

STIRLING COUNCIL

MINUTES of MEETING of STIRLING COUNCIL held in the COUNCIL CHAMBERS, OLD VIEWFORTH, STIRLING on THURSDAY 11 OCTOBER 2012 at 6.30pm

Present:

Provost Mike ROBBINS (in the Chair)

Councillor Neil BENNY	Councillor Graham LAMBIE
Councillor Alistair BERRILL	Councillor Alasdair MacPHERSON
Councillor Johanna BOYD	Councillor Corrie McCHORD
Councillor Margaret BRISLEY	Councillor Ian MUIRHEAD
Depute Convener Callum CAMPBELL	Councillor Steven PATERSON
Councillor Martin EARL	Councillor Mark RUSKELL
Councillor Scott FARMER	Councillor Christine SIMPSON
Councillor Danny GIBSON	Councillor Jim THOMSON
Councillor Alycia HAYES	Councillor Violet WEIR
Councillor John HENDRY	Councillor Fergus WOOD
Councillor Graham HOUSTON	

In Attendance:

Donald Balsillie, Land Conservation Team Leader, Environment
Jim Boyle, Chief Finance Officer, Governance & Resources
Tony Cain, Head of Housing & Customer Service
Susan Cunningham, Communications Officer, Chief Executive's Office
Claire Dunbar, Committee Officer, Governance & Resources
Liz Duncan, Chief Governance Officer, Governance & Resources (Clerk)
Fiona Fulton, Communications Officer, Chief Executive's Office
Bob Gil, Head of Corporate Projects Implementation
Les Goodfellow, Head of Environment
Belinda Greer, Head of Education
Janice Hewitt, Assistant Chief Executive (Care, Health & Wellbeing)
Bob Jack, Chief Executive
Christine MacLean, Policy Officer, Chief Executive's Office
Peter Morgan, Chief Planning Officer, Economy, Planning & Regulation
Katy Oliver, Team Leader Marketing Communications, Chief Executive's Office
Andrew Pont, Performance & Research Team Leader, Chief Executive's Office
John Risk, Head of Assets & Support
Kevin Robertson, Head of Economy, Planning & Regulation
Bill Scott, Manager, Chief Executive's Office
Val deSouza, Depute Chief Social Work Officer
Cath Sutherland, Strategic and Community Planning Team Leader, Chief Executive's Office
Chris Sutton, Service Manager – Strategy, Social Services
Willie Watson, Head of Governance & Resources

Apologies

There were no apologies for absence.

Prior to commencement of the formal proceedings, the Council congratulated the HR Team on their Special Award from Action in Mind for supporting "Mental Health at Work" in recognition of their important contribution to the "Working Well with Mental Health" project.

SC59 DECLARATIONS OF INTEREST

There were the following declarations of interest:-

Non-Financial Interests

Item 14 (Stirling Council Audited Accounts 2011/12)

Councillors John Hendry and Neil Benny (as Directors of Stirling Development Agency Ltd).

Item E28 (Raploch Regeneration Initiative – Update & Recommended Action)

Councillors Johanna Boyd and John Hendry (as Directors of Raploch Urban Regeneration Company).

As their non-financial interests were registered, the Councillors noted intended to participate in the discussions and any subsequent votes.

Financial Interests

Item 19 (Crown Estate Lands at King's Park, Stirling)

Councillor Alasdair MacPherson (as a member of Stirling Golf Club)

SC60 URGENT BUSINESS - STIRLING 2014 – KEY EVENTS

The Provost ruled that a report on key events for 2014 be taken as urgent business. He advised that a meeting of Scottish Ministers, Government Officials, Council Elected Members and Officers had been held earlier today. The outcome of this meeting affected the programme of key events as part of Stirling 2014, and required a Council decision to enable the 2014 Steering Group to take forward the early planning and development of these key events with support from Scottish Government and its agencies.

The report submitted by the Head of Economy, Planning & Regulation reminded Council that it had considered the opportunities presented by 2014 (associated with the 2nd Year of Homecoming, 700th Anniversary of the Battle of Bannockburn, Commonwealth Games and Ryder Cup) on 1 March and 28 June 2012 and had agreed to adopt an events based approach to promote Stirling as a 'must see' visitor destination and 'must be' business location.

The report set out the programme of key events for 2014 agreed today by the Scottish Government and Stirling Council representatives, which would attract Scottish Government agencies' support and realise the Council's ambitions to achieve lasting economic benefits for the Stirling area.

It was noted that this was not an exclusive list and it would be developed with significant community input. The main change from earlier proposals was the removal of a gathering-style event.

Councillor Fergus Wood stressed the need to integrate existing annual events, such as Highland Games, into the programme and for events to be promoted internationally.

Decision

The Council agreed to:-

1. note the outcome of discussions with Scottish Government regarding the events programme for Stirling 2014;
2. remove the gathering-style event from the programme;
3. remit it to the 2014 Steering Group to approve the proposed key events for Stirling 2014 (as listed at paragraph 3.12 to the submitted report);
4. remit it to officers to take forward the revised Stirling 2014 events programme under the direction of the 2014 Steering Group, and bring progress reports to Council and Executive as appropriate, and
5. remit it to officers to continue to engage with local communities to develop a programme of community events for 2014 with lasting benefits.

(Reference: Report by Head of Economy, Planning & Regulation, dated 11 October 2012, submitted)

The Provost advised that it was his intention to take items 23 (The Stirling Council, Murrayshall Quarry, Suspension Order 2012) and 24a (Freedom of the City) after Question Time.

SC61 MINUTES

The following Minutes were submitted for approval:-

a. Stirling Council – 22 August 2012

Decision

The Minutes of the Meeting of Stirling Council held on 22 August 2012 were approved as a correct record of the proceedings.

b. Special Meeting of Stirling Council – 26 September 2012

Decision

The Minutes of the Special Meeting of Stirling Council held on 26 September 2012 were approved as a correct record of the proceedings.

c. Social Work Complaints Review Panel – 4 September 2012

Decision

The Minutes of the Meeting of the Social Work Complaints Review Panel held on 4 September 2012 were approved as a correct record of the proceedings.

d. Local Review Body – 17 September 2012

Decision

The Minutes of the Meeting of the Local Review Body held on 17 September 2012 were approved as a correct record of the proceedings.

SC62 WRITTEN QUESTIONS

Eight written questions had been received in terms of Standing Order 36. The questions and answers are attached at Appendix 1 to these Minutes.

The Members who had put the written questions were allowed one supplementary question each and the supplementary questions and answers are also included in Appendix 1.

SC63 QUESTION TIME

In terms of Standing Order 43, Members had the opportunity to put questions to the Provost, the Leader of the Council, any Executive Member with relevant responsibility or Scrutiny Committee Chair or Chair of any other Committee or Panel as appropriate regarding any business included in the Minutes circulated with the agenda for the meeting.

The following questions were put:-

Note of Meeting of the Housing Advisory Group held on 7 August 2012 (Apologies)

Councillor Alasdair MacPherson asked the Depute Portfolio Holder when he would be able to attend a meeting of the Housing Advisory Group. Councillor Earl advised that he had prior commitments which had prevented him from attending to date, but that he would attend as many meetings as he could.

Minutes of Meeting of Stirling Council held on 22 August 2012 (SC45 Question Time)

Councillor Scott Farmer asked what progress the Portfolio Holder had made towards changing the lead authority for Business Gateway Forth Valley. Councillor Benny advised that he envisaged that this would be progressed at the time the next contract was let. In the meantime local scrutiny of the contract continued to be available.

Minutes of Meeting of Stirling Council held on 22 August 2012 (Written Questions)

Councillor Jim Thomson asked the Portfolio Holder how he intended to reduce the number of HMOs in the town centre as the relevant legislation enabled control, but not reduction. Councillor Gibson advised that the Planning & Regulation Panel had asked that a policy be developed to address overprovision. Other Councils had similar policies.

SC64 THE STIRLING COUNCIL, MURRAYSHALL QUARRY, SUSPENSION ORDER 2012

Statutory Motion

“That the Stirling Council resolves in terms of the Town and Country Planning (Scotland) Act 1997 Schedule 8 paragraph 5 to make a Suspension Order for the purpose of the protection of the environment at Murrayshall Quarry, Cambusbarron.”

Moved by Councillor Danny Gibson, seconded by Councillor Scott Farmer

The Chief Governance Officer advised that this Motion would give effect to the decision taken by the Council on 1 March 2012 (SC800 refers). In short, the Motion, if approved, would suspend the ability of the quarry operator from working minerals at the site until certain steps, including a full Environmental Impact Assessment, were taken.

The suspension order would require to be confirmed by Scottish Government. A full review of the current consent would be carried out when it expired in 2017.

The Council paid tribute to the sterling work carried out by the local community, former Councillor Andrew Simpson and officers of Stirling Council to protect this area of historical and environmental importance.

Decision

The Motion was unanimously approved and accordingly the Council resolved in terms of the Town and Country Planning (Scotland) Act 1997 Schedule 8 paragraph 5 to make a Suspension Order for the purpose of the protection of the environment at Murrayshall Quarry, Cambusbarron.

(Reference: Report by Head of Governance & Resources undated, submitted)

SC65 MOTIONS IN TERMS OF STANDING ORDER 16

Prior to the Meeting, Elected Members had received supplementary information from Officers on the subject of the Motions received in accordance with Standing Order 16. The supplementary information is attached at Appendix 2 to these Minutes.

Freedom of the City

Councillor Houston and Councillor MacPherson tabled an amended version of their previously circulated Motion as set out below:-

Motion

"Stirling Council resolves to commend the achievements of Andrew Murray, in winning a gold and silver medal at the London 2012 Olympic Games and his later success in winning the US Open Tennis Championship 2012. He is the first British man to win a major tennis title since 1936 and his contribution to tennis both locally and nationally is worthy of the highest honour that the City of Stirling can bestow which is as a freeman of the area.

Council notes that work is underway through the civic office to recognise this and instructs the Provost and Bailies to continue consultation with all councillors and the recipient with a view to arranging a Special Meeting of Council at which a formal resolution and conferment of the honour can be carried out."

Moved by Councillor Graham Houston, seconded by Councillor Alasdair MacPherson

The Provost confirmed that discussions were underway with Andy's management team to agree the most appropriate date for the Special Council meeting.

Decision

The terms of the Motion were unanimously agreed and accordingly the Council resolved to commend the achievements of Andrew Murray, in winning a gold and silver medal at the London 2012 Olympic Games and his later success in winning the US Open Tennis Championship 2012. He was the first British man to win a major tennis title since 1936 and his contribution to tennis both locally and nationally was worthy of the highest honour that the City of Stirling could bestow which was as a freeman of the area.

Council noted that work was underway through the civic office to recognise this and instructed the Provost and Bailies to continue consultation with all Councillors and the recipient with a view to arranging a Special Meeting of Council at which a formal resolution and conferment of the honour could be carried out.

SC66 NEXT GENERATION BROADBAND: STEP CHANGE 2015 – LOCAL PRIORITIES

The Executive at its meeting on 27 September 2012 (EX28 refers) considered a report by the Head of Economy, Planning & Regulation regarding the Scottish Government's Step Change 2015 programme which would provide funding to implement Next Generation Broadband with download speeds of 40 – 80 Megabits per Second (Mbps) to a minimum of 75% of premises and basic minimum level of 2 Mbps for the remaining 25% of premises within each local authority area. To increase coverage of Next Generation Broadband from 75% to 80 - 85% of premises in each council area, the Scottish Government was seeking voluntary financial contributions from respective local authorities.

