

STIRLING COUNCIL

MINUTES OF MEETING of the **EXECUTIVE COMMITTEE** held in **THE WALLACE ROOM, VIEWFORTH, STIRLING**, on **THURSDAY 12 APRIL 2007** at **10.00 am**

Present:

Councillor Corrie McCHORD (in the Chair)

Councillor Margaret BRISLEY
Councillor Tom COLL
Councillor Ann DICKSON
Councillor Scott FARMER
Councillor Tony FFINCH
Councillor Colin FINLAY

Councillor Pat GREENHILL
Councillor John HENDRY
Mr Hilary MORAES
Councillor Gerry POWER
Councillor Gillie THOMSON

In Attendance:

David Cameron, Director of Children's Services
Brian Devlin, Director of Environment Services
Ann Dromgoole, Committee Officer, Corporate Services
Fiona Fulton, Communications Officer, Corporate Services
Rebecca Maxwell, Head of Planning & Resources, Children's Services
Willie Watson, Head of Resource Management, Corporate Services
Keith Yates, Chief Executive
Bob Jack, Director of Corporate Services (Clerk)

Apologies - Apologies for absence were submitted on behalf of George Bennie and Mrs Jane Morris.

IE1 DECLARATIONS OF INTEREST

There were no declarations of interest.

IE2 URGENT BUSINESS

There was no Urgent Business.

IE3 MINUTES

Decision

The Executive approved the undernoted Minutes of Meeting as correct records of the proceedings.

(a) [Parental Appeals Panel held on 16 February 2007](#)

- (b) Appointments Panel held on 28 February 2007
- (c) Regulatory Functions Panel held on 7 March 2007
- (d) Provost's Panel held on 8 March 2007
- (e) Parental Appeals Panel held on 12 March 2007
- (f) Development Management Panel held on 22 March 2007
- (g) Reconvened Meeting of the Regulatory Functions Panel held on 26 March 2007
- (h) Citizenship Appointments Panel held on 26 March 2007
- (i) Reconvened Meeting of the Parental Appeals Panel held on 27 March 2007
- (j) Appointments Panel held on 28 March 2007

Matters Arising –

(a) Paragraph DM39 – Erection of New Livestock Auction Market and Associated Facilities at land to north of Hill of Drip Farm, Bounded by River Teith and River Forth – Stirling – United Auctions/Elphinstone Land Ltd – 06/01014/DET - Reference was made to discussions at the Development Management Panel on 22 March 2007 on the above and clarification sought if the Council had on 8 February 2007 delegated final determination to the Development Management Panel to resolve the outstanding issues highlighted to the Development Management Panel.

Decision

The Executive Committee agreed that the Director of Corporate Services clarify for Members of the Development Management Panel the interpretation of the Council's Minuted decision of 8 February 2007.

(b) Executive Committee – 26 April 2007 – The Convenor confirmed there was likely to be business which would necessitate the Executive Committee meeting scheduled for 26 April 2007 at 2.00 p.m. taking place.

IE4 APPOINTMENT OF STATUTORY REPRESENTATIVE

A report by the Director of Corporate Services advised that The Revd Dr. Alison Peden had resigned as the Scottish Episcopal Church's Statutory Representative on Stirling Council and requested the Executive progress filling the vacancy.

Membership of the Executive included three representatives of religious bodies appointed in terms of Section 31 of the Local Government (Scotland) Act 1994. These representatives were nominated by the Church of Scotland, Roman Catholic Church and Episcopal Church.

Following the resignation of The Revd Dr. Alison Peden, the Episcopal Church had nominated Mrs. Jane Morris as its statutory representative on the Executive.

The Executive Committee agreed to:-

- 1 note the resignation of The Revd Dr. Alison Peden as a statutory voting representative on Stirling Council Executive and to express appreciation of the valuable contribution the Revd Dr Peden had made to the work of Stirling Council Executive;
- 2 approve the appointment of Mrs. Jane Morris as the statutory voting representative of the Scottish Episcopal Church on the Executive.

(Reference – Report by Director of Corporate Services of 26 March 2007 submitted.)

IE5 MOVING TO THE NEW SECONDARY SCHOOLS

On 8 June 2006 the Economy Committee had agreed a set of arrangements to allow the moves to the new Secondary Schools. These arrangements were designed to protect the full 190 days of pupil attendance at school, while allowing the schools to be occupied as soon as possible after the handover to the Council.

The arrangements had been based on consultation and endorsed by the Management Team within Children's Services.

A report by the Director of Children's Services advised that since the arrangements were approved, staff had expressed significant reservations. The Teachers' Professional Associations had supported these concerns that had been raised via the LNCT and the Children's Services Bi-partite meetings. There had also been correspondence from one of the Primary School Boards affected by the proposed arrangements opposing them. The Director of Children's Services explained that Professional Associations had argued that the objections to the arrangements were more widespread. The issue was the loss of previously agreed holidays. In addition to the Teachers' Professional Associations other Trades Unions were affected by the proposals.

