

EXECUTIVE COMMITTEE

Minutes of meeting held via Microsoft Teams and in the Banqueting Hall, Council Offices, Almada Street, Hamilton on 29 June 2022

Chair:

Councillor Joe Fagan (ex officio)

Councillors Present:

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

Councillors' Apologies:

Councillor Margaret Cooper, Councillor Eileen Logan, Councillor Hugh Macdonald, Councillor Kirsten Robb, Councillor John Ross, Councillor David Shearer

Attending:

Chief Executive's Service

C Sneddon, Chief Executive

Community and Enterprise Resources

D Booth, Executive Director

Education Resources

C McKenzie, Head of Education (Broad General Education)

Finance and Corporate Resources

P Manning, Executive Director; T Little, Head of Communications and Strategy; G McCann, Head of Administration and Legal Services; K McLeod, Administration Assistant; 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

No interests were declared.

2 Revenue Budget Outturn 2021/2022

A report dated 6 June 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 2021 to 31 March 2022.

The Council's overall probable outturn position for the year (including COVID and approved Transfers to Reserves) was reported to the meeting of the Executive Committee held on 2 March 2022 as an underspend of £4.794 million. This assumed full funding of COVID expenditure and an underspend of £4.794 million on the Council's General Services.

The year end position was an underspend of £6.109 million, an improvement of £1.315 million on the probable outturn figure. This included proposed transfers to reserves, COVID expenditure and funding as detailed in Appendices 1 and 2 to the report. It was proposed that the final underspend of £6.109 million be transferred to reserves for use in future years' budget strategies, including 2023/2024.

Transfers to reserves, approved at probable outturn, were detailed in Appendix 3 to the report and proposed new transfers to reserves, requested by Resources at year end, were detailed in Appendix 4

It was proposed to transfer to reserves the over provision of funding to the Integration Joint Board (IJB) in the sum of £2.051 million and that this money would be held in reserves and used to manage pressures within Children and Family Services.

As at 31 March 2022, the position on the Housing Revenue Account was breakeven. This was after a transfer to the Housing Revenue Account Reserves of £2.917 million, which was £1.946 million higher than budgeted, as detailed in Appendix 6 to the report.

Following discussion, Councillor Fagan, seconded by Councillor Convery, moved approval of the recommendations contained in the report.

Councillor Ferguson-Miller, seconded by Councillor Horsham, moved as an amendment that the recommendations contained in the report be approved with the addition of 2 further recommendations and an amendment to recommendation 6 contained in the report as detailed below:-

- ◆ that £3 million of the underspend be used to support our communities during the current cost of living crisis
- ◆ that the range of support for our communities suggested in a Covid Briefing paper issued in January 2021 and detailed below be considered by officers and a briefing paper be provided on the proposed spend:-
 - ◆ winter payment to those children in receipt of free school meals
 - ◆ winter payment to those in receipt of school clothing grants
 - ◆ households in temporary accommodation
 - ◆ tenancy assistance by prevention of homelessness which might be caused due to rent arrears and financial difficulties
 - ◆ extension of the Financial Wellbeing support currently in place to older people experiencing financial difficulties
 - ◆ support to 3rd sector organisations as those services provided an important role in supporting our communities
- ◆ that the remaining £3.109 million underspend, after proposed transfers to reserves, be allocated as detailed in Section 4.12 of the report, resulting in a break-even position for the Council

The Executive Director (Finance and Corporate Resources) having clarified the financial position, Councillor Ferguson-Miller, with the agreement of Councillor Horsham, advised of a change to the amendment to reflect that it was proposed that £1.3 million and not £3 million of the underspend be used to support communities during the current cost of living crisis.

On a vote being taken by roll call, members voted as follows:-

Motion

Alex Allison, Walter Brogan, Robert Brown, Andy Carmichael, Gerry Convery, Maureen Devlin, Joe Fagan, Lynsey Hamilton, Catherine McClymont, Kenny McCreary, Lesley McDonald, Mark McGeever, David McLachlan, Richard Nelson, Mo Razzaq, Margaret B Walker

Amendment

John Anderson, Maureen Chalmers, Ross Clark, Andrea Cowan, Gladys Ferguson-Miller, Graeme Horne, Mark Horsham, Katy Loudon, Ian McAllan, Ali Salamat

10 members voted for the amendment and 16 for the motion which was declared carried.