The Scottish Government had indicated that a contribution of £0.6M by Stirling Council would increase coverage of Next Generation Broadband from 75% to at least 80% of premises in the Council area, and a contribution of £2.2M would increase coverage to at least 85%. Local authorities had been asked to provide an indication of the level of additional funding they were willing to contribute by the end of September 2012, with a firm commitment by December 2012. They were also asked to identify local priorities to target investment in broadband infrastructure.

The Executive had agreed:-

1. to an indicative amount of £0.6M additional funding to commit to the Step Change 2015 programme, to expand provision of Next Generation Broadband to at least 80% of premises, with a view to being able to increase this amount at a later date once the strategy for next generation internet connectivity for Stirling had been developed and to advise the Scottish Government accordingly;
2. to provide the Scottish Government with a firm commitment on this additional funding by December 2012;
3. to recommend to the Council that funding be accommodated in the revision to the General Services Capital Programme for 2013/14, in line with a phased programme set out in decision 1;
4. to identify local priorities to target investment in broadband infrastructure based on prioritising main communities and business sites, ahead of individual locations, to achieve the highest level of coverage within the funding allocated;
5. to commission the preparation of an over-arching strategy for next generation internet connectivity for Stirling and a cost-benefit analysis, to further inform local priorities for investment in broadband infrastructure; and
6. to the requirement for a senior officer to lead development and implementation of the strategy for next generation internet connectivity for Stirling and rollout of Next Generation Broadband through the Step Change 2015 programme.

The following points were made during the debate:-

- The vital importance of broadband in rural areas, particularly for business.
- That it cost more to connect small, isolated communities, hence need to prioritise investment to cover the greatest number of households/businesses.
- That there were other funding avenues, for example.
 - Throsk had made a successful bid to the Leader Fund
 - Approaches would be made to private companies for voluntary contributions once there was greater clarity about the Scottish Government fund
- Similar discussions were taking place at the Loch Lomond & the Trossachs National Park Board and a request had been made that Scottish Government enhance their fund.
- The desire to increase the Council's contribution, if possible, at a later date.

Councillor Neil Benny proposed:-

1. that Council advise the Scottish Government that it was minded to make a commitment for additional funding of an indicative amount of £0.6M to commit to the Step Change 2015 programme, with a view to being able to increase this amount at a later date once the strategy for next generation internet connectivity for Stirling had been developed, and
2. that Council would determine whether that funding could be accommodated in the General Services Capital Programme for 2013/14 at its budget meeting in February 2013.

The Head of Economy, Planning & Regulation confirmed that this would satisfy the Scottish Government's requirements at the present time and the Council approved the proposal.

Decision

The Council agreed:-

1. to advise the Scottish Government that it was minded to make a commitment for additional funding of an indicative amount of £0.6M to commit to the Step Change 2015 programme, with a view to being able to increase this amount at a later date once the strategy for next generation internet connectivity for Stirling had been developed, and
2. that Council would determine whether that funding could be accommodated in the General Services Capital Programme for 2013/14 at its budget meeting in February 2013.

(Reference: Extract from Minutes of Meeting of the Executive held on 27 September 2012 and Report by Head of Economy, Planning & Regulation dated 20 September 2012, submitted.)

SC67 GUIDANCE FOR THE OPERATION OF STEERING GROUPS

At its meeting on 28 June 2012 (SC22 refers) the Council approved guidance for the operation of Steering Groups. The guidance included the stipulation that Standing Orders did not apply to the operation of such groups. The Clerk to the Council had advised that this provision operated so as to prevent substitution at Steering Group meetings. The Council had not intended this to be the case.

A revised version of the guidance which specifically allowed substitution of Members was therefore attached at Appendix 1 to the submitted report. As the previous version of the guidance was approved by Council less than 6 months ago, any change would require to be approved by at least two-thirds of the Members present and entitled to vote.

Decision

The Council unanimously agreed to adopt the revised Guidance for the Operation of Steering Groups, set out in Appendix 1 to the submitted report, with immediate effect.

(Reference: Report by Head of Governance & Resources, undated, submitted)

SC68 REVIEW OF THE OPERATION OF THE LOCAL REVIEW BODY AND SECTION 43A SCHEME OF DELEGATION

At its meeting on 25 June 2009 (SC382 refers), Stirling Council established its Local Review Body, adopted a Section 43A Scheme of Delegation and instructed a review of the operation of these new arrangements to be carried out in Spring 2010.

By June 2010, only two cases had been heard by the Local Review Body and it was considered that there was insufficient material for a meaningful review to be carried out at that time.

A report now submitted by the Head of Governance & Resources provided details of the operation of the Local Review Body and the Section 43A Scheme of Delegation in their first three full years of operation.

Proposed amendments to the Section 43A Scheme of Delegation, which would reduce the volume of applications that required to be considered by the Planning & Regulation Panel without removing Members' ability to determine applications where they perceived the need to do so, were set out at Appendix 2. It was noted that these amendments could only be made with the approval of Scottish Ministers.

In response to a question by Councillor Jim Thomson, it was agreed that when the Scheme was approved by Scottish Ministers Planning Officers would ensure that "Council Interest" applications were suitably highlighted in the Council's Information Bulletin.

Decision

The Council agreed:-

1. to note the content of the submitted report; and
2. to approve the proposed amendments to the Section 43A Scheme of Delegation as set out in Appendix 2 and remit it to the Chief Governance Officer to submit the revised Scheme to Scottish Ministers and implement any further changes arising from Scottish Ministers' approval of the Scheme.

(Reference: Report by Head of Governance & Resources, undated, submitted)

SC69 ADMINISTRATION PRIORITIES

On 28 June 2012 (SC23 refers) the Council adopted "Serving Stirling: Priorities for Stirling Council" the Administration's priorities for the 5 year term of the Council. At that time it was noted that further work was to be undertaken to refine these priorities and to define Portfolio Objectives.

Since June, the Administration had reviewed the priorities and had identified 18 key areas which would take precedence over the first half of the Council term.

Discussions had taken place with Portfolio Holders in relation to these priorities with an early focus on the key areas for action and investigation, the milestones to delivery and how successful implementation would be measured. Discussions had also taken place with the Chief Executive on delivery of these priorities.

Appendix 1 to the submitted report set out the Administration's key priorities, the relevant Portfolio Holders who would exercise strategic and political leadership in relation to these priorities, and their deputies.

Appendix 2 set out further details of the main areas for action and investigation under each priority. Each priority would be subject to further development and discussion with a view to the development of detailed Senior Management Objectives.

A report would be brought to the Executive in November with the completed Senior Management Objectives. This would include additional Objectives related to operational and improvement activity identified by the Chief Executive. SMART performance targets and milestones would be determined for each Objective to enable effective monitoring, reporting and management. The following points were discussed/clarified during the debate:-

- Although the key priorities for the first half of the Council term were set out in the submitted report, the remaining issues contained in Serving Stirling remain a priority for the Administration.
- The report to the Executive in November would include clear and measurable outcomes.
- The priorities would be developed alongside the Council's Community Planning partners.
- Sustainability would be embedded across all the priority areas.
- Flooding issues were covered under priority L (Sustainability).
- Open space and modal shift would both form part of the developing priorities.
- The Council would support the formation of a Chamber of Commerce in Stirling.

Motion

"That the Council approves the recommendations contained in the submitted report."

Moved by Councillor Johanna Boyd, seconded by Councillor Neil Benny

Amendment

Councillor Graham Houston, seconded by Councillor Scott Farmer, moved the Direct Negative

On the roll being called the Members present voted as follows:-

For the Motion (12)

Councillor Neil Benny
 Councillor Alistair Berrill
 Councillor Johanna Boyd
 Councillor Margaret Brisley
 Depute Convener Callum Campbell
 Councillor Martin Earl
 Councillor Danny Gibson
 Councillor John Hendry
 Councillor Corrie McChord
 Provost Mike Robbins
 Councillor Christine Simpson
 Councillor Violet Weir

Not Voting (10)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Alasdair MacPherson
Councillor Ian Muirhead
Councillor Steven Paterson
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Decision

The Motion was carried by 12 votes with 10 Members not voting, and accordingly the Council agreed:-

1. to approve the Administration's key priorities as set out at Appendix 1 to the submitted report; and
2. to note that a further report would be brought back to the Executive in November 2012 providing full details of the Senior Management Objectives through which these priorities would be delivered.

(Reference: Report by Chief Executive, dated 20 September 2012, submitted)

SC70 STIRLING COUNCIL IMPROVEMENT PLAN 2012 – 2015

At its meeting on 14 February 2012 (SD302 refers), the Service Delivery & Performance Committee had considered the need for longer-term corporate improvement planning to complement the existing Annual Improvement Statement. It was agreed that this would be an effective way of addressing the areas for improvement arising from the Best Value 2 audit and the Assurance & Improvement Plan from the external scrutiny bodies, allowing the prioritisation of these areas for improvement over a 3-year period.

The Stirling Council Improvement Plan 2012 – 2015 attached at Appendix 1 to the submitted report pulled together the priority improvement actions identified through the 2011 Best Value 2 Audit, the Assurance & Improvement Plan 2012-15, the 2010/11 External Audit Report, the 2010 Corporate Public Service Improvement Framework Assessment, common themes from Service-Level Public Service Improvement Framework Assessments, and the 2011 Residents Survey.

Each improvement action had been split into a series of sub actions that would be addressed over the next 3 years. Detailed progress updates would continue in the Council's Quarterly Report via the Covalent Performance Management System.

Planned external scrutiny for 2012/13, as outlined in the current Assurance & Improvement Plan, was as listed below.

- Audit Scotland audit of Housing Benefit performance – October 2012.
- Possible scrutiny around shared services – October/November 2012.
- Scottish Housing Regulator review – March 2013.
- Joint Inspection of Children’s Services – tbc.

Should these reviews result in additional improvement actions these would be reported to the Council Management Team and Scrutiny & Audit Committee to discuss whether they should be added to the corporate Improvement Plan and, if so, to agree what priority they should be given and determine how this impacted on the intended timescales for other actions.

Councillor Alasdair MacPherson asked that improvement action 12.03 (reduce current tenants’ rent arrears) been carried out sensitively in view of the likely impact of welfare benefits changes. Councillor Johanna Boyd replied that one of the Administration’s key priorities was to develop advice services that were fit to support people through the current round of welfare changes by establishing an integrated service with voluntary sector leadership. In response to a question by Councillor Steven Paterson, she confirmed that the service would be accountable to the Council.

Decision

The Council approved the contents of the Stirling Council Improvement Plan 2012 – 2015.

(Reference: Report by Chief Executive, dated 2 October 2012, submitted)

SC71 STIRLING COUNCIL ANNUAL REPORT 2011-12

A report submitted by the Chief Executive presented the Stirling Council Annual Report for 2011-12.

Each year, as part of the Council’s performance reporting arrangements, an annual report was produced for the previous financial year.

Audit Scotland had challenged Councils to make their public performance reporting more accessible and readily understandable. They had also challenged Councils to present performance information in a more balanced way, acknowledging areas for improvement as well as successes.

This report presented a balanced picture of progress towards achieving the Council’s priorities, as outlined in the Strategic Plan and Annual Improvement Statement.

Stirling’s 2011 Best Value 2 audit reported that performance management had improved since the initial Best Value audit, but that the Council needed to improve the way it monitored and reported its progress against local outcome priorities and service quality and value for money indicators. In response to this, the Annual Report now included links to the outcomes in the Single Outcome Agreement and details of the Community Planning Partners that the Council worked with to achieve these.

Decision

The Council approved the contents of the Stirling Council Annual Report for 2011-12 (Appendix 1 to the submitted report).

