportunities, be approved; and
- (2) that tariffs be set initially and track the market, increasing energy, and other costs with delegated authority given to the Executive Director (Community and Enterprise Resources) to set the initial tariff and make any necessary ongoing tariff amendments.

10 Land and Property Transfers and Disposals

A report dated 28 July 2022 by the Executive Director (Housing and Technical Resources) was submitted on proposed actions in respect of land and property transactions.

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

The Committee decided: that the land and property, as detailed in Appendix A to the report, be declared surplus to Council requirements.

Councillors Allison and McClymont, having declared an interest in this item, withdrew from the meeting during its consideration

11 Appointment of Food Champion

A report dated 20 July 2022 by the Executive Director (Community and Enterprise Resources) was submitted on the appointment of an elected member as the Council's Food Champion.

It was considered that the appointment of an elected member as Food Champion for South Lanarkshire would help to:-

- ◆ guarantee that food was a priority given the current food challenges directly affecting local communities
- ◆ represent the Council's position and influence the political agenda in a fast changing national policy context
- ◆ facilitate and increase connections among the increasing number of stakeholders involved in local food policy actions and initiatives
- ◆ deliver the Good Food Strategy objectives aimed at improving governance around food

Details were given on the proposed role and activities of the Food Champion. It was proposed that Councillor Ross Gowland be appointed as Food Champion for South Lanarkshire.

If the appointment was approved, an induction programme would be prepared for the Food Champion to:-

- ◆ support their development and understanding of the benefit of an integrated approach to food
- ◆ assist in developing knowledge about the local food challenges and opportunities
- ◆ allow them to gain further knowledge of the local and national policy context

Following discussion, Councillor Fagan, seconded by Councillor Convery, moved the recommendations contained in the report. Councillor Anderson, seconded by Councillor Clark, moved as an amendment that there be no elected member appointment to the role of Food Champion. On a vote being taken electronically, 9 members voted for the amendment and 18 for the motion which was declared carried.

The Committee decided:

- (1) that Councillor Gowland be appointed as the Council's Food Champion;
- (2) that the role for the Food Champion, as set out in paragraph 5 of the report, be approved; and
- (3) that the next steps, as set out in paragraph 7 of the report, be approved.

12 Response to the National Care Service Bill – Parliamentary Call for Evidence

A report dated 12 August 2022 by the Chief Executive was submitted providing an update on the National Care Service Bill, published on 31 May 2022 by the Scottish Government, and the subsequent Call for Evidence by the Scottish Parliamentary Committee on Health, Social Care and Sport.

Points raised in the Council's response to the Scottish Government's consultation on the National Care Service, which was consistent with the detailed responses agreed unanimously by all council leaders at the Convention of Scottish Local Authorities (COSLA) and by the Society of Local Authority Chief Executives (SOLACE), were summarised in the report.

The National Care Service Bill provided for:-

- ◆ powers for Ministers to establish and dissolve local and special care boards; and decide on membership of care boards and their remits
- ◆ the establishment of a scheme and standards for sharing information to facilitate a national health and social care record
- ◆ a charter of rights and responsibilities for social care, with a robust complaints and redress process
- ◆ power to transfer accountability for a range of services, including adult social care and social work services, to the Scottish Ministers, subject to Parliamentary approval
- ◆ the introduction of an entitlements based (sometimes called human rights based) model for care support but no detail on what those entitlements would be; how many people would benefit; how much it would cost and how it would be funded.
- ◆ the right to breaks for unpaid carers and visiting rights for residents living in adult care homes
- ◆ the potential future transfer of children's social work/ care and justice social work services to the NCS. Those areas were noted as not previously having been covered by the Independent Review of Adult Social Care (IRASC) and a decision would be taken following the gathering of further evidence by a research group established by the Scottish Government. Any such proposals would require to be laid before Parliament alongside any related Regulations

Details were given on the provisional key target milestones for the NCS Bill.

Officers had worked closely with COSLA, and with a wide range of professional associations in considering the provisions and implications of the Bill. From that work, a response was being prepared to the Parliamentary Committee Call for Evidence and the key points, which would be highlighted in the response, were detailed in Section 5 of the report. COSLA leaders would debate the joint response to the Call for Evidence at a meeting to be held on 26 August 2022.

Officers responded to members' questions on various aspects of the report.