The Committee decided:

- (1) that it be noted that across Resources, Corporate Items and Council Tax, the Council was showing a year end underspend of £6.109 million after proposed transfers to reserves, as detailed in section 4 and Appendix 1 of the report;
- (2) that it be noted that the probable outturn transfers approved by members had been revised to £55.062 million, previously £49.636 million, as detailed in Appendix 3 of the report;
- (3) that the Resources' requests for transfers to reserves to spend on commitments against specific streams of funding during the final part of the year totalling £4.902 million, as detailed in Appendix 4 of the report, be approved;
- (4) that the overfunding position on the IJB contribution, as detailed at section 4.5 of the report, be noted;
- (5) that it be noted that, after using Scottish Government funding and reserves brought forward from 2020/2021, the position on COVID expenditure was breakeven, as detailed in section 4.9 of the report;
- (6) that the £6.109 million underspend after proposed transfers to reserves be allocated, as detailed in section 4.12 to the report, resulting in a break-even position for the Council; and
- (7) that the break-even position on the Housing Revenue Account, as detailed in section 5 of the report, be noted.

[Reference: Minutes of 2 March 2022 (Paragraph 3)]

3 Revenue Budget Monitoring for Period 1 April to 20 May 2022

A report dated 7 June 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 2022 to 20 May 2022.

At 20 May 2022, the position on the General Fund Revenue Account was an underspend of £0.261 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 break-even.

Details were given on adjustments in relation the following which had been included in the figures contained in Appendix 1 to the report:-

- ◆ loans fund review
- ◆ loan charges
- ◆ 2021/2022 investments
- ◆ 2022/2023 investments
- ◆ job evaluation underspend
- ◆ accounting requirements

It was proposed that the roads carriageways revenue budget totalling £1.531 million be transferred to the 2022/2023 Capital Programme. The total overall budget for roads carriageways across capital and revenue remained unchanged and was detailed in Appendix 1 to the report.

Appendix 2 to the report showed that, at 20 May 2022, there was a breakeven position against the phased budget on the Housing Revenue Account.

The Committee decided:

- (1) that the underspend of £0.261 million on the General Fund Revenue Account at 20 May 2022, relating to the delegated IJB budget, as detailed in section 4 and Appendix 1 of the report, be noted;
- (2) that the transfers to Reserves, as detailed in sections 4.2 to 4.6 of the report, be noted; and
- (3) that the breakeven position on the Housing Revenue Account at 20 May 2022, as detailed in section 5 and Appendix 2 of the report, be noted.

4 Capital Budget Monitoring Final Outturn - 2021/2022

A report dated 7 June 2022 by the Executive Director (Finance and Corporate Resources) was submitted on:-

- ◆ the outturn position of the General Services and Housing Capital Programmes for the year ended 31 March 2022
- ◆ projects, expressed in financial terms, which had been carried forward into 2022/2023

The total spend on the General Services Capital Programme 2021/2022, as detailed in Appendix 1 to the report, amounted to £61.587 million. This compared to the budget of £72.732 million and resulted in an underspend of £11.145 million. This would be carried forward to the 2022/2023 financial year. The programme underspend was due to the timing of project spend and the main projects responsible for the underspend were detailed in the report and at Appendix 2. The majority of those projects would continue into 2022/2023. Details were also given of year end and accounting adjustments.

The Housing Capital Programme 2021/2022, as detailed in Appendix 3 to the report, totalled £79.640 million. The actual expenditure on the Housing programme amounted to £73.181 million, a net underspend of £6.459 million. Details were given on the reasons for the underspend. Taking into account the underspend position of £6.459 million and additional one-off income totalling £6.166 million, resulted in a carry forward of £12.625 million. The timing of the New Housing Supply Programme meant that £1.191 million of the carry forward would be required in 2022/2023, leaving slippage of £11.434 million which would fall into future financial years.

The budgeted programme 2022/2023 amounted to £52.230 million. The Service anticipated spend to that level, however, work would continue to monitor achievable spend. Any revisions would be submitted to a future meeting of the Committee for approval.