(Reference: Report by Chief Executive, dated 3 October 2012, submitted)

SC72 CUSTOMER SERVICE STANDARDS

A report submitted by the Head of Housing & Customer Service presented concise and consistent Customer Service Standards. These standards took account of our strategic direction as well as industry best practice. It was anticipated that these would be corporate standards, which would be allied to service-specific, statutory or policy timescales, standards and requirements.

Customer service standards were already in place across the Council and were being worked to but, in some cases, these might be confusing and out-dated. The Customer Service Standards would supersede the Customer Care Code (2001) and the Customer Service Pledge (2005).

It was intended that having these new, clear and consistent standards would make it clearer for staff and customers what could be expected when customers contacted the Council. There would be a version for staff as well as a customer-facing version. The staff version would include reference to the Complaints process and the Unacceptable Customer Behaviour policy.

Decision

The Council agreed:-

1. to approve the Customer Service Standards attached at Appendix 1 to the submitted report; and
2. to support the roll out of these standards across the organisation.

(Reference: Report by Head of Housing & Customer Service dated 11 October 2012, submitted)

SC73 STIRLING COUNCIL AUDITED ACCOUNTS 2011/12

The Council's External Auditors, Grant Thornton, had certified Stirling Council's Accounts for the year to 31 March 2012. In accordance with the requirements of the Local Authority Accounts (Scotland) Regulations 1985, the Accounts required to be formally presented to Members of the Council.

A report submitted by the Head of Governance & Resources outlined the key features of the financial position displayed in the 2011/12 Audited Accounts, and it was pleasing to note that there were no qualifications to the Independent Auditor's Report. The Leader of the Council thanked everyone involved.

The Auditor's Final Report on the Accounts would be prepared during October and would be presented to the Scrutiny and Audit Committee on 8 November 2012 and thereafter to Council on 13 December 2012.

In response to a question by Councillor Jim Thomson, it was agreed that a Members briefing would be arranged on the financial impact on the Council of the upcoming welfare reform, as soon as the national picture became clearer.

Motion

"That the Council approves the recommendations contained in the submitted report, along with the following additional recommendation:-

- 2.3 to remit it to the Finance Committee to undertake a detailed examination of the future position of the SDA in the light of the issues disclosed and to delegate to the Finance Committee the exercise of the Council's powers as shareholder in the SDA in connection with any changes in the structure of the SDA necessary in light of that detailed examination."

Councillor Neil Benny, seconded by Councillor John Hendry

This was agreed without the need for a roll call vote.

Decision

The Council agreed:-

1. to note the Annual Accounts in respect of Stirling Council for the year ended 31 March 2012;
2. to note that the Auditor's Final Report on the Accounts would be presented to the Scrutiny & Audit Committee on 8 November and full Council on 13 December 2012; and
3. to remit it to the Finance Committee to undertake a detailed examination of the future position of the SDA in the light of the issues disclosed and to delegate to the Finance Committee the exercise of the Council's powers as shareholder in the SDA in connection with any changes in the structure of the SDA necessary in light of that detailed examination.

(Reference: Report by Head of Governance & Resources dated 2 October 2012, submitted)

SC74 GENERAL FUND REVENUE BUDGET STRATEGY 2012 - 2017

The Council had received a report on the General Fund Revenue Budget Strategy for 2012 – 2017 at its meeting on 28 June 2012 (SC33 refers). That report set out the anticipated budget funding gaps for each of the financial years 2013/14 to 2016/17, which were the years that covered the remaining term of the current Council.

The June report contained the detail of the key variables in the strategy and set out a funding gap to be addressed over the next four financial years of £24M. The Administration partnership brought forward by resolution at that meeting proposals for a budget reduction strategy to meet the anticipated gap, of £9M-£8M-£3.5M-£3.5M for the financial years 2013/14 to 2016/17 respectively.

A report submitted by the Head of Governance & Resources to this meeting built on the previous budget report that was considered by Council and updated, where appropriate, on the key variables in the strategy. The report also updated on progress of the various streams of work and budget reduction options that would form the strategy for closing the funding gaps in the coming years.

The report also contained commentary on the impact of the Scottish Government's Budget that was announced on 20 September 2012.

Progress reports would be provided to the Finance Committee throughout the lead up to the budget meeting in February 2013.

The following issues were considered by Members during the debate:-

- Reducing the cost of employment
- Welfare reform
- The implementation of the Living Wage
- Pension scheme auto-enrolment

The Chief Finance Officer was asked:-

- to consider whether employee pension information required to be updated in view of Pension Scheme Auto Enrolment, and
- to provide Councillor MacPherson with further information on the impact of the New Council Tax Benefits Scheme.

Decision

The Council agreed to note the contents of the submitted report, setting out the key factors affecting the Council's financial strategy for the General Fund Revenue Budget for 2012 – 2017.

(Reference: Report by Head of Governance & Resources dated 2 October 2012, submitted)

In accordance with Standing Order 35, the Council adjourned for a comfort break at 8.30pm.

The Council reconvened at 8.46pm with the same Members present.

SC75 ABBOTSFORD HOUSE, DUNBLANE AND THE THOMAS BRITAIN TRUST

A report of 1 December 2011 (SC771 refers) updated the Council, as Trustees of the Thomas Britain Trust, to the fact that the Trust was to be reorganised. The Council agreed to the marketing of Abbotsford House, Dunblane.

Since the decision, the property had been successfully marketed, the Council had reorganised the Trust, confirmed the position to the Office of the Scottish Charity Regulator and made the necessary financial banking changes with Perth and Kinross Council to effectively have all funds controlled by Stirling Council.

Councillor Neil Benny moved approval of the recommendations contained in the submitted report. Councillor Graham Houston proposed that a timescale be added to recommendation 2 and it was agreed that December 2012 would be appropriate.

Decision

The Council, as Charity Trustee, agreed:-

1. to note the offers received for the sale of Abbotsford House, Dunblane and that a contract had been concluded to accept the highest offer being the sum of £451,200, and
2. to note that a further report would be submitted to Council at its December meeting, focusing on:-
 - i. how the net free proceeds of sale may be spent;
 - ii. how the decisions of the Council, as Charity Trustee, would be made and implemented; and
 - iii. what support would be provided to the Charity Trustee to enable them to manage the Thomas Britain Trust

(Reference: Report by Head of Assets and Support dated 11 June 2012, submitted)

SC76 MARKETING STIRLING - AN INTEGRATED APPROACH

Improved promotion and marketing of Stirling was critical if the area was to maximise the economic benefits of inward investment and tourism growth, and compete successfully with other areas.

Marketing of Stirling was currently undertaken by a range of organisations and associations, and was successful to varying degrees, but was not co-ordinated in approach and used different forms of branding.

Stirling required a co-ordinated marketing partnership with responsibility for attracting visitors, investors and talent to the area, which would ensure that all available resources were directed to maximum effect to achieve clear, consistent and coherent messages.

Given the current economic climate and the forthcoming events of 2014, it was important that an integrated approach to marketing Stirling was implemented, with a marketing plan that maximised the opportunities leading up to 2014 and created a beneficial and lasting legacy for the Stirling area.

The proposed Marketing Partnership for Stirling would comprise key agencies and private sector businesses, who would draw on their collective resources to fund and lever additional financial support to promote all aspects of Stirling. It would have a key place-making role for Stirling and be financially sustainable.

The “*Scotland’s Heart*” brand should be used more effectively and coherently to market the benefits of visiting, living, learning, working and investing in the Stirling area.

Members discussed the need for measurable outcomes and the importance of partnership working.

Decision

The Council agreed:-

1. to endorse the requirement for a collaborative and integrated marketing approach to effectively promote all aspects of Stirling through the establishment of a Marketing Partnership for Stirling;
2. to remit it to the Head of Economy, Planning & Regulation to develop arrangements for a Marketing Partnership for Stirling and establish this as an entity, with key private and public stakeholder involvement;
3. to align appropriate resources to support the Marketing Partnership for Stirling;
4. to develop an integrated Marketing Plan for Stirling, with key priorities, covering visit, live, learn, work and invest elements, with an early emphasis on promotion of ‘Stirling 2014’; and
5. to receive a further report on the establishment of the Marketing Partnership for Stirling and the Marketing Plan for Stirling.

(Reference: Report by Head of Economy, Planning & Regulation dated 2 October 2012, submitted)

SC77 STIRLING'S OPEN SPACE STRATEGY

Scottish Planning Policy (SPP) 2010 required Planning Authorities to take a strategic and long-term approach to managing open space within their area and recommended that an Open Space Strategy should be prepared based on an audit of existing open space provision examining Quantity, Quality and Accessibility of open space.

A report submitted by the Head of Environment sought adoption of an Open Space Strategy for Stirling and outlined the process involved in its preparation. It highlighted the data gathered on the quantity, quality and accessibility of our open spaces.

The draft Strategy stage involved consultation on the open space audit information, draft Policies and Settlement Opportunity Plans with our partners and communities, which assisted in finalising Stirling's Open Space Strategy. The draft Strategy and Settlement Opportunity Plans were available on the web and subject to consultation with 32 settlements and neighbourhoods over a 9 month period.

The Strategy had informed the preparation of the Council's Proposed Local Development Plan and would form the basis of future discussion and development of the open space plans for each settlement and neighbourhood as well as the consideration of future management and development of the open space resource.

Members discussed the following issues during the debate:-

- The commitment contained in the strategy to enhance, maintain and protect our open spaces.
- The 16 supplementary policies that would be developed on adoption of the strategy.
- Encouraging a feeling of community ownership and the development of actively used open spaces.
- Methods of funding developments brought forward by local communities.
- Developing the health benefits of open spaces.

Councillor Jim Thomson stated that he felt there were items missing from the Policy Objectives and Action Plan, for example how to address the fact that two communities (Cornton and Bannockburn) failed to meet the minimum standard for open space. He suggested that the action required in each settlement and neighbourhood should be reviewed by Members on an all-party basis.

Motion

“That the Council approves the recommendations contained in the submitted report.”

Moved by Councillor Danny Gibson, seconded by Councillor Alistair Berrill

Amendment

“Remove Officer Recommendation 2.1 to 2.3.

Replace with recommendation 2.1 – Defer a decision on adopting the Open Stage Strategy to allow an all party discussion on the Policy Objectives and Action Plan and to resubmit the revised paper to Council on 13 December 2012.”

Moved by Councillor Jim Thomson, seconded by Councillor Steven Paterson

There was a short recess at this point in the proceedings to allow Members the opportunity to consider the Amendment.

The Council re-convened at 9.18pm with the same Members present.

The terms of the Amendment were approved without the need for a roll call vote.

Decision

The Council agreed to defer a decision on adopting the Open Space Strategy to allow an all-party discussion on the Policy Objectives and Action Plan and to resubmit the revised paper to Council on 13 December 2012.

(Reference: Report by Head of Environment dated 3 October 2012, submitted)

SC78 CROWN ESTATE LANDS AT KING’S PARK, STIRLING

A report submitted by the Chief Executive updated Council on developments since its decision on 1 March 2012 (SC818 refers) to acquire several areas of land at King’s Park, Stirling from the Crown Estate Commission and sought Council’s instructions regarding future progress.

Shortly following Council’s decision, the House of Commons Scottish Affairs Select Committee had published a report which included a recommendation that the Secretary of State for Scotland should direct the Crown Estate Commission to transfer the lands at King’s Park, Stirling to Scottish Ministers for no consideration. There was a precedent for such a transfer as in 1998 title to Stirling Castle was transferred from the Crown Estate to the Secretary of State for Scotland as part of the Devolution Settlement. Following consultations with appropriate Elected Members a statement was issued to the effect that the acquisition previously approved by Council would not proceed until the new Council had an opportunity to consider this new development following the Council elections.