The report explained that the Professional Associations had also argued that the Council should approach the Scottish Executive for permission to reduce the 190 days on the basis that a precedent was set for this when the Council had opened Balfour High School. They argued that the changes that were proposed to holiday and in-service arrangements would be disruptive and that they would threaten the goodwill of staff.

In the light of the objections which had been received the Executive Committee was requested to reconsider the Economy Committee decision of 8 June 2006.

There was tabled at the meeting suggested proposals from the Director of Children's Services for dealing with the School transfers which included School Dates – 2007/2008 for all School Clusters. It was confirmed that all Schools involved in the transfers would be treated equally.

Councillor Margaret Brisley spoke in support of the tabled proposals.

Decision

The Executive Committee agreed:-

- 1 to seek permission from the Scottish Executive to reduce the School Year at the affected Schools to facilitate the transfer into the new buildings;
- 2 to delegate power to the Director of Children's Services and the Elected Member with responsibility for Education (or the equivalent Member) to agree the additional closure days, on a school by school basis in consultation with the Teachers' Professional Associations and Parent representatives;
- 3 no other changes be made to the traditional pattern of school holiday and term dates;
- 4 following consultation with the Teachers' Professional Associations and Parent Representatives the Director of Children's Services advise all Members of the Executive Committee (including the Education Representatives) of what has been agreed.

(Reference – Report by Director of Children's Services of 28 March 2007 submitted.)

IE6 SINGLE STATUS AND JOB EVALUATION PROGRESS REPORT

A report by the Director of Corporate Services provided an update on the progress on Job Evaluation and Single Status Terms and Conditions negotiations with the relevant Trades Unions. The update did not cover Teachers, or at present, Craft Workers.

Appendix 1 to the submitted report contained a Summary of the revised set of Terms and Conditions reviewed by the Management Team in September 2006 and presented thereafter to the Trades Unions.

The Executive was advised that since October 2006 negotiations had been continuing with the Trades Unions via the dedicated Corporate Negotiating Group.

There was tabled a report by the Director of Corporate Services providing an update to the submitted report following the Corporate Negotiating Group meeting of 5 April 2007 on Job Evaluation/Grading Structure; Terms & Conditions.

Paragraph 1.21 – 1.2.2. of the report gave the update on Job Evaluation/Grading Structure.

Paragraph 1.2.4 of the report listed the proposals around Terms & Conditions that were particular problems for the Joint Trades Unions Council.

The tabled report advised that all Councils were under considerable pressure from COSLA and the Scottish Executive to implement Job Evaluation/Single Status as soon as possible. To ensure that negotiations were progressed within a reasonable time the tabled report suggested that the Executive Committee might wish to consider whether a formal 90-day consultation period should be introduced. This would give 3 months to conclude negotiations and communicate and engage with employees.

The consensus amongst Members was that whilst there was a pressing urgency for the Council to progress Single Status and Job Evaluation the decisions around these issues should be left to the in-coming elected Council to progress.

Decision

The Executive Committee agreed:-

- 1 to note the ongoing work towards implementing Job Evaluation and Single Status;
- 2 that it was for the newly elected Council to consider these issues;
- 3 that following the May Election Officers organise a Seminar for Elected Members on the background to and issues concerning Single Status and Job Evaluation.

(Reference – Report by Director of Corporate Services of 2 April 2007 submitted; Report by Director of Corporate Services (undated) tabled).

IE7 CITIZENSHIP APPOINTMENTS PANEL – APPOINTMENT TO POOL

On 11 March 2004 the Council established a Citizenship Appointments Panel to undertake interviews and recommend to Council suitable citizens for appointment to the “Pool” for the appointment of citizens to various Council Committees and Panels.

The Council had delegated power to the Director of Corporate Services to appoint suitable citizens from the “Pool”.

A report by the Director of Corporate Services advised that the Citizenship Appointments Panel had met on 26 March 2007 to recruit suitable citizens to the “Pool” for future appointments to the Parental Appeals Panel and requested that the Executive Committee endorse these appointments.

Decision

The Executive Committee agreed to appoint the following citizens to the Citizenship Appointments Panel Pool viz:-

Anne Comrie
Anita Smiley

Heather Macdonald

(Reference – Report by Director of Corporate Services of March 2007 submitted).

IE8 FINANCING OF 17 COMMERCIAL VEHICLES FOR ROADS AND TRANSPORTATION

A report by the Director of Environment Services advised that on 11 May 2006 the Environment Committee had approved the purchase of 17 commercial vehicles to be used by the Roads & Transportation Service. The vehicles consisted of 2 x 3.5 tonne pick-ups, 8 x 7.5 tonne tippers, 6 x tippers between 13.5 tonne and 15 tonnes and 1 x18 tonne tipper.