The Committee decided:

- (1) that the outturn on the 2021/2022 General Services Programme of £61.587 million, as detailed in section 4.1 of the report, be noted;
- (2) that the carry forward of 2021/2022 projects into the 2022/2023 General Services Capital Programme totalling £11.145 million, as detailed in section 4.6 of the report, be approved;

- (3) that the outturn on the 2021/2022 Housing Capital Programme of £73.181 million, as detailed in section 4.8 of the report, be noted;
- (4) that the carry forward of £11.434 million of 2021/2022 projects into future years' Housing Capital Programmes as detailed in section 4.10 of the report be noted and that the reprofiling of the budget for future years' Housing Capital Programmes, as detailed in section 4.11 of the report, be approved; and
- (5) that it be noted that the level of overall spend anticipated in 2022/2023, for both General Services and Housing Programmes, would be the subject of a separate report to this Committee as detailed in sections 4.7 and 4.11 of the report.

5 Capital Budget 2022/2023 and Monitoring for Period 2 - 1 April 2022 to 20 May 2022

A report dated 7 June 2022 by the Executive Director (Finance and Corporate Resources) was submitted on:-

- ♦ consolidation of capital budget monitoring to give a Council-wide summary of the 2022/2023 Capital Programme including 2021/2022 carry forward
- ♦ progress on the Capital Programme for the period 1 April to 20 May 2022

At its meeting on 23 February 2022, the Council agreed a General Services base budget for 2022/2023 amounting to £82.284 million. Since the approval of this programme, the financial year end and additional funding received had resulted in a revised General Services base budget position for 2022/2023 of £95.232 million, as detailed in Appendices 2 and 3 to the report.

Since the budget was approved in February 2022, additional funding of £6.372 million had been awarded to the Council. In addition, Social Work Resources had also proposed a profiling adjustment of £2.070 million to reflect the timing of spend on the Community Alarm project. Adjustments totalling a net increase of £4.302 million were detailed in Appendix 1 to the report and, if approved, the total capital spending programme for 2022/2023 would be £99.534 million.

Appendix 2 summarised the programme spend and funding for the General Fund. Budget for the period amounted to £2.098 million and, at 20 May 2022, £2.098 million had been spent on the General Fund Capital Programme.

At its meeting on 23 February 2022, the Council agreed a Housing Capital Programme for 2022/2023 amounting to £52.230 million which included funding carried forward from previous years. Programmed funding for the year also amounted to £52.230 million. The funding sources were detailed in Appendix 5 to the report. Budget for the period amounted to £3.289 million and, at 20 May 2022, £3.289 million had been spent on the Housing Capital Programme.

The position on the General Fund Capital Programme and the Housing Capital Programme would be monitored by the Financial Resources Scrutiny Forum.

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

The Committee decided:

- (1) that the position of the General Fund Capital Programme, as detailed in Appendices 2 to 3 of the report, and the Housing Capital Programme, as detailed in Appendix 4 of the report, be approved;
- (2) that the adjustments to the General Fund programme, as detailed in Appendix 1 of the report, be approved; and

[Reference: Minutes of 2 February 2022 (Paragraph 4)]

A report dated 1 June 2022 by the Executive Director (Finance and Corporate Resources) was submitted on additional funding, totalling £6.385 million, which had been made available to the Council by the Scottish Government and other external sources.

The funding had been allocated as follows:-

Revenue Funding

Resource	2022/2023 (£m)
Community and Enterprise	0.886
Education	0.840
Total	1.726

Capital Funding

Resource	2022/2023 (£m)
Community and Enterprise	4.659
Total	4.659

Overall Total	6.385
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Officers responded to members' questions on funding for the renewal of playparks

The Committee decided: that the report be noted.

[Reference: Minutes of 2 March 2022 (Paragraph 5)]

7 Representation on the Education Resources Committee

A joint report dated 1 June 2022 by the Executive Directors (Finance and Corporate Resources) and (Education Resources) was submitted on arrangements for the appointment of representatives other than Councillors to serve on the Education Resources Committee.

Local authorities, when establishing an Education Resources Committee, were required to invite representatives from Church organisations to act as religious representatives on the Education Resources Committee.

At its meeting held on 1 July 2003, the Committee agreed arrangements for the appointment of representatives to serve on the Education Resources Committee.

It was proposed that steps be taken in line with the arrangements established in 2003 to obtain external representation on the Education Resources Committee as follows:-

- ◆ 2 teacher representatives
- ◆ 2 parent/carers representatives
- ◆ 3 Church/religious representatives

Details were provided in relation to the process for appointing all external representatives.