On 10 July 2012 the UK Government published its response to the Select Committee's report. It rejected the recommendation that the Crown Estate Commission be directed to transfer this land to Scottish Ministers for no consideration. The response made reference to the statutory duty of the Crown Estate Commission to realise commercial value on disposal of assets. It pointed out that terms had been agreed for the Council's acquisition of the land at commercial value.

The meetings, discussions and correspondence with various interested parties over the last several months were detailed.

Recent discussions with Historic Scotland had clarified that it remained the wish of Scottish Ministers to pursue transfer of these lands at no consideration.

The Crown Estate Commission's position was in line with that of the UK Government's response to the Select Committee's recommendation, but it made very clear that the land had a commercial value regardless of the Council's offer to acquire it.

The King's Park Community Council was campaigning for the land at King's Park, Stirling to be transferred to Scottish Ministers at no consideration in line with the Select Committee's recommendation. The Friends of King's Park were less concerned with the issues of transfer and title, but were keen to see an early resolution so that plans for improvements of King's Park could proceed as soon as possible.

Stirling Golf Club's position was that it was frustrated at the length of time this matter had dragged on and was concerned about the prospects of further delay.

A letter from Bruce Crawford MSP dated 24 August 2012 urged the Council to withdraw its previous offer to acquire the lands. The letter asserted that withdrawal of the previous offer would open the way for the transfer of these lands at no consideration to Scottish Ministers.

Other issues considered by Members during the debate included the status of the current offer, any risks to the Council and other parties if the offer was withdrawn and the need to include the UK Government in any future discussions.

Motion

"That Council agrees to remit it to the Chief Executive to continue to work on this matter in consultation with the Elected Members from the Castle and Stirling West wards and bring back a report to Council in December."

Moved by Councillor Neil Benny, seconded by Councillor Christine Simpson

Amendment

“Council resolves to withdraw the offer to purchase Crown Estate Lands at Kings Park Stirling. Council further calls on the UK Government and the Crown Estate Commissioners to enact their discretion and transfer the said lands to Scottish Ministers at zero consideration, given the powerful associations attached to these ancient assets.

It is Council’s contention that the Kings Park is an ancient possession of the Crown in Scotland and carries significant historical connections to the people of Scotland to which they rightly belong.

Council further regards that it would be entirely inappropriate for the Crown Estate Lands or parts thereof to be considered on a commercial basis.

Council further instructs officials to engage with Crown Estates and Scottish Ministers in realising a transfer of these lands to Scottish Ministers at nil value.”

Proposed by Councillor Scott Farmer, seconded by Councillor Mark Ruskell

On the roll being called, the Members present voted as follows:-

For the Amendment (10)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Alasdair MacPherson
Councillor Ian Muirhead
Councillor Steven Paterson
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Against the Amendment (12)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
Councillor Margaret Brisley
Depute Convener Callum Campbell
Councillor Martin Earl
Councillor Danny Gibson
Councillor John Hendry
Councillor Corrie McChord
Provost Mike Robbins
Councillor Christine Simpson
Councillor Violet Weir

The Amendment fell by 12 votes to 10

For the Motion (21)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
Councillor Margaret Brisley
Depute Convener Callum Campbell
Councillor Martin Earl
Councillor Scott Farmer
Councillor Danny Gibson
Councillor Alycia Hayes
Councillor John Hendry
Councillor Graham Houston
Councillor Graham Lambie
Councillor Alasdair MacPherson
Councillor Corrie McChord
Councillor Ian Muirhead
Councillor Steven Paterson
Provost Mike Robbins
Councillor Christine Simpson
Councillor Jim Thomson
Councillor Violet Weir
Councillor Fergus Wood

Not Voting (1)

Councillor Mark Ruskell

Decision

The Motion was carried by 21 votes, with 1 Member not voting, and accordingly the Council agreed to remit it to the Chief Executive to continue to work on this matter in consultation with the Elected Members from the Castle and Stirling West wards and bring back a report to Council in December.

(Reference: Report by Chief Executive dated 2 October 2012, submitted)

SC79 CHIEF SOCIAL WORK OFFICER REPORT

The Chief Social Work Officer report, which was submitted annually to Council, provided information on:-

- Social Services activities and progress in 2011-12;
- the key challenges that Social Work and Social Care services had faced and responded to over the last year and how well these had been achieved;
- significant changes which were impacting on Social Services, and
- key developments for the Service over the coming year.

Given the Council's decision to enter into shared service arrangements with Clackmannanshire Council, this Annual report was set in a different context to previous ones and had additional dimensions.

Members asked the Depute Chief Social Work Officer questions about community payback orders, throughcare and aftercare, corporate parenting, child protection and absence management.

Councillor Jim Thomson asked for a comparison of Social Work complaints in 2011/12 with those received in previous years and the Depute Chief Social Work Officer agreed to provide this outwith the meeting.

Decision

The Council agreed to note the report.

(Reference: Report by Head of Joint Social Services/Chief Social Work Officer, undated, submitted)

SC80 STIRLING CARE VILLAGE – PROJECT UPDATE

Following submission of the Initial Agreement to the Scottish Government by the Council and NHS Forth Valley in March 2012, approval had recently been received for the Care Village project to progress to the next phase, the preparation of the Outline Business Case.

In the intervening period the partners had undertaken preparatory work for taking the project forward, setting up a Project Board and Project Team and agreeing internal governance structures. Work on a Client Brief, outlining the service requirements of the proposed facilities for the 3 parties, the Council, NHS Forth Valley and Forth Valley College, was nearing completion.

An outline project plan had been agreed with East Central Scotland HubCo and would see facilities commence operation in 2016 and 2017.

The next steps for the project would be:-

- to undertake the Outline Business Case for submission to the Scottish Government;
- to complete the Project Brief for submission to HubCo;
- to commence the Masterplan for the former Stirling Royal site; and
- to agree a partnership protocol for the period up to contract close and construction commencement.

Members discussed the funding of the project and accommodation for GPs in the City Centre.

It was agreed that a Members' briefing on the Care Village project would be held prior to submission of the next update to Council.

Decision

The Council agreed:-

1. to note the contents of the submitted report and in particular to note commencement of the Outline Business Case stage of the project, noting that this would include a key element of work to establish project affordability; and
2. that a report covering the Outline Business Case and the affordability of the Care Village would be brought back to Council for approval in due course.

(Reference: Report by Assistant Chief Executive (Care, Health & Wellbeing) dated 21 September 2012, submitted)

The Council agreed to discuss one further item of business before taking a comfort break in accordance with Standing Order 35

SC81 FUNDING FOR NEW AFFORDABLE HOUSE BUILDING – DEVELOPING THE COUNCIL'S STRATEGIC LOCAL PROGRAMME

The Scottish Government had announced a revised approach to managing the Affordable Housing Investment Programme that gave the Council a central role in agreeing the investment programme.

The announcement also included a resource planning assumption for funding to support new affordable house building of £6.845m over the next three years. This figure included £4.497m allocated to specific developments in previous years and £2.348m for new projects for the period to end March 2015. In August, the Scottish Government had advised that an additional £375,000 would be available for new projects bringing this total to £2.723m.

This was significantly less than the £6.84m required to deliver the programme of new projects set out in the Council's Strategic Housing Investment Plan (SHIP) submission agreed by Council in March this year.

The Council was required to submit a Strategic Local Programme by the end of August. The programme set out how the resources available would be spent including details of proposed providers and the tenure mix. Further to agreement being reached at the Council's SHIP Review Group meeting, the Strategic Local Programme had been submitted to the Scottish Government on 31 August subject to Council approval.

Forth and Rural Stirling Housing Associations had submitted draft programme proposals based on the assumption that the resource available would be split more or less evenly between the Council and each of the two associations.

It was likely that the programme would produce around 75 additional affordable homes by March 2015.

Housing Advisory Group members had considered and had been asked to comment on the proposed programmes for both Rural Stirling and Forth Housing Associations and the development options available to the Council included in the Strategic Local Programme. Members of the SHIP Review Group had also considered the programme.

This finalised programme was being presented to the Council for approval.

Councillor Mark Ruskell asked whether the homes would be able to draw down the £5000 Scottish Government grant for improved energy performance / reduced carbon emissions. The Head of Housing & Customer Care advised that the cost of the technology at the present time meant that the grant wouldn't cover the additional measures required. However, building regulations continued to drive improvements in energy efficiency.

Decision

The Council agreed:-

1. to approve the proposed programmes for Forth and Rural Stirling Housing Associations as set out at paragraphs 3.20-3.24 of the submitted report;
2. to approve the options for the Council's own programme as set out at paragraph 3.25; and
3. to approve the final version of the Strategic Local Programme to be submitted to the Scottish Government.

(Reference: Report by Head of Housing and Customer Service dated 11 October 2012, submitted)

In accordance with Standing Order 35, the Council adjourned for a comfort break at 10.35pm.

The Council reconvened at 10.45pm with the same Members present.

SC82 MOTIONS IN TERMS OF STANDING ORDER 16

(a) Pedestrian Crossing Doune

Motion

“Council supports the long running campaign to establish a pedestrian crossing across the A84 Trunk Road in Doune. Council resolves to mandate the Leader of the Council to write to the Minister for Transport expressing the need for such a crossing.”

Moved by Councillor Martin Earl, seconded by Councillor Danny Gibson

Decision

The Council approved the terms of the Motion and accordingly agreed:-

1. to support the long running campaign to establish a pedestrian crossing across the A84 Trunk Road in Doune, and
2. to mandate the Leader of the Council to write to the Minister for Transport expressing the need for such a crossing

(b) Achieving Fairtrade Status Across the Council Area

“Stirling Council passed a motion in support of achieving Fairtrade City status on 11 March 2004. Since that time, increasing numbers of people across the Council area wish to support Fairtrade in their communities, schools and workplaces. In addition, there is a drive to establish Scotland as a Fairtrade Nation during 2012. In recognition of these developments, it is proposed that Council updates the wording of its original motion to now support the Stirling Fairtrade Group, and associated local groups, in their work to achieve Fairtrade Zone status for the whole Council area and any separate bids for Fairtrade School, Town or Village status.

Motion

Stirling Council aims to be recognised by its residents and business community, its suppliers and employees and other local authorities as a Council that actively supports and promotes the concept of Fairtrade – ensuring that producers from developing countries get a fair price for their goods and labour.

The Council resolves to:-

Work with the Stirling Fairtrade Group, and associated local groups, in their work of:

- a) renewing and maintaining Fairtrade City status for Stirling City;
- b) achieving Fairtrade Zone status for the area covered by Stirling Council;
- c) achieving, renewing and maintaining Fairtrade Town or School status by other groups active in the Council area;

by nominating a Council Member willing to liaise with the Stirling Fairtrade Group on a regular basis.

Promote awareness of Fairtrade issues and make publicity and educational information available to local people throughout the Council area concerning the worldwide impact of unfair trade and the opportunities that Fairtrade provides to promote sustainable development.

Promote Fairtrade issues and practices amongst local businesses and other organisations throughout the Council area.

Investigate the Council's own purchasing policies to purchase Fairtrade where possible and to encourage any franchised organisation to do the same; also to offer Fairtrade tea/coffee/sugar at Council meetings.

To work with the Stirling Fairtrade Group and its associated Town groups to find ways of linking Fairtrade with promotion of local products and producers.”