The Committee decided:

- (1) that the publication of the National Care Service Bill be noted;
- (2) that it be noted that officers had contributed to the development of a consolidated response from COSLA and a wide range of professional associations which would be presented to the COSLA Leaders' meeting on 26 August 2022;
- (3) that the key concerns, as highlighted in section 5 of the report, and the significant implications for the Council arising from the potential transfer of accountability for adult social work/care services and future transfer of children's and justice social work/care services, be noted; and
- (4) that a copy of the consolidated response be shared with elected members once approved through COSLA Leaders.

[Reference: Minutes of 29 June 2022 (Paragraph 10)]

13 Representation on Outside Organisations

A report dated 16 August 2022 by the Chief Executive was submitted providing an update on:-

- ◆ member representation on outside organisations and partnership bodies
- ◆ member representation on the Board of the David Livingstone Trust
- ◆ a change in membership of the Licensing Division 1 (Clydesdale), Joint Consultative Forum and Employee Issues Forum
- ◆ action taken, in terms of Standing Order No 37(c), because of the timescales involved, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, for amendments to the Council's representation on the Education Appeals Committee and on Strathclyde Partnership for Transport

At its meeting on 18 May 2022, the Council agreed its representation on certain statutory joint boards and outside bodies. Since that meeting:-

- ◆ an update had been reported to the Council meeting held on 15 June 2020
- ◆ the Executive Committee, at its meeting on 29 June 2022, had authorised the Chief Executive, in consultation with the Leaders of the relevant political groups, to confirm nominations in respect of the remaining vacancies

The agreed nominations were detailed in Appendix 1 to the report. The Head of Administration and Legal Services also advised that the SNP Group had indicated that Councillor Donnelly would be its representative to the National Association of Councillors.

For a number of years, the Council's Provost had been an honorary member on the Board of the David Livingstone Trust. Provost Cooper would become an honorary member on the Board, with the Depute Provost substituting as necessary. The Provost's appointment would be formally confirmed at the Board's next Annual General Meeting on 29 August 2022.

Scotland Excel had advised that, at the meeting of the Joint Committee held on 17 June 2022, it was agreed that the Council would have continued membership of the Executive Sub-Committee until this was reviewed in either December 2022 or June 2023. The Council was entitled to appoint only 1 of its 2 representatives on Scotland Excel to the Executive Sub-Committee. Councillor Brogan would be the Council's representative on the Scotland Excel Executive Sub-Committee.

On 11 July 2022, a request was received from the Business Manager of the SNP Group that Councillor Horsham replace Councillor Chalmers as a member of Strathclyde Partnership for Transport and that Councillor Horsham replace Councillor Bradley as a member of the Education Appeals Committee. In view of the timescales involved, this request had been approved in terms of Standing Order No 37(c) by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member.

On 15 August 2022, a request had been received from the Depute Leader and Business Manager of the Scottish Conservative and Unionist Group that Councillor Lockhart replace Councillor Corbett on Licensing Division 1 (Clydesdale) and that Councillor Nelson replace Councillor Lockhart as a member of the Joint Consultative Forum and the Employee Issues Forum respectively.

The Committee decided:

- (1) that the updated representation on certain outside organisations and partnership bodies, as detailed in Appendix 1 of the report, and the appointment of Councillor Donnelly as the SNP Group's representative to the National Association of Councillors be noted;
- (2) that it be noted that the Provost was the Council's honorary member on the Board of the David Livingstone Trust, with the Depute Provost substituting as necessary;
- (3) that it be noted that Councillor Brogan was the Council's representative on the Scotland Excel Executive Sub-Committee;
- (4) that the change to the Conservative Group's membership of the Licensing Division 1 (Clydesdale), Joint Consultative Forum and Employee Issues Forum, as detailed at paragraph 5.3 of the report, be approved; and
- (5) that the action taken, in terms of Standing Order No 37(c), because of the timescales involved, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, for Councillor Horsham to replace Councillor Chalmers on Strathclyde Partnership for Transport and for Councillor Horsham to replace Councillor Bradley on the Education Appeals Committee, be noted.

14 Item of Urgent Business – Industrial Action

In terms of Standing Order No 4(c), the Chair authorised consideration of the following item of urgent business.

Councillor Loudon, having referred to the proposed industrial action on 6 to 8 September 2022 affecting schools and early years establishments, asked that details of affected schools and early years establishments be circulated to elected members, parents and carers as soon as possible. Officers undertook to provide this information.

Councillor Fagan referred to the financial position faced by the Council, the importance of unity in local government and the erosion of pay for local government workers in real terms. He expressed the view that a concerted Scotland wide approach, involving local government, trade unions and central government was required to resolve this issue.

The Committee decided: that the position be noted.