The capital cost of the vehicles amounted to £788,000 plus VAT and the procurement was subject to a full tender and evaluation on 4 lots, as approved by the Environment Committee.

The Executive Committee was advised that the report presented to the Environment Committee had dealt only with the award of tender and had stated that the financing route would come back to Members for approval.

The submitted report discussed the financing options, with a recommendation on financing the acquisitions.

Paragraph 3.4 of the submitted report set out the financial evaluation of the net present value of the cash flows for rental and residual values.

On the basis of the financial evaluation and costs it was recommended that the vehicles be financed via Prudential Borrowing.

Decision

The Executive Committee agreed to approve financing the acquisition of 17 commercial vehicles for Roads and Transportation through Prudential Borrowing.

(Reference - Report by Director of Environment Services of 2 April 2007 submitted.)

The Panel resolved that under Section 50A (4) of the Local Government (Scotland) Act 1973, the public be excluded from the Meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 8, 8, 8 and 9, and 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.

SUMMARY

IE9 PROPOSED REFURBISHMENT OF COWIE PRIMARY SCHOOL CONTRACT NO CAM01118 - REQUEST FOR DELEGATED AUTHORITY

A Joint Report by the Director of Corporate Services and Director of Children's Services advised that following consideration of the School Estates Management Plan 2004, the Children's Services Plan 2004/05, Stirling Council Corporate Plan 2003-2008, the Disability Discrimination Act 2004 and School Roll Projections, General Services Capital funding had been set aside within the Council's Core Capital Programme to address a number of issues within the Primary School portfolio. Cowie Primary School was one of the "priority primary schools" and it was intended to carry out refurbishment works to the property, spread over two phases over financial years 2007/08 and 2008/09.

The Joint Report explained that a tender for the works would be issued in April 2007 and in order for work to commence on site by July 2007 the Contract would require to be accepted by late May 2007.

The project was being undertaken internally by Corporate Asset Management, on behalf of Children's Services, and adequate staff resources were available in-house to progress the project.

The Executive Committee was requested to delegate powers to the Directors of Children's and Corporate Services, in consultation with the Elected Member, as appropriate, and the Local Member to consider the tender report and thereafter accept the Contract.

Decision

The Executive Committee agreed to delegate powers to the Directors of Children's and Corporate Services, in consultation with the Elected Member as appropriate, and the Local Member to consider the tender report and thereafter accept the Contract

(Reference – Joint Report by Director of Corporate Services and Director of Children's Services of 22 March 2007 submitted.)

IE10 FORTHSIDE RESIDENTIAL DEVELOPMENT – PROPOSED MISSIVE AMENDMENTS

A Joint Report by the Director of Environment Services and Director of Corporate Services set out proposed Amendments to the Missive executed with Stirling Waterfront on 31 March 2005 for the residential development at Forthside.

The Joint Report explained that the Amendments had arisen in order to simplify the Missive for mutual benefit to the Council and Gladedale Northern Ltd (formerly Bett Homes) after their acquisition of Quality Street's shares in the Joint Venture Company, Stirling Waterfront Ltd. The Amendments had been agreed in principle with Gladedale following extensive discussions.

Decision

The Executive Committee agreed the Amendments to the Missive as set out in Recommendations 1 - 4 of the submitted Joint Report by the Director of Environment Services and Director of Corporate Services.

(Reference – Joint Report by Director of Environment Services and Director of Corporate Services of 22 March 2007 submitted.)

IE11 DISPOSAL OF BURGHMUIR INDUSTRIAL ESTATE

A report by the Director of Corporate Services provided background information and update on Burghmuir Industrial Estate.

Decision

The Executive Committee agreed to approve the Recommendations 1 – 3 in the submitted report by the Director of Corporate Services.

(Reference – Report by Director of Corporate Services of 23 March 2007 submitted.)

IE12 MANAGEMENT GRADING AND SALARY REVIEW – FOLLOW UP

In September 2006, the Council had agreed the outcome of the Managers Grading and Review process. It was also agreed that the outstanding posts, which needed to be evaluated, as a result of ongoing restructuring and posts being filled at Service Manager level, would be presented at a future Council meeting.

The remaining Managerial posts had been evaluated during January and February 2007. A report by the Director of Corporate Services proposed the finalised evaluation of these posts, with revised salary scales, below the Head of Service level, which formed part of the Council's commitment to the implementation of the Single Status.

Decision

The Executive Committee agreed the revised Evaluation of Managerial posts as detailed in Appendix 1 to the submitted report.

(Reference – Report by Director of Corporate Services (undated) submitted.)

The Chair declared the meeting closed at 11.15 a.m.