Moved by Councillor Danny Gibson, seconded by Councillor Jim Thomson

Decision

The Council approved the terms of the Motion and accordingly agreed:-

1. that it aimed to be recognised by its residents and business community, its suppliers and employees and other local authorities as a Council that actively supports and promotes the concept of Fairtrade – ensuring that producers from developing countries get a fair price for their goods and labour.;
2. to work with the Stirling Fairtrade Group, and associated local groups, in their work of:-
 - a) renewing and maintaining Fairtrade City status for Stirling City;
 - b) achieving Fairtrade Zone status for the area covered by Stirling Council;
 - c) achieving, renewing and maintaining Fairtrade Town or School status by other groups active in the Council area;by nominating a Council Member willing to liaise with the Stirling Fairtrade Group on a regular basis;
3. to promote awareness of Fairtrade issues and make publicity and educational information available to local people throughout the Council area concerning the worldwide impact of unfair trade and the opportunities that Fairtrade provides to promote sustainable development;
4. to promote Fairtrade issues and practices amongst local businesses and other organisations throughout the Council area;
5. to investigate the Council's own purchasing policies to purchase Fairtrade where possible and to encourage any franchised organisation to do the same; also to offer Fairtrade tea/coffee/sugar at Council meetings, and

6. to work with the Stirling Fairtrade Group and its associated Town groups to find ways of linking Fairtrade with promotion of local products and producers.

(c) Memorial To Polmaise Miners

“Council recognises the 25th anniversary of the closure of Polmaise Colliery. Council pays tribute to the miners and mining communities who stood firm against Margaret Thatcher and the Tories.

To mark the 25th anniversary of the closure of Polmaise, Council resolves to set up a short life working group to look at how we can provide a fitting legacy which pays tribute to the courage of the miners at Polmaise Colliery and all of our mining communities.

Council needs to select a Chair and agree the timescales.

Membership should be made up of ward members and one from each political party with no representation in that ward (Ward 7).

It is proposed that the Chair is an Opposition Member and the life of the working group should be for 2 months.”

Moved by Councillor Alasdair MacPherson, seconded by Councillor Scott Farmer

Amendment

“Stirling Council recognises the proud industrial heritage of all Stirling Council’s eastern villages and in particular the coal mining community’s contribution to the life and work of the area.

Stirling Council resolves to pay tribute to all those people in the coal mining and other industries of the past that left a legacy in shaping the future of Bannockburn, Fallin, Throsk, Cowie and Plean.

Stirling Council officers will consult with local groups and organisations in these communities and report back to the Council’s Executive with a range of appropriate options to commemorate the cultural and economic heritage of the eastern villages.”

Moved by Councillor Margaret Brisley, seconded by Councillor Violet Weir

Councillor MacPherson stated that he was prepared to accept the terms of the Amendment with the proviso that the report to the Executive be submitted within the next 6 months. Councillor Brisley confirmed that this was acceptable and Councillor MacPherson withdrew his Motion.

Decision

The Council accepted the terms of the Amendment (as amended) without the need for a roll call vote and accordingly agreed:-

1. to recognise the proud industrial heritage of all Stirling Council's eastern villages and in particular the coal mining community's contribution to the life and work of the area;
2. to pay tribute to all those people in the coal mining and other industries of the past that left a legacy in shaping the future of Bannockburn, Fallin, Throsk, Cowie and Plean, and
3. that officers would consult with local groups and organisations in these communities and report back to the Council's Executive within the next 6 months with a range of appropriate options to commemorate the cultural and economic heritage of the eastern villages.

(d) Scrutiny Panel (Standing Orders 100-103) - Enforcement

"Council resolves to set up a Scrutiny Panel to examine the application of enforcement of, but not exclusively, anti social behaviour, noise, dog fouling, animal welfare and planning, across the various Council services and to consider the most efficient means of delivery.

Given the current arrangements are across a range of services, membership should be made up of one member of each political party (4 persons), with substitutes allowed.

Council needs to select a Chair and agree the timescale.

It is proposed that the Chair is an Opposition Member and the scrutiny should submit an initial report to Council in December with a recommendation for timescale to complete the scrutiny. "

Moved by Councillor Jim Thomson, seconded by Councillor Scott Farmer

Amendment

Councillor Johanna Boyd, seconded by Councillor Neil Benny, moved the Direct Negative

On the roll being called the Members present voted as follows:-

For the Motion (10)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Alasdair MacPherson

Councillor Ian Muirhead
Councillor Steven Paterson
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

Against the Motion (12)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
Councillor Margaret Brisley
Depute Convener Callum Campbell
Councillor Martin Earl
Councillor Danny Gibson
Councillor John Hendry
Councillor Corrie McChord
Provost Mike Robbins
Councillor Christine Simpson
Councillor Violet Weir

Decision

The Motion fell by 12 votes to 10 and the terms of the Motion were not approved.

The Council resolved under Section 50A(4) of the Local Government (Scotland) Act 1973 that the public be excluded from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 8 & 9, 6, 8 & 9, 6, 8 & 9 and 6 & 9 respectively of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973.

SC83 PROPOSED PHOTOVOLTAIC PANEL TERM CONTRACT FOR STIRLING COUNCIL – PHASE 2

The Council required a further Photovoltaic Panel Term Contract. The contract period would be 2 years from tender acceptance, with the opportunity to extend for a further 1 year.

Expressions of interest had been received from 49 contractors. Pre-qualification questionnaires were issued to all 49 and 18 completed questionnaires were returned. Eight of those contractors were invited to tender and 4 submissions were received.

The tender had been evaluated using a Price/Quality ratio of 60:40 to provide the best value. The scoring was attached at Appendix 1 to the report submitted by the Head of Assets and Support. Details of Contract Finance were also noted in Appendix 1.

In response to a question by Councillor Alasdair MacPherson, the Head of Assets & Support agreed to pursue any appropriate community benefits arising from the contract.

Decision

The Council agreed to accept the tender from Emtec Group Limited in the sum of £2,378,292 as it was deemed by the evaluation criteria chosen to be the most appropriate and represented the best value.

(Reference: Report by Head of Assets & Support, dated 2 October 2012, submitted)

SC84 MANAGEMENT AND OPERATION OF THE NATIONAL WALLACE MONUMENT AND OLD TOWN JAIL

Stirling Council currently leased the National Wallace Monument and Old Town Jail to Stirling District Tourism who managed these visitor attractions on behalf of the Council.

In considering the strategic review of Stirling District Tourism, the Council on 1 December 2011, remitted it to officers to begin discussions with a suitable third-party operator in respect of the operation of the National Wallace Monument and Old Town Jail from 2013.

Officers had held discussions with Historic Scotland on possible options for the management and operation of the National Wallace Monument and Old Town Jail.

Officers had also discussed the future management and operation of the National Wallace Monument and Old Town Jail with the Board of Stirling District Tourism.

A joint report submitted by the Heads of Economy, Planning & Regulation and Assets & Support set out the outcomes of these discussions and sought a decision on the most appropriate way forward.

The future arrangements for the management and operation of the National Wallace Monument and Old Town Jail required to be confirmed by October 2012, as it would require 18 months for the development and implementation of the visitor product / interpretation at the National Wallace Monument in time for 2014 visitor season.

Motion

“That Council agrees to:-

1. note the discussions that have taken place with Historic Scotland and Stirling District Tourism regarding the future operation of the National Wallace Monument and Old Town Jail;
2. note the future liabilities and costs of the National Wallace Monument and Old Town Jail in terms of property maintenance and building repairs and re-investment required in visitor interpretation;

3. Historic Scotland managing, operating and maintaining the National Wallace Monument under guardianship arrangements, and remit it to the Head of Economy, Planning & Regulation to take forward and implement these arrangements as soon as practicable, whilst exploring whether access for the people of Stirling to the monument can be preferentially treated and to bring such proposals back to the Executive;
4. Stirling District Tourism continuing to manage and operate the National Wallace Monument in the short-term, to provide sufficient time to take forward and implement recommendation 2.3;
5. Historic Scotland operating the Old Town Jail visitor attraction until October 2014 (on a breakeven basis), and at no cost to the Council; and
6. undertake a feasibility study into possible future uses of Stirling Old Town Jail, beyond 2014, which support economic and tourism development at the Top of the Town and are sympathetic to the aesthetics of the building, and receive a further report on the outcomes and recommendations of this study.

Decision

The Council approved the terms of the Motion without the need for a roll call vote and accordingly agreed:-

1. to note the discussions that had taken place with Historic Scotland and Stirling District Tourism regarding the future operation of the National Wallace Monument and Old Town Jail;
2. to note the future liabilities and costs of the National Wallace Monument and Old Town Jail in terms of property maintenance and building repairs and re-investment required in visitor interpretation;
3. to Historic Scotland managing, operating and maintaining the National Wallace Monument under guardianship arrangements, and remit it to the Head of Economy, Planning & Regulation to take forward and implement these arrangements as soon as practicable, whilst exploring whether access for the people of Stirling to the monument could be preferentially treated and to bring such proposals back to the Executive;
4. to Stirling District Tourism continuing to manage and operate the National Wallace Monument in the short-term, to provide sufficient time to take forward and implement decision 3;
5. to Historic Scotland operating the Old Town Jail visitor attraction until October 2014 (on a breakeven basis), and at no cost to the Council; and

6. to undertake a feasibility study into possible future uses of Stirling Old Town Jail, beyond 2014, which support economic and tourism development at the Top of the Town and are sympathetic to the aesthetics of the building, and receive a further report on the outcomes and recommendations of this study.

(Reference: Joint Report by Heads of Economy, Planning & Regulation and Assets & Support, dated 2 October 2012, submitted)

SC85 BALMAHA PUBLIC CONVENIENCE SITE

A report submitted by the Head of Assets and Support concerned an area of ground at the southeastern corner of the car park in Balmaha, which was the site of the former public convenience. It comprised an area of 0.05 acres, 0.03 hectares or thereby.

The public toilets had been declared surplus in 2011 and following the Council's surplus property procedure the property was placed on the open market for sale. At the closing date on 3 August 2012 three offers had been received.

Buchanan Community Council had strongly opposed the site being sold for commercial development and had expressed an interest in the site along with other Stirling Council owned land in Balmaha as part of a community enhancement scheme.

Motion

"That it be delegated to the Executive to determine the matter at its meeting on 1 or 29 November 2012 following further negotiation between officers and the community."

Moved by Councillor Neil Benny, seconded by Councillor John Hendry

Amendment

"Delete paragraphs 2.2, 2.3 and 2.4 and replace with:-

1. instruct officers to continue negotiations with Buchanan Community Council and / or Buchanan Community Partnership Limited for transfer to them of the site of the former public convenience and additional land as shown coloured orange on the plan shown at Appendix 1 on the basis of a Less than Best Price disposal, subject to all the stipulations set out in paragraph 3.21 of the report;
2. instruct officers to report on the progress of these negotiations to the December Council meeting."

Moved by Councillor Ian Muirhead, seconded by Councillor Graham Lambie

Councillor Benny accepted the Amendment and withdrew his Motion.

Decision

The Council approved the terms of the Amendment without the need for a roll call vote and accordingly agreed:-

1. to note the offers and the interest expressed by Buchanan Community Council;
2. to instruct officers to continue negotiations with Buchanan Community Council and / or Buchanan Community Partnership Limited for transfer to them of the site of the former public convenience and additional land as shown coloured orange on the plan shown at Appendix 1 to the submitted report on the basis of a Less than Best Price disposal, subject to all the stipulations set out in paragraph 3.21;and
3. to instruct officers to report on the progress of these negotiations to the December Council meeting.

(Reference: Report by Head of Assets & Support, dated 3 October 2012, submitted)

SUMMARY

SC86 RAPLOCH REGENERATION INITIATIVE - UPDATE & RECOMMENDED ACTION

A report submitted by the Chief Executive made recommendations which should preserve the Raploch Urban Regeneration Company's position as a going concern to the end of 2013.