The Committee decided:

- (1) that the proposals outlined in paragraph 4 of the report to obtain the undernoted external representation on the Education Resources Committee be actioned:-
 - ◆ 2 teacher representatives
 - ◆ 2 parent/carer representatives
 - ◆ 3 church/religious representatives
- (2) that the appointments of Mrs Coulter and Mr Mulligan as the nominated religious representatives from the Church of Scotland and the Roman Catholic Church respectively, be confirmed; and
- (3) that the current appointments of the remaining external representation on the Education Resources Committee be extended until new appointments were confirmed.

8 Representation on Outside Organisations

A report dated 15 June 2022 by the Chief Executive was submitted providing an update on member representation on outside organisations and partnership bodies.

The Council, at its meeting on 18 May 2022, approved its representation on certain statutory joint boards and outside bodies. A report which provided an update on arrangements that were delegated to the Chief Executive to finalise was submitted to the Council on 15 June 2022. At that meeting, it was agreed that a report to consider any further representation on a number of other bodies would be submitted to the Executive Committee.

Appendix 1 detailed further representation on a number of outside bodies. In respect of the remaining vacancies, it was proposed that delegated authority be given to the Chief Executive, in consultation with the Leaders of the relevant Groups, to confirm nominations.

Officers and members were heard on updates to the position regarding representation on outside organisations.

The Committee decided:

- (1) that Councillor McClymont be appointed as the Council's second representative to Discover Lanark, with Councillor Marrs assuming the role as Advisor to that organisation and that the remaining representation on certain outside organisations and partnership bodies, as detailed in Appendix 1 of the report, be approved;
- (2) that Councillor McCreary be appointed as the Conservative Group's representative to Safer South Lanarkshire Board;
- (3) that it be noted that Councillor Devlin was the Council's representative on the Scottish Joint Council for Local Authority Employees;
- (4) that it be noted that Councillor Kerr was the Council's representative on SEEMIS;
- (5) that it be noted that Councillor Falconer and not Councillor Handibode had been appointed as a substitute member on the Integration Joint Board; and

- (6) that those organisations which would no longer have elected member representation be contacted, as outlined in paragraph 4.4 of the report.

[Reference: Minutes of South Lanarkshire Council of 18 May 2022 (Paragraph 7) and 15 June 2022 (Paragraph 13)]

9 Strategic Environmental Assessment Progress 2021 to 2022

A report dated 8 June 2022 by the Executive Director (Community and Enterprise Resources) was submitted on the progress in carrying out Strategic Environmental Assessments (SEA) on the Council's policies, plans, programmes and strategies.

The Environmental Assessment (Scotland) Act 2005 required the Council, as a "responsible authority", to carry out a Strategic Environmental Assessment of all its policies, plans, programmes and strategies. The process, which helped to integrate environmental considerations into the preparation and adoption of plans, was carried out on a staged basis alongside the preparation of the proposed plan. The Corporate SEA Working Group met regularly to oversee the progression of SEA across the Council.

Details were given on plans which had been:-

- ◆ completed at pre screening stage
- ◆ finalised at screening stage
- ◆ subject to a full SEA
- ◆ subject to a post Adoption Statement

The Committee decided:

- (1) that the statutory requirement for SEA to inform the development of Council led policies, plans, programmes and strategies be noted; and
- (2) that progress in conducting SEA be noted.

10 Item of Urgent Business – Update on the National Care Service Bill

In terms of Standing Order No 20, the Chair authorised consideration of the following item of urgent business.

The Chair invited the Chief Executive to provide an update on the National Care Service Bill. The Chief Executive advised of:-

- ◆ the Council's response to the Scottish Government consultation document on the National Care Service and concerns in relation to:-
 - ◆ lack of options appraisal in the consultation document
 - ◆ the format of the consultation which proposed 1 single model
 - ◆ weighting of responses
- ◆ provisions of the Bill and concerns in relation to:-
 - ◆ the proposed extent of powers to Ministers
 - ◆ lack of precise detail
 - ◆ proposals in relation to Children's Services and Justice Social Work
 - ◆ proposed establishment of new Care Boards and the extent of voting capacity on those Boards

- ◆ implications for the Council and concerns in relation to:-
 - ◆ uncertainty for employees
 - ◆ extent of the financial implications for the Council
 - ◆ lack of involvement in drafting the Bill
 - ◆ position regarding the Council's future role in care provision
 - ◆ next steps, including ensuring robust scrutiny of the Bill

A report on the matter would be submitted to a future meeting of the Committee.

The Committee decided: to note the position.