The actions recommended, plus the steps set out in the report which would be required over the next 12 months, were aimed at ensuring that the Raploch Regeneration Initiative could again target meeting its original goals of providing physical regeneration in the area and social regeneration within Raploch and beyond.

During the debate, the Head of Corporate Projects Implementation confirmed that the cost of one of the recommendations, the write off of the cost of the demolition works on Site 6, would be borne by the HRA. Councillor Alasdair MacPherson asked that tenants be made aware of this at the next meeting of the Housing Advisory Group.

The Head of Service also confirmed that RURC staff to be offered employment within the Council would not be eligible for TUPE transfer rights

Motion

"That the Council approves the recommendations contained in the submitted report, with the word "construction" to be substituted by the word "acquisition" at paragraph 2.2."

Moved by Councillor Neil Benny, seconded by Councillor John Hendry

Amendment

Councillor Alasdair MacPherson, seconded by Councillor Scott Farmer moved the Direct Negative

The Provost was required to caution Members on their behaviour.

Councillor Neil Benny, seconded by Councillor Margaret Brisley, moved the procedural Motion "that the question is now put to the vote". On the roll being called the Members present voted as follows:-

For the Procedural Motion (12)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
Councillor Margaret Brisley
Depute Convener Callum Campbell
Councillor Martin Earl
Councillor Danny Gibson
Councillor John Hendry
Councillor Corrie McChord

Provost Mike Robbins
Councillor Christine Simpson
Councillor Violet Weir

Against the Procedural Motion (10)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Alasdair MacPherson
Councillor Ian Muirhead
Councillor Steven Paterson
Councillor Mark Ruskell
Councillor Jim Thomson
Councillor Fergus Wood

The Procedural Motion was carried by 12 votes to 10 and accordingly the question was put to the vote. On the roll being called the Members present voted as follows:-

For the Motion (12)

Councillor Neil Benny
Councillor Alistair Berrill
Councillor Johanna Boyd
Councillor Margaret Brisley
Depute Convener Callum Campbell
Councillor Martin Earl
Councillor Danny Gibson
Councillor John Hendry
Councillor Corrie McChord
Provost Mike Robbins
Councillor Christine Simpson
Councillor Violet Weir

Against the Motion (9)

Councillor Scott Farmer
Councillor Alycia Hayes
Councillor Graham Houston
Councillor Graham Lambie
Councillor Alasdair MacPherson
Councillor Ian Muirhead
Councillor Steven Paterson
Councillor Jim Thomson
Councillor Fergus Wood

Not Voting (1)

Councillor Mark Ruskell

Decision

The Motion was carried by 12 votes to 9, with 1 Member not voting, and accordingly the Council agreed:-

1. to note progress made by the Directors of Raploch Urban Regeneration Company to negotiate a Minute of Variation to the Regeneration Agreement as set out in paragraphs 3.1-3.4 of the submitted report;
2. to approve ,in principle, the acquisition of 27 housing units in site 4A of Raploch, subject to future agreement on the proposed funding structure for the acquisition and a guaranteed maximum price, and to underwrite design costs of up to a maximum of £10,000 for Forth Housing Association as noted in paragraphs 3.5 and 3.6;
3. to write off the cost of demolition works carried out on Site 6 by the Council on behalf of Raploch Urban Regeneration Company with immediate effect, and to forego anticipated income in relation to services provided to Raploch Urban Regeneration Company for financial ledger and ICT support as set out in paragraph 3.11;
4. to the permanent staff currently employed by the Raploch Urban Regeneration Company being offered employment by the Council with immediate effect, subject to all current and future employment related costs being covered in full by the Raploch Urban Regeneration Company, also as set out in paragraph 3.11; and
5. to note the next phases of work required in relation to the Raploch Regeneration Initiative as noted in paragraph 3.12.

(Reference: Report by Chief Executive, undated, submitted)

SC87 MOTIONS IN TERMS OF STANDING ORDER 16

Plean Community Council

Councillor MacPherson withdrew his previously circulated Motion.

The Provost closed the meeting at 11.45pm

QUESTION 1

QUESTION FROM COUNCILLOR STEVEN PATERSON FOR ANSWER BY THE PORTFOLIO HOLDER FOR ENVIRONMENT, TRANSPORT AND PUBLIC LAND AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

Prior to this year's local government elections, meetings involving representatives of Stirling Council, Transport Scotland and Network Rail to discuss the Edinburgh Glasgow Improvement Project were conducted on a cross-party basis, with the three ward councillors for the Stirling East ward invited in order to represent their constituents' opposition to plans to site a train stabling and wash facility in the vicinity of Pike Road.

However, under the new Tory-Labour regime, the last meeting took place on 27 August with only members of the Administration present. Indeed, the SNP group did not find out the meeting had even taken place until several weeks afterwards; such is the secretive approach being taken by this Administration, which takes its decisions behind closed doors.

Can the portfolio-holder explain why he thinks this surreptitious approach is an appropriate way for the Tory-Labour Administration to conduct such important business on behalf of this Council?

Answer

Prior to this year's local government elections, the Edinburgh-Glasgow Improvement Project was to include Stirling (although I am not aware of exactly when the decision to cut this might have been made by the Scottish Cabinet). The surprise announcement impacts upon the whole Stirling Council area and is not just related to the Stirling East ward. I do not agree with your sentiment and it is correct and entirely appropriate that this long awaited meeting was attended by senior officials and councillors, in this case the Council Leader and Transport Portfolio Holder on behalf of (all of) Stirling Council.

On 4 July 2012, Stirling Council found out (via media reports) that the Minister for Housing and Transport, Keith Brown, had cut £350M from the project. This means that electrification of the rail network to Stirling, Dunblane and Alloa will be re-phased to some future date.

On 6 July 2012, Bob Jack, Stirling Council's Chief Executive, wrote to the Chief Executive of Transport Scotland expressing disappointment regarding the announcement and concern that the Council had not been forewarned of the changes to the EGIP project, which will adversely impact on the Stirling area.

Also on 6 July, the Leader of the Council wrote to the Minister for Housing and Transport expressing disappointment in the reduction of the EGIP project and the lack of any prior briefings on such a significant detrimental change for the Stirling area.

Responses were received from both David Middleton (Transport Scotland) and Keith Brown on 13 July confirming their regret that no prior notification had been provided to Stirling Council regarding the £350M reduction in the EGIP's budget. Both letters confirmed that Aidan Grisewood, Director of Rail (Transport Scotland), would be arranging 'a briefing session on the proposed changes to the EGIP' project. Unfortunately, it took until 20 August for Transport Scotland to confirm the suitability of the 27 August for their briefing.

The briefing was arranged at short notice to accommodate the diaries of the Leader of the Council and Portfolio Holder for Environment, Transport and Public Land. A copy of the minutes of that meeting are attached.

The works associated with EGIP continue to be conducted with cross-party involvement, including meetings on the 11 and 30 May regarding the line clearance works associated with EGIP.

I welcome the confirmation made to the press from the Transport Minister that whenever the project is rephrased in the Stirling Area that the Pike Road (Polmaise) site will not be used for a stabling yard. This will be welcomed across the community.

Supplementary Question

A document was tabled by the Portfolio Holder at last week's meeting of Broomridge Community Council which stated that prior to the meeting Councillor Steven Paterson had been emailed the minutes of the EGIP meeting of 27 August by an officer. How did he know that?

Answer

I asked the question of the officer concerned and got that answer.

**MINUTES OF EDINBURGH TO GLASGOW IMPROVEMENT PROGRAMME (EGIP)
MEETING HELD IN WALLACE ROOM, STIRLING COUNCIL, OLD VIEWFORTH,
STIRLING, AT 9AM ON MONDAY 27 AUGUST 2012**

Present:

Transport Scotland: Aidan Grisewood (AG), Director of Rail
Martin McKinlay (MM), Head of Rail Services
David Ray (DR), Project Governance Manager

Network Rail: Rodger Querns (RQ), EGIP Chief Officer
Geoff Cooke (GC), Senior Programme Development
Officer

Stirling Council: Cllr Corrie McChord, Leader of the Council
Cllr Danny Gibson, Portfolio Holder for
Environment, Transport and Public Land
Rebecca Maxwell (RM), Assistant Chief Executive
Les Goodfellow (LG), Head of Environment Services
Kevin Robertson (KR), Head of Economy, Planning and
Regulation - Chair
Peter Morgan, Chief Planning Officer
Jim McGregor, Roads Development Control Team Leader

Note of Meeting:

KR welcomed all and thanked everyone for their attendance.

KR introduced the meeting and advised the purpose was:-

- 1) To discuss the recent announcement by Scottish Government with regards to changes to the EGIP project.
- 2) To understand the impact of these changes on the Stirling area from a transport connectivity and infrastructure perspective.
- 3) To explain the enabling works that are still planned to go ahead within the Stirling area and the timing of these.

KR said that Stirling Council had learned of changes to EGIP via the media, but given the implications for the Stirling area, the Council should have been advised by Transport Scotland before the public announcement.

Cllr Gibson advised of a degree of frustration on how announcement was handled, in terms of how the decision came about, how the information was put out, and how it was dealt with thereafter. Cllr Gibson added it was a difficult period for the Council and for the people of Stirling.

Cllr McChord also expressed his disappointment and commented that he was at the City Alliance meeting with Perth and Kinross Council, they are keen to see rail electrification reach Perth and are also wondering if and when it will happen. Also in terms of potential transport disruption within Stirling, Cllr McChord is keen to know definitely what the plans are in terms of the enabling bridge works, etc.

In response, AG advised that he understood the reactions to the announcement but in terms of the process he could not go into detail – it was a big decision and these usually are kept confidential until the Minister's announcement. In retrospect AG expressed Transport Scotland's apologies to Stirling Council for this. AG said he is pleased to be speaking to Stirling Council to clarify and provide reassurance.

AG explained that 2014 -19 is the next financial control period which sets out funds from Scottish Government and Transport Scotland. AG said Transport Scotland set out their requirements, Network Rail prepare a business plan to incorporate their requirements, then Rail Regulator has a role in terms of validation of costs. AG advised that there is still an overall commitment to electrification of the Central Scotland rail network and this is reflected in statements around post-EGIP announcement. AG advised that it does not make sense for half of the network to be electrified and other half to remain diesel for operational reasons. AG advised that he understood the disappointment of Stirling Council but hopefully will find a way forward today on specific local issues.

KR invited questions:

RM advised that she is very keen to understand what will or will not happen in terms of rail enhancements and infrastructure works in Stirling. In terms of communications RM stated that the announcement was not handled well and communication at the time and since has been complicated. RM understands the complexities but asked who is communicating with the public and how it will be handled. RM would like to discuss this at the end of the meeting.

MM gave presentation on EGIP background to change:-

Planning for EGIP started in 2007. In March 2012, Government sought a review of EGIP in terms of future appropriateness - Jacobs was commissioned to do this.

Jacobs carried out validation of existing EGIP proposals and considered other ways of delivering the same or similar outputs. Jacobs confirmed that six trains and electrification between Edinburgh and Glasgow was required. They also identified opportunities at Glasgow Queen Street station which included increasing the size of the station platforms and development of the front of Queen Street station. Three platforms could be extended to accommodate 8-car trains (currently 6), which would enable four trains per hour to deliver the increased passenger capacity between Glasgow and Edinburgh.

Moving forward, MM said Scottish Government are committed to EGIP, with £650M funding for initial phase of Control period (2014-2019), and wider electrification programme beyond that period, with a commitment to electrify 100 single track kilometres per annum following completion of EGIP.

KR said the original timescale was to complete EGIP by 2016. Does this mean that the project has been moved back? MM answer is no, it is to accommodate changes to original proposals. LG asked if Bridge of Allan and Dunblane can accommodate longer trains. MM advised that he did not think so but Network Rail would take the opportunity to extend platforms when required to do so. Presentation included items not included in initial phase.

MM advised that all train services which currently run, will continue to run. MM also advised that Transport Scotland are not taking forward the Stirling train stabling facility at this time. RM commented that the presentation showed that Dalmeny Chord is no longer included in EGIP, therefore trains to link Stirling to Edinburgh airport will not happen. LG queried lifting bridges if trains are not coming to Stirling. MM advised that they are continuing with this enabling work as there is a still a commitment to electrification.

Re Bridges - Cllr Gibson asked about contracts already placed with contractors and is that why bridgeworks are having to progress? Roger Querns advised that Network Rail's contracts are flexible.

KR spoke about impact of truncated EGIP on Stirling train services and asked if there will be any change to journey times or frequency. AG answered no to this question, there will be no worse journey times and the frequency will remain as it is.

KR stated diesel trains serving Stirling area are slower than electric trains, and concern is that the diesel trains will have to make way for faster electric trains. AG advised that Transport Scotland will work with train operator to ensure that this does not happen.

Cllr McChord asked about timetable changes. AG advised that timetable adjustments are likely but still maintaining all existing rail connectivity.

KR queried that it could be after 2019 before electrification is installed in Stirling area, Stirling will still be served by older trains. MM said all services provided will continue to be of quality and standard expected. MM's expectation is that all of the fleet will be maintained to suitable standards. All services which run across whole route should be appropriate for the services they provide and will be in a suitable standard for the travelling public.

RM asked about Dalmeny Chord. Is there no intention to do this link and therefore Stirling will lose this link to Edinburgh airport. MM advised that this is still in mind for the future, with connectivity to Edinburgh airport for Stirling via Edinburgh Park or Haymarket.

AG advised that electrification of the network is a "when" rather than "if" and they are looking at options to do this. RM queried that if electrification is a "when rather than if", she queried whether a more direct link to airport is a possibility. AG answered that airport link is still an option but it is difficult to say when.

Cllr Gibson referred to review of EGIP undertaken by Jacobs – was it this which led to the decision by Transport Scotland to reduce EGIP? AG and MM answered yes. Cllr Gibson asked if he could see a copy of the Jacob's report – MM advised that it is not publicly available at this time but will be in the future. Cllr Gibson asked if the existence of this report is public knowledge and MM answered yes.

Cllr Gibson asked who by and where are the decisions being made. AG advised that it is a ministerial decision. Cllr Gibson asked if the decision is based on affordability – AG advised that that is not the only basis but they now have different options to deliver outputs of EGIP. Cllr Gibson asked about affordability and why the electrification was to proceed before but

not now. AG advised that they have to decide what they want out of the system and how much it will cost and decision has to be made to this basis. Transport Scotland has to look forward many years and consider what money is available to deliver the greatest benefit.

Cllr Gibson asked if money were to be found to close the financial gap, would it be a matter of carrying on with the original EGIP. AG advised that the Minister is keen to look at bringing electrification to Stirling, however as directed Transport Scotland are concentrating on Phase 1 of EGIP, and in terms of subsequent phases, there have been no announcements. He also mentioned that this gives further time to look at local sensitivities.

Cllr McChord commented that some may think that in terms of the Scottish Government budget, has there been a preference to road over rail, i.e. A9, Forth road crossing. AG answered that in terms of overall funds available to rail, this has risen year on year.

Cllr Gibson asked if Scottish Government have this funding set aside and who held the purse strings. AG advised that funding commitments are a collective decision.

LG asked for clarification of opportunities at Queen Street Station. LG asked if diesel trains can be extended by two carriages would they envisage using diesel trains with an extra two carriages at a much less cost. MM advised that, theoretically, yes but the commitment to electrification is what is being driven forward, and in any case would still have to pay for intervention at Queen Street to accommodate the larger trains. RQ advised that the £650M includes other changes. They are also paying for electrification to get the benefits it brings i.e. lower operating costs, maintenance of the network. Key thing is that Scottish Government are keen to move away from using fossil fuels to a more sustainable power.

What does this mean for Stirling?

KR asked about works in Stirling area. What is happening in Stirling area over the next 3 / 4 years. MM advised that some works are underway at the moment - this is the programme which was put in place a year ago with Transport Scotland, and which involves bridges in the Stirling Council area – these works will continue.

LG advised that the key rail over-bridges in Stirling are Seaforth Place / Shore Road (to Riverside) and A905 Kerse Road. Council requires to know what the timing programme is for the bridge works as there are significant national events within Stirling in 2014 and works should not be going on whilst these events are taking place. RQ advised that they are still in discussion with Transport Scotland to minimise any disruption, and plan to do these works in October 2013. LG queried when they will finish the works so that they do not run into the events of 2014. LG wanted to ensure effective communication with the public on works at Kerse Road and Shore Road.

KR again stressed very strongly that there are a number of events going on in 2014 and do not want these to be disrupted. RQ advised that they are very aware of this and are planning to avoid any major works in 2014.

JMcG asked for assurances that A905 Kerse Road and Shore Road works would not go ahead at the same time, as one is diversionary route for other. RQ advised that he is certain that they are separate, but will confirm to JMcG. KR asked RQ if he could provide dates for these works as soon as possible. RQ advised that he will do this.

RM asked what the process is for involving the Council in discussions about what is planned and going ahead in Stirling. MM advised that they are keen to have discussions on what the right answer is for Stirling. RQ is confident that designers will come up with a solution for track lowering at A905 Kerse Road. AG advised that it will be useful to have these decisions. RM asked for involvement rather than communication.

KR said that with electrification being some time later, will there still be a requirement for a train stabling facility in the Stirling area. KR asked for confirmation if they are planning any construction work on a train stabling facility at this stage. RQ advised that no, they are not planning any works on a train stabling facility at this stage. RQ said if there are electric trains going to Stirling and north, there will be a requirement for a stabling facility, but the location is still to be decided. Network Rail are looking at options for train stabling at Stirling station as is currently the case for existing diesel trains.

Cllr Gibson discussed letter to Stirling Observer from Bruce Crawford MSP which said “there will no longer be a requirement for a train washing facility in the Stirling area”.

Cllr G asked when can a decision be taken on whether the train stabling facility will be at Polmaise? MM advised that it is clear to them that Polmaise is not popular. When they electrify to Stirling, there will be a requirement to consider where the electric trains will be stabled. At this point he said that they intend to consider other opportunities in the Stirling area rather than Polmaise and are looking at this at the moment. MM advised that Polmaise will not be where the stabling facility is. Cllr Gibson asked for written confirmation of this in order to inform the public.

GC advised that there is a consultation process and they need to consider whether to do this in isolation or during the overall process. Item to be discussed.

KR asked about communication and said the Council would appreciate “heads up” on any public announcements being made regarding EGIP. KR advised that there is likely to be communication on: what happens at Polmaise; firming up on dates for bridge works and any communications in terms of what overall railway enhancements means for the people of Stirling.

RM commented on looking at both sides in terms of communication and who is communicating what to the public and that our communities are correctly informed of what is happening, as it leads to rumours. RM commented on continued confusion in terms of future rail connectivity.

LG advised that we also have projects at Dunblane, discussions around level crossings and possibility of changes to Causewayhead Road bridge. LG requested consistent message from Network Rail on what they are doing in Stirling and making sure that this communication is clear.

RQ advised that he will take this on and speak to their Head of Communications so that Stirling Council are clear on what Network Rail are doing over the next couple of years.

AG advised that in terms of timescale, it is possible to be pretty clear, relatively early in terms of what is happening, however, Regulator process will take some time.

Things will become clear but not in the short term as preparatory work and regulatory statement all needs to be done beforehand.

RM queried:-

- 1) would Stirling be in phase 2 of the electrification or a later date, and,
- 2) what is the scale of uncertainty on the scale of electrification at this later date

Cllr Gibson asked about Bruce Crawford's letter indicating that it will be after 2016.

AG advised that he would be saying that it will be the following decade. In terms of electrification would look at Stirling being a priority area to electrify as it is a key link to electrification to the north. It is more a question of how they deal with other pressures at the same time. Would think that Stirling electrification would be important in terms of moving on with electrification.

RM felt that it would be useful for Council to have a timeline of all key milestones and the key issues, i.e. short term and to highlight the opportunities for Stirling Council to be involved in some of these discussions. RM would like to see written process. AG agreed to provide this.

LG commented that the announcement was in July and it is now August. Public in Stirling are wondering what is going on and it would be good to have something to inform them of what is happening. AG took this on board.

KR thanked all for attending and brought the meeting to a close.

QUESTION 2

QUESTION FROM COUNCILLOR JIM THOMSON FOR ANSWER BY THE PORTFOLIO HOLDER FOR POLICY AND PERFORMANCE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

On 26 September 2012, at the special meeting of Council you made reference to the 2007 planning application for the Kildean site. You stated that the entire loop was to be developed and the reason for removing housing from the Local Development Plan was because of the reduced developable land.

In fact, the 2007 application took due account of flooding and the area to be developed and that approved in the 2010 Planning Framework is almost identical.

Can you please explain this error and given the circumstances, does this alter your views on developing the Kildean site for housing?

Answer

There was no such error. Paragraph 1 of the question is wrong. The reference I made to the "entire river loop" was in the context of the Council's Local Plan 2007 which allocated that loop as a Strategic Employment Site to be developed as an expansion to Castle Business Park to the south.

Supplementary Question

When challenged at the meeting on 26 September, Councillor Benny stated that he had changed his mind about the appropriateness of housing on this site since 2010 because of representations made by members of the public. Can you tell me how many representations were received and what they were?

Answer

The Portfolio Holder agreed to provide Councillor Thomson with details of the number and type of representations received regarding the potential for housing on the Kildean site.

QUESTION 3

QUESTION FROM COUNCILLOR IAN MUIRHEAD FOR ANSWER BY THE PORTFOLIO HOLDER FOR ENVIRONMENT, TRANSPORT & PUBLIC LAND AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

Can the Tory/Labour administration portfolio holder please inform me of what advice he sought from the Education and Roads services in regard to the alterations made to the Local Development Plan since submitting the draft plan in August 2012 and what information he received?

Answer

Environment Services (Roads Service) and Education Services have been fully involved throughout the preparation of the Proposed Local Development Plan. Roads and Education Officers were consulted on the changes made to the site proposals prior to finalising the Proposed Local Development Plan in September 2012.

The Roads Service commented that although the transport modelling (in terms of the exact location and scale of the development impact) could not be fully revisited in time for publication of the Proposed Local Development Plan, the changes to the sites within the Proposed Local Development Plan do not significantly affect the critical intervention points for introducing new infrastructure and the transport modal shift required before 2022. The City Transport Strategy draft programme covers the period up to 2027 and the proposed infrastructure solutions remain the same, as do the City Transport Strategy developer contributions contained within the Proposed Supplementary Guidance (SG14).

Officers from Education Services have revisited the Proposed Supplementary Guidance (SG15) on Education Facilities to take account of the changes made to the Proposed Local Development Plan. The need for a new primary school to the north of Stirling is still required as part of a proposed solution to manage the impact of new housing development forecast across the City of Stirling as whole. Updated Proposed Supplementary Guidance (SG15) was presented online in conjunction with the Proposed Local Development Plan as considered by Council on 26 September 2012.

Background Reports on both transport and education facilities issues will be published alongside the Proposed Local Development Plan for formal consultation on 15 October 2012.

QUESTION 4

QUESTION FROM COUNCILLOR ALYCIA HAYES FOR ANSWER BY THE PORTFOLIO HOLDER FOR ENVIRONMENT, TRANSPORT & PUBLIC LAND AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

The previous SNP led administration promoted sustainability throughout the Stirling Council area.

The Tory/Labour Serving Stirling Document currently displayed on the Council web site lists the priorities for the current administration.

There is no mention whatsoever of sustainability and despite prompting from the SNP group and concerned residents, there is silence from the portfolio holder on this matter.

Can the Tory/Labour administration portfolio please inform the meeting of his intentions for delivering a sustainable Stirling?

Answer

Councillor Hayes will recall, at the June Council meeting where the Administration set out its priorities in the document "Serving Stirling – Priorities for Stirling Council", it was noted that discussions would continue to refine the priorities and define Portfolio Objectives and that a further report would be brought back to Council in October.

Item 10 on this Agenda deals with 18 key areas which will take precedence in the first half of the Council term and in the Appendices to that report, Councillor Hayes will see that Priority L is to: "Adopt a pragmatic approach to sustainability that protects and enhances the local environment, which will involve ensuring all legal obligations are met, while cost savings are maximised, and carbon emissions are minimised."

The main legal obligation for the Council is the Climate Change (Scotland) Act 2009, which places duties on the Council:-

- a) to reduce emissions in line with government targets;
- b) to deliver any statutory adaptation programme; and
- c) to act in a way that it considers is most sustainable.

With regard to emissions reduction, we continue to deliver the Council Carbon Management Plan and an update report to November Executive will outline progress in delivering that plan.

With regard to climate change adaptation, Stirling has been selected to be one of 21 European cities to benefit from training and capacity building to develop a draft adaptation strategy by June 2013 through the EU Cities Adapt project.

With regard to the 3rd element of the duties, Councillor Hayes will be familiar with the Policy and Resources Implications section numbered 4 in Council reports where all reports coming to Committee are assessed for their implications for sustainability. In addition, monitoring of

sustainability and climate change activities across the Council will continue to be reported in the Council Annual Report (see Item 12 on this agenda) and Climate Change Declaration Annual Statements. We are also liaising with relevant Community Planning partners to encourage them to reduce their emissions, consider similar arrangements to Climate Change Declaration reporting and to engage with developing a draft Adaptation Strategy. Sustainable Development considerations are also key elements in the draft proposed Local Development Plan, Local Housing strategy and Open Space Strategy.

Once adopted or agreed by committee, all relevant sustainable development documents are made available to the public on the Council web-site, under 'Planning and the Environment' <http://www.stirling.gov.uk/services/planning-and-the-environment/sustainable-development>

Supplementary Question

Your priority is to "Adopt a pragmatic approach to sustainability...". Can you please define "pragmatic".

Answer

The Administration will develop the wording of this priority in due course and will deliver the sustainability agenda for the people of Stirling.

QUESTION 5

QUESTION FROM COUNCILLOR GRAHAM LAMBIE FOR ANSWER BY THE PORTFOLIO HOLDER FOR EDUCATION AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

The Tory/Labour Serving Stirling Document includes the following -

3.2. Reforming parent councils to help keep schools accountable to parents.

Parent Councils were introduced as part of the Scottish Schools (Parental Involvement) Act 2006. Can the portfolio holder please advise of which parts of the Act he considers need changing how does he propose to achieve this?

Answer

It is not within the power of Stirling Council to change the provisions of the Act; the Council will continue to fulfil its duties to Parent Councils under the Act.

The Administration is committed to ensuring the most effective possible involvement of parents in their children's education. In support of this a review will be undertaken of how well Parent Councils are working, and how they can be improved while continuing to comply with the Act. Parents, pupils, teachers and education staff will be consulted.

Supplementary Question

The word "reforming" concerns me and I wonder if the Administration would consider amending it".

Answer

We don't intend to pre-judge the outcome of the consultation. It could be that everyone is completely happy with the way things are and there's no need to make any changes.

QUESTION 6

QUESTION FROM COUNCILLOR ALASDAIR MACPHERSON FOR ANSWER BY THE PORTFOLIO HOLDER FOR HOUSING & REGENERATION AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

Stirling Council condemns the draconian welfare reform and bedroom tax being imposed on Council tenants by the Tory Government.

Could the portfolio holder confirm how many Council tenants are going to be affected by these cuts and how much Housing Benefit is going to be lost in total?

Answer

Based on the current claimant profile we estimate that 840 tenants will be affected by the change to the Housing Benefit rules in respect of under occupancy. This figure may change as people making new claims or move out of benefit eligibility.

The average reduction in benefit to these tenants will be in the order of £10.30 each week or a total of £415,296 a year.

In addition we are aware of 4 tenant households who will be affected by introduction of the benefit cap that restricts the total amount of benefit that can be paid to any one household. The impact for these household will range from less than £2 a week to just under £70 a week based on their current claim, household complement and rent level.

Supplementary Question

15% of our tenants will be affected by these cuts. Can you please tell me what measures you will be taking to minimise their impact.

Answer

Affected tenants received a letter about a year ago asking them to contact the Housing service for advice and support. Unfortunately the response was quite poor, so Housing Officers are now making home visits and giving the necessary advice directly to tenants.

QUESTION 7

QUESTION FROM COUNCILLOR SCOTT FARMER FOR ANSWER BY THE PORTFOLIO HOLDER FOR FINANCE, ECONOMY & CULTURE AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

The first meeting of the Finance Committee took place on 25 September 2012. Can the Conservative-Labour Coalition Portfolio-holder for Finance, Economy & Culture explain why it has taken till end of September for this decision making Committee to be convened?

Answer

The Council approved the remit of the Finance Committee and appointed its membership on 28 June 2012. The programme of Committee and Panel meetings was approved on the same date. Council was in recess in July and August and the normal arrangements for business during the recess were in place.

The first cycle of meetings following the recess (cycle 4) covers the period 21 August to 15 October 2012. As noted in the report to Council, the Finance Committee is scheduled to meet in Week 4 in cycles 1, 2 and 5, but will meet in week 7 in cycle 3, and week 6 in cycle 4, in order to meet required timings in relation to presentation of the Council's Annual Accounts.

Supplementary Question

By how much and over what timescale are you going to reduce the £1.8M overspend in Social Services before the budget meeting in February 2013?

Answer

It is a significant financial challenge and we will need to ensure that the very vulnerable are not adversely affected. I don't think a zero position is possible, but we will work hard with officers to address it.

QUESTION 8

QUESTION FROM COUNCILLOR MARK RUSKELL FOR ANSWER BY THE PORTFOLIO HOLDER FOR ENVIRONMENT, TRANSPORT & PUBLIC LAND AT THE FULL COUNCIL MEETING TO BE HELD ON THURSDAY 11 OCTOBER 2012.

Question

To ask the administration what its approach is to unconventional gas extraction in the Stirling area?

Answer

The Proposed Local Development Plan puts forward a new planning policy - Primary Policy 11 which deals with Minerals and Other Extractive Industries. Unconventional gas extraction is specifically dealt with in the policy requiring a range of criteria to be satisfied before it can be supported.

Supplementary Question

(Councillor Ruskell had earlier referred to two open letters to the Chancellor of the Exchequer from businesses and renewables companies, stating that investment in the UKs green energy sector was being threatened by the "dash for gas")

Do you support unconventional gas extraction and if so, what message do you think this sends to investment companies?

Answer

Any application would be considered through the Planning process in accordance with the policy set out in the Proposed Local Development Plan.

**MEETING of the STIRLING COUNCIL to be held in the COUNCIL CHAMBERS,
OLD VIEWFORTH, STIRLING on THURSDAY 11 OCTOBER 2012**

Information/advice from Officers

a. Freedom of the City

Admission as an honorary freeman is an honour which a local authority can give to "persons of distinction and persons who have rendered eminent service to their area". This is permitted by section 206 of the Local Government (Scotland) Act 1973 which requires that a resolution to that effect be passed by not less than two-thirds of the members voting thereon at a meeting of the authority the notice of which specifies the proposed admission as an item of business. A special meeting of Council would be convened for this purpose.

b. Pedestrian Crossing Doune

The A84 through Doune is a Trunk Road and is the responsibility of Scottish Ministers. Officers from Environment Services have provided advice to local members on the type of pedestrian crossing that would be suitable for this location. However, the final decision on installing a pedestrian crossing on the A84 through Doune rests with Transport Scotland.

c. Achieving Fairtrade Status Across the Council Area

Background Information

Details of what Fairtrade and Fairtrade Towns aim to achieve can be viewed on the Fairtrade Foundation website at and <http://www.fairtrade.org.uk/>. The following information is largely taken from this source.

What is Fairtrade?

Fairtrade is about better prices, decent working conditions, local sustainability, and fair terms of trade for farmers and workers in the developing world. By requiring companies to pay sustainable prices (which must never fall lower than the market price), Fairtrade addresses the injustices of conventional trade, which traditionally discriminates against the poorest, weakest producers, and enables them to improve their position and have more control over their lives.

What is a Fairtrade Town?

A "Fairtrade Town" is a city, town, village or zone that:-

- supports Fairtrade and promotes understanding of the benefits Fairtrade brings;
- takes action by choosing Fairtrade products whenever possible and encourages others to do likewise;

- achieves and continues to take action on the five Fairtrade Town goals (refer to below).

Stirling already has Fairtrade city status. It is proposed to extend this to the entire Council area.

Also to achieve (and where appropriate, renew and maintain) Fairtrade Town or School status by other groups active in the Council area.

What is involved?

To become a Fairtrade Town, the following five goals must be achieved:-

1. Local Council passes a resolution supporting Fairtrade, and agrees to serve Fairtrade products at meetings, etc.
2. A range of at least two Fairtrade products are readily available in the area's retail and catering outlets.
3. Local workplaces and community organisations support Fairtrade and use Fairtrade products whenever possible.
4. Media coverage and events raise awareness and understanding of Fairtrade across the community.
5. A local Fairtrade steering group is convened to ensure the Fairtrade Town campaign continues to develop and gain new support.

An action guide is available at:

http://www.fairtrade.org.uk/includes/documents/cm_docs/2009/a/action_guide_final_1208.pdf

Promotion of Fairtrade issues

By supporting Fairtrade, this adds to the growing demands for a trade system that puts people, not profit, at the heart of the transaction.

Fairtrade issues may be promoted to local people throughout the Council area by local publicity, information on the Council's website, working with local schools, Forth Valley College and Stirling University, and communicating with local community groups via the Council's Communities Service using the "Your Community" portal on the Council's website.

Fairtrade issues may be promoted amongst local businesses and producers throughout the Council area via the Council's Economic Support & Tourism Service using the local Business Panel, trades associations and via the Council's Trading Standards Service in the course of their interaction with local businesses.

Procurement of Council Goods and Services

There is potential for legal challenge if the requirement to provide Fair Trade goods results in a potential supplier losing a contract.

d. Memorial To Polmaise Miners

Resources in the form of officer time would be required to support the work of this group. Democratic Services can provide the required administrative support from within current resources. The group's proposals will require to be reported to Council in due course and the resource implications of such proposals will need to be considered. Relevant impact assessments may need to be undertaken depending on the nature of the proposals which the group formulates.

e. Scrutiny Panel (Standing Orders 100-103) - Enforcement

This Scrutiny Panel, if formed, will operate under the guidelines approved by Council in June 2012. The Head of Governance & Resources will require to appoint a Clerk and an Independent Lead Officer to fulfil the roles set out in the guidelines. Each Service which is the subject of scrutiny will require to appoint a Service Lead Officer to facilitate the Panel's work within their Service.

f. Plean Community Council

(Motion withdrawn)

